

Thailand's Progress Report on Anti-Human Trafficking Efforts

31 March 2015

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I. Latest Progress in Thailand's Anti-Human Trafficking Efforts

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1. Updated statistics and notable current cases

The Royal Thai Government’s substantial new measures to combat human trafficking have already begun to yield concrete dividends. This section will provide some key updates on the results of the enhanced law enforcement processes.

In 2014, there were arrests of eight officials: 4 police officers, 1 navy officer, 2 local-level officials and 1 social and human development officer. Currently, there are five active prosecutions of public officials ongoing, the details of which can be found in *Table 5*.

Other key statistics include:

A. Report of case results in 2014 (Additional detail available in *Table 1*)

A total of 280 human trafficking cases were arrested in 2014 alone. Out of these 280 cases,

- Police filed charges for 205 cases, did not file charges for 2 cases and 73 cases were pending under investigation
- Prosecutors filed charges for 155 cases, did not file charges for 5 cases, and 47 cases were pending under investigation¹
- Courts rendered decisions for 47 cases, while 108 cases were pending

B. The investigation on extended networks of human trafficking in 2014 (Additional information available in *Table 2*)

¹ Prosecutors did not file charges in these five cases due to lack of evidence that the requisite constitutive elements of a trafficking offense were satisfied, e.g., lack of exploitation (element 3) or lack of means, such as threats or force (element 2). In two out of these five cases of suspected forced begging, DNA examination showed that children were actually begging with their parents due to poverty, and no third parties were receiving benefits. In other cases, it turned out that individuals had agreed to work and were receiving wages. Nevertheless, despite these charges being filed, all five cases are still being reviewed by the Attorney General’s office to ensure that the cases genuinely do not warrant human trafficking charges.

- 2 networks of trafficking for prostitution
- 3 networks of trafficking for forced labor
- 1 network of trafficking/smuggling Rohingya and money laundering (Hua Sai case, Nakhon si Thammarat province, under the jurisdiction of the Royal Thai Police Region 8)² (See more in *Table 3*)

In 2014, verdicts were given by the court in 118 human trafficking cases (including human trafficking cases that were filed prior to 2014). Ninety cases were closed in a timeframe of under 1 year, while 27 cases took within 1 to 2 years to reach a verdict and one case took within 2 to 3 years to reach a verdict.

From these findings, the Royal Thai Government has therefore tried to find ways to expedite the judicial process. As a result, a new set of judicial guidelines³ was issued on 19 December 2014 by the President of the Supreme Court, asking all judges in Thailand to avoid unnecessary delays in adjudicating all human trafficking cases. From now on, verdicts in all human trafficking cases should be rendered within six months. If, however, there is any absolutely crucial reason for a delay in a verdict, the judge responsible must report the reason to their superiors and request an extension. If an extension is granted, it will only last for an additional six months and a verdict must be delivered. This new procedure applies to all trafficking cases involving Thais or foreigners. In short, in no cases should the timeline be beyond one year once each case has reached the court. These new guidelines are discussed in further detail in the Measures section below.

C. Key updates from 2015

The Minister of Interior, General (ret.) Anupong Paojinda, in his new capacity as the Vice-chairman of the Subcommittee on Suppression of Human Trafficking, as appointed by the Prime Minister on 17 February 2015, has also been taking on an active role in combating human trafficking, in addition to the law enforcement role traditionally played by the Royal Thai Police. On 24 – 25 December 2014,

² This investigation is ongoing by Police in Region 8. It is still unclear whether this was human trafficking or merely human smuggling. Even if the initial crime is found to be smuggling, investigation will continue to determine whether this smuggling was connected to a larger ring involved in human trafficking.

³ A more proper translation of this would be “recommendations” but they are meant to serve as guidelines to be followed by all of the judges across Thailand.

Minister Anuphong held a meeting with 909 officials from at-risk provinces at Miracle Grand Hotel, Bangkok, to discuss how to combat human trafficking more effectively. In particular, the Minister ordered Ministry of Interior officials to mobilize the Damrongdhama Centers⁴ throughout the country to actively engage in the suppression of human trafficking and related illegal activities which resulted in a large number of new cases, as follows:

- On 5 January 2015, the Damrongdhama Center in Takuapa District, Pangnga Province, received information from local citizens regarding human trafficking. The Takuapa Chief District Officer along with the police, MSDHS, and local volunteers were able to arrest a smuggling ring of 2 persons (Thai nationals) and rescued 53 foreign victims.⁵ (See Latest Human Trafficking Victims Statistics in *Table 8*)
- On 27 January 2015, the Damrongdhama Center in Udonthani Province, received information from local citizens regarding human trafficking. The Governor of Udonthani in cooperation with the police, the army, MSDHS raided 4 prostitution venues. They were able to rescue 33 Laotian female victims and rescued 2 children under the age of 18 who were victims of human trafficking. The Governor immediately ordered the venues to be closed down. Local police are investigating and filing legal cases against at least owners and caretakers of these venues.
- On 30 January 2015, the Damrongdhama Center in Thanyaburi District, Pathumthani Province received information from a local NGO group, called the “Counter Human Trafficking Unit” (CTU). The Thanyaburi Chief District Officer in cooperation with the police, the army, MSDHS and members of CTU then raided a karaoke venue. They rescued 11 foreigners (10 Laotian and 1 Vietnamese) who were brought into prostitution, 5 of whom were under the age of 18 and were victims of human trafficking. The

⁴ On 18 July 2014, the NCPO instructed every province to set up a Fair Justice Center or “Damrongdhama Center” to handle complaints launched by the public. These complaints normally include problems with informal debts, product pricing and other social problems, but they have also been increasingly playing an active role in combating human trafficking in each and every province across Thailand. For the NCPO’s instruction on setting up Damrongdhama Centers, please see http://thainews.prd.go.th/centerweb/newsen/NewsDetail?NT01_NewsID=WNPOL5709010010004 and http://www.isranews.org/announcement/item/31453-aa_31453.html)

⁵ One example of earlier news reports on this case is <http://www.bangkokpost.com/news/general/454454/50-rohingya-held-as-traffickers-flee>, dated 5 January 2015.

Governor of Pathumthani immediately ordered the venue to be closed down and the police arrested the owner of the venue.

- On 6 February 2015, the Damrongdhama Center of Nakhonpathom Province received information and cooperation from the Protect the Women Foundation, an NGO, regarding a request to find 16 years old child from Myanmar who was lured into working in a massage parlor in Sampran District, Nakhonpathom Province. The Governor of Nakhonpathom along with the police, the army, MSDHS and members of the NGO were able to rescue 3 Myanmar children under the age of 18 from the massage parlor. These children have since been put under protection according to Thai law.

D. Recent Indonesia Cases (including Ambon and Benjina Islands) (Further details in *Table 2*):

- Such cases have received much attention worldwide due the scale of the problem and the number of victims involved. Since 1 October 2014, 146 Thai laborers on fishing vessels have been given assistance and returned to Thailand. Out of this number, 70 are from Ambon Island, and 76 are from nearby islands of Indonesia. Investigation by the Department of Special Investigation (DSI) and the Royal Thai Police is being carried out on several cases related to the incidents in Ambon and nearby islands. Out of 4 cases currently under the jurisdiction of DSI, one has already produced a concrete result. Three Thai nationals involved in trafficking on the Mahachai Navy 24 fishing vessel (i.e. a broker, captain, and technician) were issued warrants and subsequently arrested on human trafficking charges.
- As for the Silver Sea Line cargo ship, which is implicated in the recent report by the Associated Press (AP) as a mother vessel connected to forced labor, probes into suspects linked to human trafficking by DSI have been ongoing. Investigation into this and other cases related to Ambon and nearby islands began long before the AP's reports were released on 24 March 2015.
- On 27 March 2014, the Royal Thai Government sent a team of concerned agencies comprising the Royal Thai Police, Ministry of Justice's Department of Special Investigation (DSI), Ministry of Labor, Ministry of Social Development and Human Security, and Ministry of Foreign Affairs'

Department of Consular Affairs to Ambon as well as nearby islands (including Benjina island as reported by AP) in Indonesia to continue pushing the cases forward and provide immediate assistance and protection to the trafficked victims. The visit was facilitated by the Royal Thai Embassy in Jakarta and concerned Indonesian authorities. The cooperation between Thailand and Indonesia to solve the existing problems of fishing and human trafficking, as well as prevention will be further discussed by representatives of the two countries (See, for example, the ongoing negotiation on an MOU on cooperation in the fishing sector between Thailand and Indonesia in the *Future Work Plan Table* section).

- It should be noted that the team of agencies sent to Indonesia on 27 March 2014 also included representatives from the Labor Rights Promotion Network (LPN) to provide a civil society perspective and assist with the support and protection of victims. In one public forum, Somphong Srakaew, Executive Director of LPN, complimented the response from the Thai government, remarking that the government increasingly understands the true nature of the problems and is responding appropriately.⁶

2. Measures

A. Overview

The political change on 22 May, 2014 has ushered in a period of dramatic change in the government's approach and effectiveness in combating human trafficking, especially in the areas of prevention, prosecution and partnership with the local NGOs and the media. On 30 August 2014, the government declared a policy of "Zero Tolerance for Human Trafficking," which has been the basis for creating an integrated system for tackling human trafficking across its various manifestations, addressing root causes, and ensuring coordination among government agencies, NGOs, the media and the private sector. In addition, battling human trafficking has been elevated to a national priority by the Prime Minister who publicly announced this, along with the Government's determination to punish those who were

⁶ For a recent update on what has been carried out, see <http://www.thaigov.go.th/en/government-en1/item/90923-90923.html>

involved in the use of forced laborers on fishing vessels in response to the recent AP report, in his televised address on 27 March 2015.⁷

The Prime Minister has also emphasized to all agencies since 24 December 2014 in a number of human trafficking meetings that he chaired that success will not be measured by policies created, but rather by the concrete results achieved on the ground. He has instructed all agencies to expedite the completion of their work plans and on 3 April 2015, the Prime Minister, together with General (ret.) Prawit Wongsuwan and all relevant Ministers in charge of anti-human trafficking, will hold a meeting with the Governors of all provinces, the Heads of the Army and Navy, provincial police, provincial labor inspectors and Department of Fishery officials in Bangkok to ensure that everyone has a common understanding of the new “zero tolerance for human trafficking” policy and emphasize the need for both short-term and long-term measurable results in their respective areas of responsibility. This will be followed by monthly progress briefings.

In **prevention**, this Government has identified weaknesses in the underlying migrant labor system as a key root cause that must be addressed in order to prevent human trafficking. Thus, the Government has undertaken an unprecedented effort to register migrant laborers and ensure that it is now *cheaper and more convenient* for these migrant laborers to be within the system and thereby less susceptible to intimidation and exploitation at the hands of brokers and traffickers. For instance, since October 2014, the cost of migrant labor registration (i.e. a work permit) has been reduced from 1,800 Baht to 900 Baht. The Ministry of Labor has also publicly announced a complete list of all expenses involved (namely visa to enter into Thailand 100 Baht; application fee for a working permit 100 Baht; the cost of a work permit 900 Baht; and passport fee, depending on each migrant worker’s nationality. The passport fee charged by the Myanmar authorities is 1,600 Baht, by the Laotian authorities 1,500 Baht and by the Cambodian authorities 1,400 Baht as of March 2015). This is aimed at eliminating any possibilities of migrant workers having to pay exorbitant fees to illegally find jobs in Thailand.⁸

⁷ In his words, “I can assure you that the government places great significance on this matter [*the AP news report on the use of forced labor on Thai fishing vessels*] and will have zero tolerance when it comes to human trafficking. The government will do whatever it takes to fight human trafficking. For details, see <http://www.thaigov.go.th/en/speech-2/item/90952-90952.html>

⁸ For reports of any violations of their rights or violations of relevant policy, migrant workers are asked to call the 1694 Hotline, a channel for lodging complaints directly to the Department of Employment, Ministry of Labor.

In addition, there now exist 112 mobile registration units at district levels across 22 coastal provinces to make it more convenient for owners and employers to register their fishing vessels, fishing licenses and workers. Under the previous regulation, all migrant workers, once issued a two-year Thai visa, could only apply for their visa to be extended for a further two years after which migrants would have to return to their country of origin for at least three years. Often unable to find jobs in their country of origin, these workers usually returned to Thailand to work illegally. Thus, the Minister of Labor of Thailand has recently revised this regulation to shorten this waiting period. From now on, any migrant worker who wishes to continue to work in Thailand after the first four years will have to wait for only one month before they can apply for a new work permit in Thailand. These changes have directly and significantly lowered the incidence of human trafficking and are explained in detail in the Measures section below.

In the **prosecution** realm, the government has drastically altered the law enforcement landscape to increase accountability, decrease possibilities for corruption and law enforcement malfeasance, and focus investigation and prosecution efforts more squarely on busting large trafficking networks and ensuring that more senior members of such networks are brought to justice in addition to those lower down in the chain. While these changes may have led to a decrease in the overall number of human trafficking cases (discussed further in *Q1 of the FAQs* section), they ensure that the most egregious offenders are punished and serve as a much more effective deterrent than prosecuting a large number of lower level offenders who would not be able to operate without the presence of the more senior leaders of such networks.

Contrary to the views of some critics, martial law has not lessened the role of the police in their law enforcement duties. In fact, combating human trafficking has been declared one of the top priorities for Thailand's national reform. The Government has been collaborating closely with the Royal Thai Police to improve the effectiveness of police officers by creating changes in the structure of the force, instituting new checks and balances to increase accountability and lower risk of malfeasance, and enforce a policy of zero tolerance for corruption. Law enforcement agencies are required to forward cases of suspected corruption or malfeasance to the Office of Public Sector Anti-Corruption Commission (for junior officials) or Office of the National Anti-Corruption Commission (for senior officials) immediately. Both Offices have now been tasked by the Government to expedite all human trafficking and corruption cases under their responsibilities in a more timely and transparent manner.

To further this work, the Royal Thai Police has instituted a new system to create integrated performance of the police from local levels to regional levels of the Crime Suppression Division and increase collaboration with the specialized Human Trafficking Division on human trafficking cases. This will include cooperation between hotspot districts of human trafficking, such as Pattaya, Chiang Mai, and other provinces of the country to be able to collaborate more effectively. The Military and the Ministry of Interior are also involved to provide an additional layer of checks and balances to ensure transparent, consistent enforcement of relevant law. This is a system that is not only intended to be used during the tenure of the current government but is meant to establish a good practice system that will continue through future governments.

In addition to this new system to minimize corruption and other forms of malfeasance in the future, the government has prioritized cracking down on existing cases. For example, in late 2014, an expansive network of corrupt officials led by Central Investigation Bureau Chief Pongpat Chayapan was dismantled. This network had been operating for years and perpetrated a range of offenses. Twelve people have been arrested so far, including seven officials and five civilians. Additional officers have been moved and replaced with new teams, operating according to the new checks and balances approach discussed above.

This approach is not limited only to police. Any government officials found to be negligent and incompetent in carrying out their duties were immediately removed from active posts. For instance, on 19 June 2014, the then Director General of the Department of Employment and the then director of the Office of Foreign Workers Administration were accused of having smuggled Cambodian workers into Thailand. However, while there was not enough evidence to press charges, these officials were deemed highly incompetent and hence the NCPO immediately issued an official order to remove the two high-level officials to inactive posts in the Office of the Permanent Secretary, the Prime Minister's Office, with an understanding that the case can be reopened if and when there is enough evidence to press charges.

Other recent examples include eight police officers arrested on charges of human trafficking, 11 police officers who faced disciplinary action internally, and 5-6 police officers who were prosecuted for human trafficking in Ranong Province. For further details about these cases, see *Table 5*. No more will these corrupt officials be protected.

However, the Royal Thai Police has also acknowledged concerns by some agencies that transfers as well as promotion of officials – whether as a reward for good behavior or as an interim measure to ensure suspect officials are not able to continue committing offenses while they are awaiting prosecution – could have a negative impact on law enforcement outcomes. The logic goes that the new officers who come to replace those who have been transferred will lack the expertise to investigate trafficking offenses effectively.

To respond to this concern, the Commissioner-General of the Royal Thai Police has now made it a policy for all new officers as part of their onboarding that effective investigation and prosecution of human trafficking cases in accordance with relevant law and regulation is a top priority and that they must seek advice and guidance from the specialized Anti-Human Trafficking Division of the Police on human trafficking cases in order to ensure effective administration of justice. They are also subjected to specialized training in accordance with the National Plan of Action to Protect Women and Anti-TIP, which stipulates that appropriate trainings are provided for all officials who take up posts related to anti-TIP efforts.

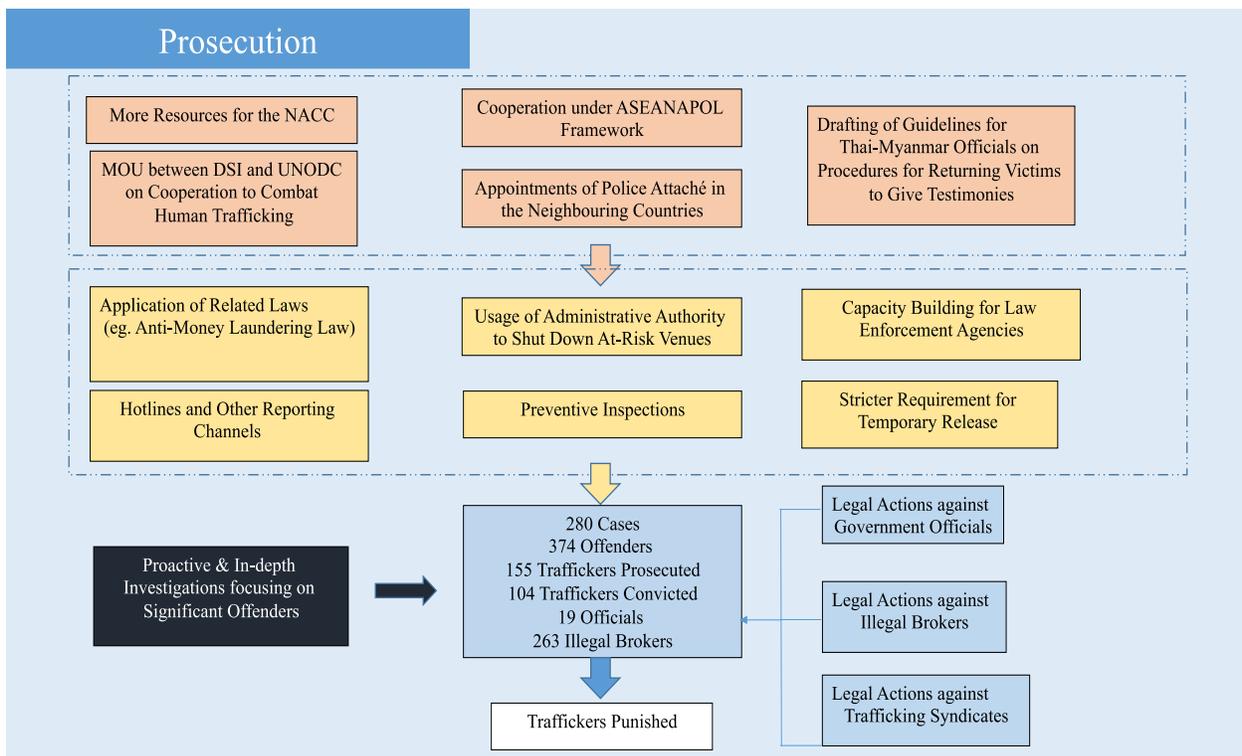


Diagram 1: The Overview Implementation of Prosecution

B. Legislative amendments

- Amendments to the Fisheries Act B.E. 2490 (1947): The amendments were adopted on 9 January 2015. The amended Fisheries Act will enter into force 60 days after it is published in the Royal Gazette (by June 2015). Due to changing conditions in the fishery sector, there has been an attempt to amend the Fisheries Act B.E. 2490 (1947) since 1999, with support from FAO experts, and it was this Government who pushed for the Amendments to Fisheries Act to be passed by the National Legislative Assembly (NLA).
- Amendments to the Anti-Human Trafficking Act B.E. 2551 (2008): On 26 March 2015, the National Legislative Assembly voted in favor of the amendments to the Anti-Human Trafficking Act. The next step for the amendment to come into effect is for it to be signed by His Majesty and subsequently published in the Royal Gazette. The impetus for the new law was the Government's recognition that the fear of some officials and citizens of being sued for making wrongful accusations and/or arrests has been a barrier in effectively enforcing anti-trafficking law. As a result, the new amendments to the Anti-Trafficking Act remove civil liability for reporting suspected human trafficking offences or arresting suspects in order to ensure that fear of reprisal is never a barrier to an effective legal response. The purpose of the amendments is thus to increase the effectiveness of the law in preventing and suppressing human trafficking by protecting authorities and those who report on trafficking crimes with legal immunity and protection from civil and criminal liabilities. The amendments will also empower authorities to immediately shut down work places or suspend operating licenses of factories and vehicles if found to have been used to assist trafficking. Punishment terms have been appropriately increased and fines from such crimes are to be allocated to the Anti-Human Trafficking Fund. The need for Amendments to the Anti-Human Trafficking Act has been long acknowledged by government agencies and NGOs alike and hence this Government pushed for these amendments to be formally approved within a period of 5 months.
- Amending the Criminal Code to Define and Criminalize Child Pornography: The draft amendments to the Criminal Code would criminalize the possession of child pornography, defined as any form of media depicting sexually obscene conduct with a child or conveying sexual obscenity (even if the act did not occur). Criminal acts include possession with the intent to distribute, display to the public, import/export, etc. The bill has passed the first reading and is due for the second and the final readings within 60 days, after which it will be passed by the NLA if there are no major reasons for

objection. After His Majesty the King signs the law, it will be in force in an additional 30 days.

C. Updated National System and Structures

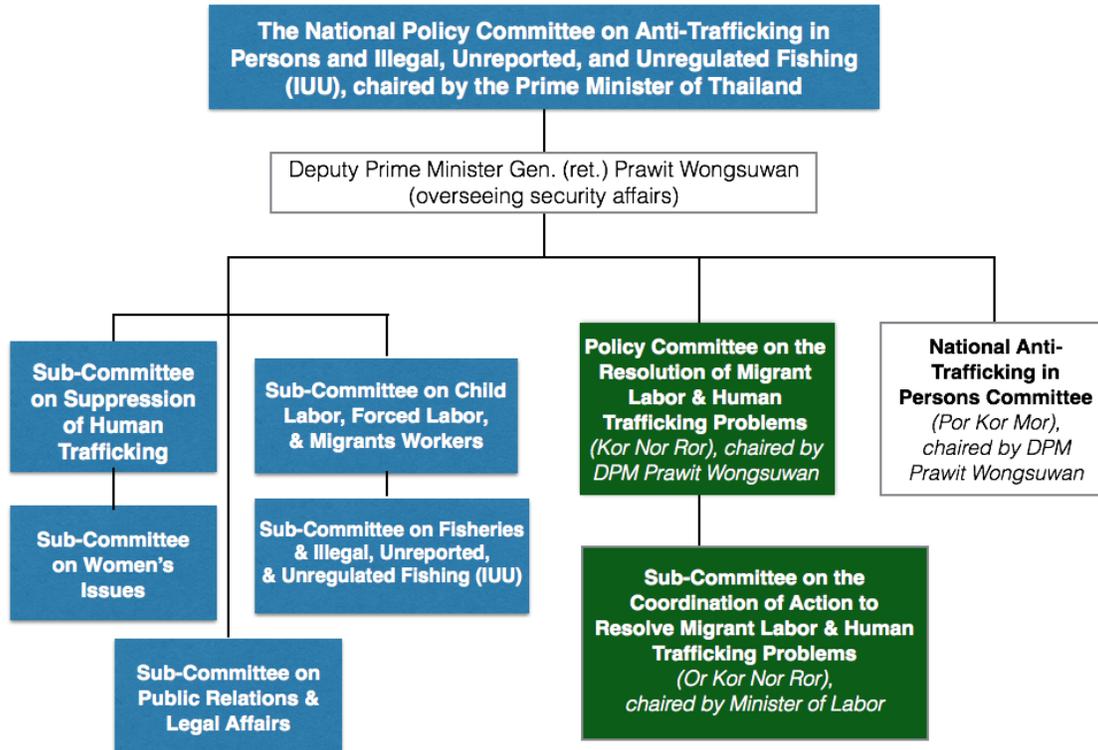


Diagram 2: Thailand’s New System & Structures on Anti-Human Trafficking

- The new structure explained was created in response to concerns that the previous structure focused on human trafficking was narrowly construed, without being attentive to other interrelated issues that are key drivers of human trafficking, including labor issues, women’s issues, etc. Without addressing these related issues in tandem and in a more proactive manner, human trafficking cannot be effectively addressed.
- Additionally, it was generally agreed that agencies charged with law enforcement and administration, such as the Ministry of Interior were not sufficiently engaged in policy implementation under the previous system. Though they were represented on the National Anti-Trafficking in Persons Committee, there was no structure in place that facilitated them playing a formal and more proactive role in ensuring that policy translated to effective implementation. Today, the new Sub-committee on the Suppression of

Human Trafficking is therefore led by these agencies and focuses directly on how law enforcement, immigration, and other administrative agencies should implement relevant laws and policies to create concrete results on the ground. By bringing in these agencies and creating new sub-committees on issues that are distinct from, but intimately related to, human trafficking, the new policy structure creates greater integration both in terms of relevant agencies as well as a holistic response to the myriad issues that must be addressed in order to make a sustainable impact on the human trafficking problem.

- To give a few examples of how these new policy mechanisms are put in place, the Prime Minister and Deputy Prime Minister in charge of security matters now serve as Chairs of the entire structure, ensuring each committee and sub-committee work in an integrated fashion and avoid overlapping and duplication. On March 23, 2015 the Work plan to Combat Human Trafficking, focusing on enhancing the effectiveness of the prosecution and law enforcement system, was endorsed for immediate implementation by the Sub-committee on the Suppression of Trafficking in Persons. In the immediate term, the focus of the plan is on effective suppression of trafficking in targeted risk areas in 10 border provinces and addressing the demand and supply side of the crime (see Section D below).
- In the longer term, the focus of this Sub-committee's work plan and strategy is conducting extensive and probing investigations on trafficking syndicates, including utilizing legal provisions on taxation and money-laundering and international cooperation on prosecution to make the response more holistic and coordinated. The sub-committee also appointed focal points for each measure, with deeper integration between law enforcement agencies and local governments and increasing the role of the Ministry of Interior.
- In short, the current approach in Thailand does not view the establishment of new Sub-committees as deliverable in and of themselves but view these new sub-committees as key drivers of concrete results on the ground through allowing a broader range of agencies involved to work together more effectively in dealing with human trafficking in a much more comprehensive and proactive manner. By having the Prime Minister in charge of the national level committee, and one Deputy Prime Minister in charge of all of the 5 newly established Sub-committees; namely, one on human trafficking (focusing on prosecution, protection and prevention), one on women's issues, one on forced labor and migrant workers, one on the fisheries and

IUU, and one on legal affairs and public relations; to the objective is to cut across the traditional bureaucratic red tapes, allowing the Government to deliver concrete results on its fight against human trafficking more effectively.

D. Improved Judicial Process and Standards for Implementation

In order to ensure that cases tried under the Anti-Human Trafficking Act (2008) are prosecuted promptly, correctly and consistently in accordance with the system, following measures have been implemented:

1. The Office of the Judiciary

On December 19th, 2014, the President of the Supreme Court issued the following “recommendations”⁹ to judges in adjudicating human trafficking cases:

1.1 Expediting cases

- Human trafficking cases should, from now on, be considered “special cases” and be completed within six months from the date of the first scheduled witness examination where possible. This timeline may be extended to a maximum of one year from the date of the first scheduled witness examination through permission from the Head of the relevant Trial Court, regardless of whether the defendant must be incarcerated throughout the duration of the trial.
- The assignment of trial dockets shall give importance to the expertise and suitability of members of the judging panel.
- The establishment of a special Human Trafficking Unit within the Criminal Court is also under consideration, so that the President of the Supreme Court could transfer all important trafficking cases to a central hub, which would lead the coordination in ensuring all components of the judicial process are in place. There may also be a Human Trafficking Unit within the Court of Appeals to take appeals on trafficking cases from the trial courts. The verdict from the Appellate court would be final, except when additional appeals are permitted by the Supreme Court. This particular initiative is currently under consideration.

⁹ Such “recommendations” (or คำแนะนำ in Thai) are to be treated as guidelines towards human trafficking cases by each and every judge across Thailand.

1.2 Questioning Witnesses

- When requested by prosecutors, courts should allow victims of trafficking or witnesses to immediately testify, prior to the filing of charges, in accordance with Section 31 of the Anti-Human Trafficking Act.
- After charges have been filed but prior to the court trial date, either party may also request the Court to take the witness' testimony promptly, in accordance with the Criminal Procedure Code, Section 173/2, paragraph 2 and Section 237-3.
- The Court should allow witnesses, especially women and children, to testify without having to face the defendant directly or question the witness through a psychologist or social worker, in accordance with relevant regulations. Currently, there are special rooms in the newly constructed courts in some provinces, but work is now underway to establish special rooms in all courts across Thailand. These special rooms refer to rooms that are equipped with two-way mirrors to prevent the defendant from seeing the witness.

1.3 Prioritizing Human Trafficking Cases & Preventing Unnecessary Delays

- When there is a request for temporary release on bail, if there is any party expressing opposition, the Court shall first inquire into the reason for the opposition in order to factor it into the Court's consideration of the defendant's bail request. In cases where the witness is abroad, testimony via videoconference may be accepted in accordance with regulations issued in 2013 and is to be encouraged.
- Translators - Because there are many foreign victims of trafficking, the International Affairs Division of the Courts has 5-6 Burmese translators and 4-5 Cambodian translators. Although all these translators are currently stationed in one central office, they will be promptly dispatched to relevant courts in other jurisdictions when needed for questioning witnesses. The use of videoconference testimony is also to be encouraged.
- In addition to regular trainings on human trafficking law, in May 2015 the Courts will send about 40 judges from trial, appellate and Supreme Court levels to train on "related to Transnational Crime and Human Trafficking" at the International Law Institute in Geneva, Switzerland.

- The Courts of Justice will collect the following statistics on human trafficking cases: the number of cases, number of defendants, sex, citizenship, bail information, the time elapsed from the beginning to end of the case, how many defendants were convicted/acquitted, and the punishment imposed. This report has been published monthly from December 2013 to the present at the following website: www.oppb.coj.go.th

2. The Office of the Attorney General (OAG)

Since 26 February 2014, OAG has prescribed the following measures to ensure that prosecutors and other OAG officials accelerate the prosecution of human trafficking cases in a consistent fashion:

2.1 Prioritizing human trafficking cases

- The processing of human trafficking cases should be victim-centered, including recognition of victims' rights and complaints related to those rights, as guaranteed by law.
- Each office possessing relevant data shall be required to collect this data in a centralized fashion to facilitate effective monitoring of progress.

2.2 Implementing measures related to expediting proceedings, issuing bail and questioning witnesses

- Monitor all criminal cases to identify human trafficking cases and expedite the filing of indictments as quickly as possible.
- In determining whether to issue bail, judges generally consider the possible impact the granting of bail could have on the case. However, following the issuance of these guidelines, indictment proceedings should not be postponed longer than three months or more than three times. Rejecting bail requests should be considered in cases where the defendant might flee or tamper with witnesses and/or evidence.
- In all cases where there is no reason to believe it would damage the integrity of the case, when an investigating officer or prosecutor requests, the investigator in charge shall issue a formal petition for immediately testify, prior to the filing of charges, in accordance with Section 31 of the Anti-Human Trafficking Act for all cases, regardless of whether the victim is a Thai citizen or not.
- Expedite the questioning of the witness and oppose requests to delay proceedings unless absolute necessary.

2.3 Implementing measures to increase efficiency

- Following the passage of the Prevention and Suppression of Participation in Transnational Crime (2013) the OAG has set up a Special Investigation Unit since 1 October 2013 in collaboration with investigators from the Royal Thai Police and the Department of Special Investigation in order to increase the efficiency of human trafficking prosecutions.
- The OAG organized a seminar “Building Capacity of Prosecutors to Combat Human Trafficking” on November 17-19, 2014 in Bangkok in order to increase understanding of relevant law and regulations, knowledge of the procedure for assisting victims, and collect the views of 180 prosecutors working on trafficking cases at both the national and local level.

E. Systematizing and Regulating Migrant Labor, as well as significantly increasing labor inspections both on land and at sea, as a way to address human trafficking at key root causes

- The Government has taken unprecedented measures to address the root causes of human trafficking (See *Table 6*), which has made a drastic impact on the ability of traffickers to commit offenses within Thailand.
- Timeline for IUU fishing effective solutions to tackle the problems related to forced labor and human trafficking in the fishing sector are as follows:

Implementation	Period
1. Fishing Vessel Registration	12 January – 28 February 2015
2. New Fisheries Act	To be effective in June 2015
3. Subordinate Legislation	To be effective in July 2015
4. NPOA-IUU Implementation	June-July 2015
5. MCS Centers/Patrol at sea	June 2015
6. VMS Center and Implementation	March 2015
7. VMS sub-center in the Region	June 2015
8. Port in - Port out (pilot project)	March – May 2015
9. Port in – Port out Implementation	June-July 2015
10. Improving Traceability System	Since January 2015

- On the prevention measures undertaken by the Government in the areas of migrant labor registration and the registration and inspection of fishing vessels, such measures do not merely have an indirect effect on human trafficking but rather are key measures designed to intervene in the human trafficking chain at its root cause to reduce significantly the incidence of human trafficking.

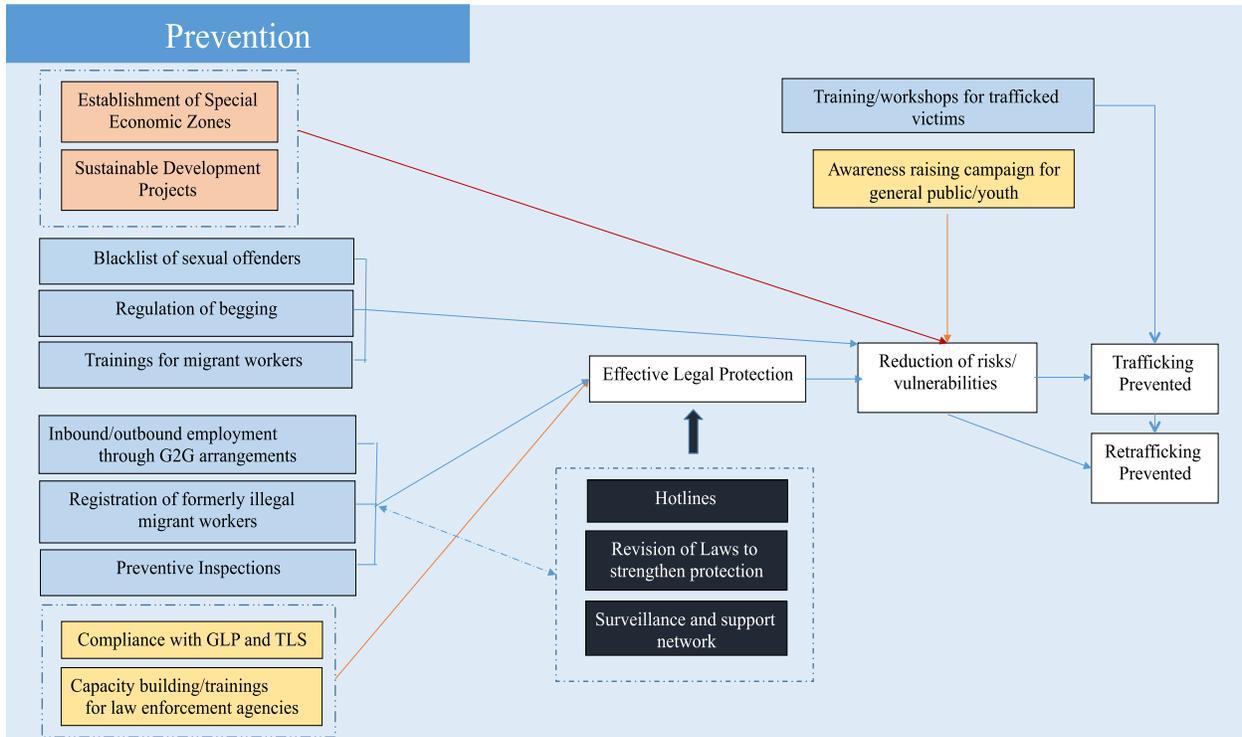


Diagram 3: The Overview Implementation of Prevention

- Indeed, the illegal status of millions of migrant laborers in Thailand prior to this year was the key vulnerability factor that allowed them to be intimidated and threatened into exploitative work by traffickers. By granting them legal working status, the Thai government has eliminated the key tool used by traffickers to exploit their victims, thereby reducing the incidence of trafficking and lowering the number of cases. Additionally, the tightened registration and inspection system in the fishing industry has created an environment where fishing boats using trafficked labor are much less willing to enter Thai waters and dock at Thai ports, lowering the incidence of trafficking in the fishing industry within Thai waters and ports.

- Furthermore, the Ministry of Labor has employed a new strategy to tackle both the supply and demand side of the undocumented labor market. As noted here earlier and also on page 83 of the Thailand Country Report, dated 30 January 2015, the Government has reduced the cost of migrant labor registration from 1,800 THB to 900 THB and decreased the period of time that a migrant must return to his or her home country between periods of authorized work in Thailand from approximately four years to only one month. The high cost and length of time required between periods of legal work are the two main reasons cited by migrants for not registering during earlier rounds of migrant labor registration.

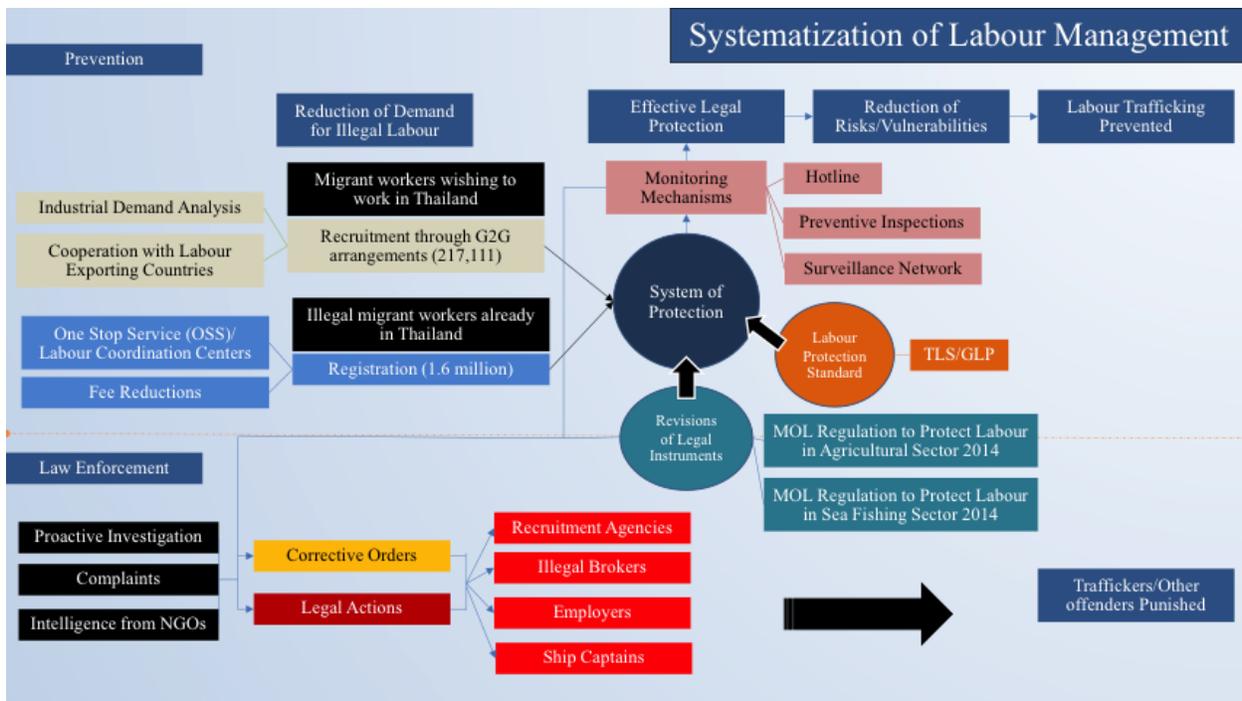


Diagram 4: the Systematization of Labor Management

- These changes have been key drivers of the unprecedented success in migrant registration this year. As of 25 February 2015, 1,626,235 migrant workers have been registered (738,947 Cambodians, 664,449 Myanmar, and 222,839 Laotians). As of 25 February 2015, 126,685 migrant workers have gone through the nationality verification process (69,020 Cambodians,

16,394 Myanmar, and 14,262 Laotians).¹⁰ These registered migrants now have full rights within the system, such as:

- the right to receive the same minimum wage as Thai citizens (i.e. 300 Baht per day)
 - access to medical checks and healthcare
 - rights to use the formal banking system to transfer remittances home
 - rights to have their children registered legally in Thailand and stay in the country during the period of parents' work eligibility
 - change employers according to a clearly delineated process
 - cross borders openly and freely¹¹
- The free exercise of these rights dramatically decreases migrants' dependence on smugglers, brokers, and money handlers, as well as removing the ability of would-be traffickers to threaten to have migrants deported if they do not comply with traffickers' demands. The net effect of these measures is to significantly reduce the supply of laborers vulnerable to human trafficking.
 - Additionally, this Government is creating additional Special Economic Zones that would allow migrant laborers additional options to cross the border for day labor and return to their home country in the evening or work in Thailand seasonally without having to acquire a passport. Such laborers would be issued a border pass that costs only 100 THB and entitle them to cross the border and work legally, as well as entitle them to receive minimum wage without having to go through the more time-consuming and costly process of full registration. This measure serves as an additional prevention mechanism under the assumption that, even with the significantly reduced fees, requirements and time required to register under the new system, for some migrants even these remaining costs and processes could serve as a deterrent to entering the legal, regulated migrant labor system, which would leave some laborers outside the system and still vulnerable to human trafficking. These Special Economic Zones serve as an additional mechanism to bring most of these vulnerable workers into the system and

¹⁰ On 27 February 2015, the High-level Policy Committee on Foreign Workers and Human Trafficking decided to extend the deadline for registered migrant workers to have their nationalities verifications conducted from 31 March 2015 to 31 March 2016. This is because the nationality verification procedure takes time and depends also on the cooperation from other foreign governments.

¹¹ These rights are widely acknowledged to be better than what many other governments around the world, as well as many in ASEAN member countries, currently provide.

thereby continue to reduce the number of workers vulnerable to human trafficking.¹² On the demand side, the significantly increased rate of inspections and higher penalties for employing undocumented workers and violating other requirements of the new Ministry of Labor Regulation from December 2014 makes it *more costly* for employers to employ undocumented labor than to go through legal channels, thereby lowering demand.

- In addition, after the new Labor Regulation came into force on December 30th, 2014, the inspections of laborers on fishing vessels have been increased dramatically and have shown much greater results compared to previous years. The new Special Task Force composed of the Department of Labor Protection, the Navy, the Water Police now integrated with MSDHS, the Department of Fisheries, the Port Authority, and the Ministry of Interior, inspected a total of 798 vessels in January and February 2015, compared to only 131 vessels in the same period in 2014. The inspections conducted during this period in 2015 found 65 vessels in violation of the new labor regulations, compared to only one violation discovered during this period in 2014.
- Additionally, pro-active inspection of fishing vessels further out in Thai waters have begun since the issuance of the Regulation on the Protection of Laborers in the Fishing Industry in January 2015. The inspections are conducted by a Special Task Force composed of all relevant agencies, including the Ministry of Labor, the Ministry of Social Development and Human Security, the Ministry of Interior, the Royal Thai Police, the Navy, the Ministry of Agriculture, DSI, the Ministry of Transportation, and the Anti-Money Laundering Office. From 1 April 2015, Thai fishing vessels

¹² On 16 March 2015, the Prime Minister, presided over the 2/2015 meeting of the Policy Committee on Special Economic Zones. The meeting agreed on the list of targeted industries that will receive high privileges if they choose to invest in the SEZs: 1) agricultural, fishery and related industries, 2) ceramics, 3) textile, garment, and leather industries, 4) furniture manufacturing, 5) gem and jewelries, 6) medical equipment manufacturing, 7) automotive, machinery, and parts, 8) electrical appliances and electronics, 9) plastic production, 10) medicine production, 11) logistics, 12) industrial estates/zones, and 13) tourism related industries. The Committee also approved targeted industries specifically for each of the following approved special economic zone: Tak, Sakaew, Trat, Mukdaharn, and Songkhla provinces.

over 30 gross tonnages will be checked for compliance with Port in-port out control measures before departing for fishing operations and again upon return from operations. The legality of all workers will be checked, and boat owners and officials will be prosecuted if violations occur. . The navy will track the fishing boats and if any violations are discovered, prosecution will immediately follow with no exceptions.

F. Updates to Domestic Fishing Policy Framework

- **As mentioned in the Legislation section above,** the newly amended Fisheries Act and its subordinate legislations are going through necessary internal procedures and are expected to be in force by June 2015 (See *Section E* above). Once put into effect, this will significantly enhance monitoring and control of labor movement at sea in 3 levels

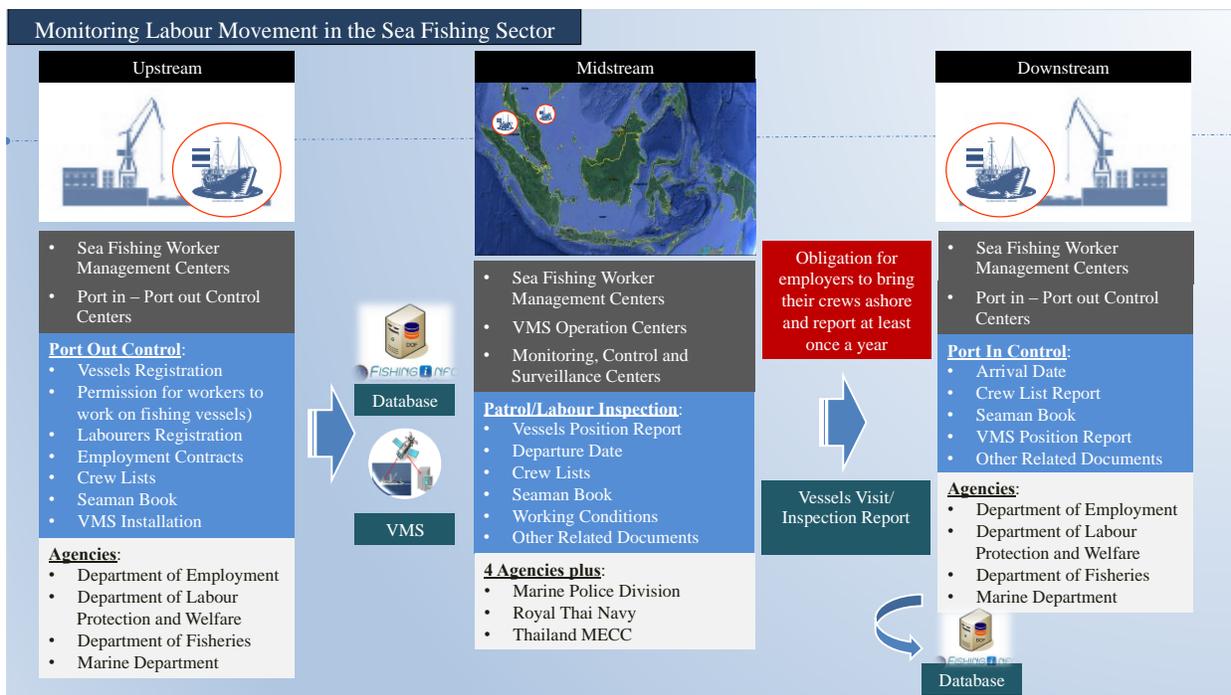


Diagram 5: How to Monitor Labor Movement in the Sea Fishing Sector

- The Sub-committee on Fisheries and IUU has been actively executing the new “Roadmap on Combating IUU Fishing” that was endorsed by the Prime Minister-chaired Policy Committee on Combating Human Trafficking and IUU Fishing on 7 January 2015 (See *Table 6* for details)

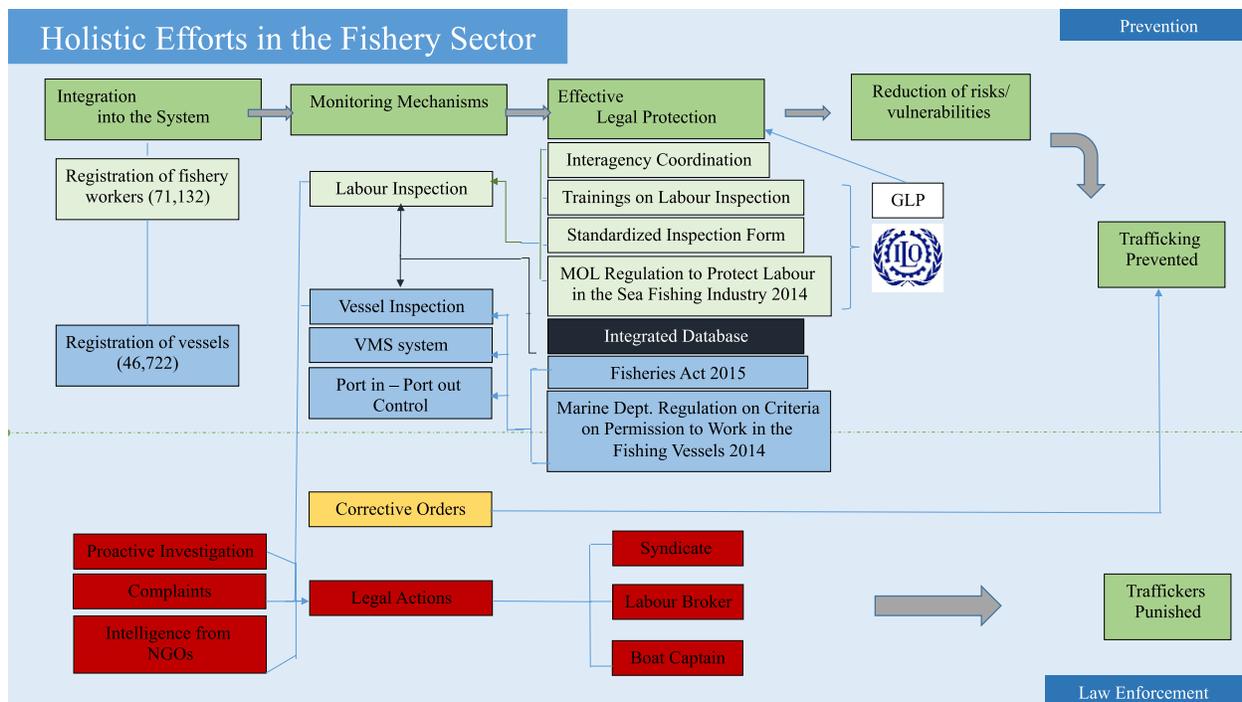


Diagram 6: Holistic Approach in the Fishery Sector

Some examples of key progress made include:

1. Registration of fishing vessels

- Registration is a prerequisite for effective monitoring and also effective analysis of potential and actual routes of illegal fishing and human trafficking rings in the fishing sector. Registered vessels must strictly comply with relevant laws and regulations, but, in addition to this, the newly amended Fisheries Act dictates that vessels over 30 gross tonnages must install the Vessel Monitoring System (VMS) and undergo port in/port out controls. Registered vessels must also obtain permission from the Marine Department for their crews to work on board. Registration of fishing vessels also provides authorities with information that will allow them to perform vessel and labor inspections. Registration and licensing of fishing vessels have continued to be carried out by 112 mobile registration units at district levels across 22 coastal provinces during the period from 12 January to 28 February 2015.
- As of 28 February 2015, an addition of 4,243 fishing vessels has been registered, bringing the total number of registered fishing vessels to 50,970. Also, as of the same date, an addition of 10,658 fishing licenses has been

issued, bringing the total number of issued fishing licenses to 31,207. These increases in the number of registered fishing vessels and the number of additional fishing licenses issued have been possible not only because of the new law but also because it was much more convenient for the owners of these vessels to register their vessels and renew/apply for fishing licenses through the mobile registration service, jointly provided by the Department of Fisheries, the Marine Department and the Department of Provincial Administration.

2. Upstream level (Port-Out Control)

- As vessels from 30 gross tonnages will soon be required by the subordinate legislation to undergo port out control, the Port in - Port out Control Centers will be able to record the information of both vessels and their crews, while each agency can inspect relevant documents.
- For instance, the Marine Department will inspect the Seaman book and verify the permission for the laborers to work on board in accordance with the Marine Department's regulation (see page 90 of 2014 Country Report for more details). The Department of Employment will verify if migrant workers have been registered. The Department of Labor Protection and Welfare will inspect employment contracts and crew lists as required by the Ministry of Labor's Regulation to Protect Labor in the Sea Fishing Industry 2014 (see page 88 of 2014 Country Report for more details). The information will be cross-checked with the Sea Fishery Worker Management Centers and then will be shared with other agencies through the Fishing Info Database. To ensure effective inspection at further stages, the Department of Fisheries will also ensure that VMS is properly installed and linked with the VMS Operation Centers.

3. Midstream level (Inspection)

- Inspections will be enhanced with the establishment of the VMS Operation Centers (from now on will be referred to as "VMS Centers") and Monitoring Control and Surveillance Center ("MCS Centers"). The MCS Center, which will pool resources from the related agencies including Department of Employment, Department of Labor Protection and Welfare, Department of Fisheries, Marine Department, Marine Police Division, Royal Thai Navy and Thailand Maritime Enforcement Coordinating Center (MECC), will be responsible for planning and conducting joint patrol inspection on the basis

of the information from the Fishing Info Database and the VMS Centers. As far as labor inspection is concerned, labor inspectors working in the joint inspection team will verify the number of crew against the port-out information and evaluate the working conditions and wellbeing of the workers in pursuance of the Ministry's aforementioned Regulation. The report of patrols will be produced and information will be shared through the Fishing Info Database.

4. Downstream Level (Port-In Control)

- As with port out control, vessels from 30 gross tonnages will be required to report upon arrival at the Port-in/Port-Out Control Centers. At this stage, labor inspectors stationed at the centers will examine crew list reports as well as other related documents. Should, for example, a labor inspector find that the ship captains and/or ship owners failed to comply with their obligation under the Ministry's Regulation to bring their crews ashore and report at least once a year, the inspectors can promptly enforce the regulation with prescribed penalties.
- A diagram of our revamped approach to tackle illegal fishing as well as human trafficking in the fishing sector, as shown in *Diagram 5*.
- In summary, the new Fisheries Act will soon put in place a complete control system of labor movement from the date of their port departures till the date of their arrivals and help reduce the risk of labor trafficking at sea. Timelines for the implementation of these measures are provided in the future work section (page 50-51). Port in/port out control – Vessels will be required to undertake port in/port out controls at one of 26 Port in/Port out control centers, which will be in full operation by July 2015. These centers will coordinate with the Sea Fishery Worker Administrative Centers to verify that workers on fishing vessels are legal. The authorities will inspect the following documents including (1) Permission from the Marine Department (2) Employment Contracts (3) Crew Lists (4) proof of registration for migrant workers. The information will then be documented and shared among relevant authorities including the Marine Police, the Royal Thai Navy and Thailand MECC for patrol inspections. As for port in control, the authorities will verify relevant documents including the arrival date, the VMS Position Report, Crew List Report.

- The use of the Vessel Monitoring System (VMS) is now compulsory by law in Thailand because VMS has been widely recognized as a powerful tool to monitor both vessels and workers on board. This is because VMS provides information on location and time at sea of each vessel and, therefore, allows authorities to locate and track vessels and workers on board to ensure that the vessels follow the route they register with the center. Labor inspectors, for instance, can use information from VMS to locate vessels and perform unannounced labor inspections. Thai fishing vessels will be required to install VMS by (1) the Notification of the Ministry of Agriculture and Cooperatives after July 2015 (for vessels over 30 gross tonnages) and (2) the Regulation of the Marine Department after March 2015 (for vessels over 60 gross tonnages). Furthermore, to ensure effective VMS monitoring, 15 VMS operation centers will be set up in Bangkok and other provinces to monitor and share information with other statutory agencies such as the Ministry of Labor, the Marine Police, the Royal Thai Navy and Thailand MECC.
- A VMS pilot is already underway with 36 fishing vessels, and the Fisheries Department is currently able to track these vessels all the way to Papua New Guinea. The system will be fully operational in about 60 days (approximately the end of May 2015).
- On 28 March 2015, a delegation of large supermarkets in the United States and the European Union (who are representatives of the Shrimp Sustainable Supply Chain Taskforce), led by Mr. Ken Kimble from Costco, met with the Deputy Director of the Department of Fisheries to acknowledge the implementation of the Roadmap to tackle IUU fishing and discuss ways to work together to eradicate forced labor from the fishing and seafood industries. The Deputy Director of the Department of Fisheries discussed the implementation of the new measures detailed in this report, including the pilot projects in four provinces. Mr. Kimble and the Delegation expressed their agreement with these measures. Moreover, they expressed their intention to join the action with the Department of Fisheries in proposing a list of 454 fishing vessels (from 66 ports in 34 provinces that supply raw materials in the production of fishery products and shrimp from aquaculture) for export. The Taskforce is now cooperating with a group of Thai fishmeal producers to determine the origin of the fish used to produce fishmeal to be used in shrimp farming for export. This ensures that the fish used in fishmeal production has not been caught by illegal fishing vessels or vessels using forced labor, which creates clean supply chains for fish and seafood processed for export. The Department of Fisheries will continue

collaborating with the Taskforce and relevant NGOs, including EJF and WWF, who have acknowledged Thailand's progress on this front.

5. Progress of other key measures

- The Department of Fisheries is currently working on the drafting of implementing secondary legislations/regulations that will come into effect after an official promulgation of the Fisheries Act. These include a regulation to blacklist fishing vessels that violate obligations under relevant international fishery agreements as well as a regulation to require fishery freezers or fishery carriers – many have concerns that they transport illegal/forced laborers from one vessel to another- to report their activities to the port in/port out control centers. Regulation of these rogue vessels will significantly reduce the risks of labor exploitation.
- Good Labor Practices (GLP) Standards: Good Labor Practices Standards were developed by the Department of Fisheries in collaboration with ILO and a number of NGOs in 2011 as a way of getting companies to commit to upholding high standards of labor protection. In 2014, the Department of Fisheries pushed for implementation of these standards in 178 workplaces, with 100 additional already planned for 2015. GLP trainings were also held for 216 people from 204 shrimp farms across 22 provinces and for 80 employers of laborers on fishing boats in two provinces.

6. Updates on the Implementation of Domestic Policy and Punishing Offenders

- The Thai government has begun implementing the new regulations on ship registration, worker registration and installation of the VMS systems. In 2015, the Ministry of Labor has carried out measures to spur effective implementation of the new regulation. Information regarding the regulation has been distributed in the form of handouts in many languages and is posted on the www.labour.go.th website. Information sessions were held for 845 employers and 4,657 workers in the sea fisheries industry. Furthermore, The Department of Labor Protection and Welfare and the International Labor Organization held a workshop for 150 implementing officials during 9 – 10 February 2015. Such efforts will continue throughout the year.

As discussed above, the Department of Labor Protection and Welfare, Ministry of Labor (MOL), has begun implementing a new labor policy,

especially in the fishing and seafood industries in the 22 provinces bordering the ocean. Between 9 January 2015 and 13 March 2015, the Department inspected 184 workplaces on land and 6,632 laborers in these sectors. These inspections found 9 workplaces operating in violation of the Labor Protection Act (1998). These violations included not providing employees with sufficient time off, not maintaining a record of employee hours worked, not maintaining a record of payment of wages, and not maintaining a record of employees.

- During the same period (i.e. 9 January-13 March 2015), the Department also inspected 361 locations with fishing vessels, 611 boats, and 4,453 laborers working on fishing vessels. There were 33 boats found to be violating the new MOL policy passed in 2014. There were 8 persons under the age of 18 working on boats, 56 persons being paid below minimum wage, and 9 people working without work permits. The additional violations were for failing to maintain a record of employees and employees working without an employment contract. During this period, MOL issued 13 orders to create employment contracts, pay employees the minimum wage, provide legally mandated time off, and keep all legally mandated records. There were also eight legal cases initiated against employers for child labor violations.
- In February 2015, MOL created a Special Unit to perform inspections related to hiring conditions, working conditions, and migrant labor in areas experiencing problems or where assistance has been requested.

G. Partnership (Coordination and Cooperation)

1. Domestic

Implementation of the database for human trafficking cases is as follows:

- The database system on the prevention and suppression of human trafficking has been put in place and, when fully functioning, will be capable of presenting data across all relevant domains, from investigation, prosecution, conviction, to victim assistance. To ensure accountability, effective implementation, sustainability and shared understanding of all relevant agencies and to protect data privacy for the victims, the Royal Thai Police, the Department of Special Investigation, the OAG and MSDHS are drafting an MoU on National Anti-TIP Database which is expected to be signed on 9

April 2015. Currently, relevant agencies are in the process of inputting data into the human trafficking database.

(1) Data entry on victims of human trafficking and investigation of human trafficking offenders in 2014 has been completed, while the entry of such data from 2008-2013 will be finished by April 2015.

(2) Data entry on prosecution of defendants by the Office of the Attorney-General is still a work in progress, as the link of each case is being examined in relation to the Police's relevant investigation result. The Office of the Attorney-General will complete their data entry for the OAG and the Courts by the end of 2015.

- MSDHS held a workshop on March 3, 2015 to present the national data monitoring and report to relevant agencies. The workshop aimed to inform agencies of the procedures and future developments of the data monitoring and report. Participants included data input personnel and end-users such as the Anti-Human Trafficking Division of the Royal Thai Police, the Office of the Attorney General, MSDHS, Kredtrakarn Protection and Occupational Development Center, and Pathumthani Provincial Protection and Occupational Development Center for Men.

2. Bilateral and Multilateral

- Vietnam: On 10 February 2015, the Cabinet approved in principle the registration of Vietnamese workers which will allow them to continue to work in Thailand for a period of one year. The cabinet also decreed that Vietnamese migrant workers can undertake two jobs namely labor works and domestic house works. Further discussion with the Vietnamese Government will explore possibilities of bringing in construction workers and workers in the Fisheries sector through the use of an MoU, in order to minimize the chances of these workers falling preys to trafficking rings.
- Myanmar: In late 2014 and early 2015, Thailand and Myanmar have been working to create special cross-border processes for protecting victims with special needs, such as children, victims of physical or emotional violence, etc., to attach to the existing Standard Operating Procedures in order to better support victims and prevent re-trafficking

- Brunei: On 17 February 2015, MSDHS received a draft MoU between the governments of Thailand and Brunei on the cooperation to combat human trafficking (draft as revised by Brunei). The MSDHS held a meeting to make revisions and comments and is currently in the process of sending Thailand's draft and comments back to Brunei for further considerations.
- Laos: In March 2015, at the sidelines of the 59th Session of the Commission on the Status of Women, Police General Adul Saengsingkaew, the Minister of Social Development and Human Securities met with Mrs. Bundith Prathoumvanh, the Vice President of Laos Women's Union. They discussed the issues of women and children crossing the Thai-Laos borders illegally, providing protection for Laotian workers in Thailand, project to provide career training for women to create employment opportunities and lessen the chances for Laotian women falling prey to human trafficking.
- Cambodia: In March 2015, at the sidelines of the 59th Session of the Commission on the Status of Women, Police General Adul Saengsingkaew, the Minister of Social Development and Human Securities met with Dr. Ing Kanthaphavi, the Minister of Women Affairs of Cambodia to discuss cooperation on cross border data collection to solve the problem of illegal entry by Cambodians into Thailand which could lead to human trafficking and illegal labor.
- Thailand is actively pushing for an MOU on fishing cooperation with the Indonesian authorities (see Future Work Plan section for additional information). A similar approach will soon be carried out with other neighboring countries to ensure better coordination among countries for more sustainable and responsible fishing cooperation.

3. Civil Society

- In addition to partnerships with LPN and TRAFCORD mentioned earlier, the government has also collaborated with a number of NGOs to resolve complex cases as well as increase the capacity of Multi-disciplinary teams. For example, police worked with NGOs to arrest six monks, including the head monk, from a temple in Chiang Mai on human trafficking charges. The cases were dealt with swiftly by the Courts, despite the religious sensitivities involved, providing concrete illustration of improvements in coordination,

cooperation and improved administration of justice throughout the legal process. The government conducts ongoing trainings of Multi-disciplinary teams in collaboration with World Vision.

H. Protection

- On 27 January 2015, the Department of Provincial Administration, Ministry of Interior and the MSDHS agreed that the timeframe for processing will be reduced from 3 months down to 1 month only. This is done by streamlining the biography registration and permit-issuing process and has become effective already. Furthermore, a coordinator position has been created to facilitate and follow up on work between the MSDHS and the Ministry of the Interior.
- For female victims who wish to work but do not wish to leave the shelters' premises, the shelters provide them with works within the shelters' area. These jobs include works in the beauty salon, traditional massage, and position at the shelters' gift shops (the products sold at these gift shops are made by the victims themselves such as woven bags and key chains).
- For the victims (both male and females) who do not wish to work, the shelters provide them with the opportunity to receive basic career training such as weaving fabrics, handicrafts, artisanal tailoring, bicycle fixing. These trainings are to equip the victims with skills which they can use once they return home

In 2014, MSDHS trained 30 translators to work at the OSCC 1300 hotline. These freelance translators work in five languages: English, Cambodian, Chinese, Burmese and Vietnamese. The system relies on a 3-way conference call model that allows the regular Hotline counselors to dial in the translators when their services are needed and provide real-time translation of the calls to avoid delays.

- In 2015 there will be two sessions of translators training:
 - The Department of Social Development and Welfare hosted a workshop for 30 translators to exchange views and share experiences from 9 to 11 March 2015 at the Twin Towers Hotel, Bangkok. The

workshop invited experienced translators to be key speakers in the field of victims' protection and topics will aim towards both users and interpreters.

- A workshop for 40 independent interpreters and volunteers will be organized in May 2015. (The first workshop for 30 translators was organized in March 2015) The purpose is to make interpreters aware of protection measures to be given to victims during the entire procedure of victim assistance. Participants include interpreters from both public and private sectors, i.e. One Stop Crisis Center of the Ministry of Social Development and Human Security, International Organization for Migration, Alliance Anti Trafficking, World Vision Foundation, Fatoni University, and Sheikhul Islam Office.

I. New Social Prevention Measures

On 18 March 2015, the United Nations Action for Cooperation against Trafficking in Persons hosted a meeting/consultation between the One Stop Crisis Center 1300, the Polaris Project (USA) and the National TIP Hotline of Vietnam (in cooperation with Japan International Cooperation Agency) in Bangkok. The consultation aimed to share experiences among GMS countries and better understand the challenges that national anti-trafficking hotlines in the GMS are facing given the unique nature of human trafficking in the region. Collaboration opportunities were also discussed, and Polaris in particular offered to support greater sharing and collaboration between Thailand and Vietnam.

- Region 5 Police have collaborated with TRAFCORD to design a new initiative to prevent and combat human trafficking. In particular, Region 5 Police, with the close cooperation from the local NGOs, have opened a "Child Advocacy Unit Thailand" in Chiang Mai since March 2015. This has been directly influenced by the U.S. examples of community friendly police and child friendly advocacy centers and courts. This new advocacy approach involves a police unit moving their office out of the Region 5 Head Quarters and into the community and setting up a child youth friendly walk-in center. In this lower stress natural surrounding, street children, migrant workers and sex workers can now drop by for a friendly chat or join in activities with the police and other local NGOs, such as learning music, and learning how to bake. TRAFCORD reports that this is an excellent example of police reaching out and bonding with groups vulnerable to sexual exploitation and

human trafficking on the field level, which will bring about a paradigm change in the way government agencies interact with the vulnerable. Region 5 commanders have now instructed that similar activities be set up in the 8 provinces of Northern Thailand.

- According to the Action Plan of the Royal Thai police on Protection of Children, Women and Family and Combating Human Trafficking, several divisions under the Royal Thai police have established centers to prevent trafficking. The supervisors and commanders of each responsible division are acting as director of the centers to supervise implementation of policies, plans, programs, activities to ensure they translate into concrete action. The Royal Thai Police in Region 2 found that Pattaya has a serious problem of human trafficking, because the officers on duty in the area could not fully respond to the problem due to the need to travel long distance of 60 kilometers. It is thus necessary to have officers on site near the scene, which requires specialized knowledge on the crimes involving children, including all forms of combating human trafficking. Therefore, a child protection center was established at the office located on the 4th floor of the Banglamung Police station. The working team is composed of police officers who trace news, investigate and arrest, conducting the entire cycle through One Stop Service. The police officers in the team are trained as officers under the Anti-Human Trafficking Act, the Child Protection Act and the Protection of Victims of Domestic Violence Act to move this center forward effectively.
- These Government is considering ways of replicating these good practices in Pattaya and Chiang Mai (see *Future Work Plan* section for more information).
- MSDHS established the Center to Solve Human Trafficking Problems for Women and Children on 9 February 2015. The Center is composed of representatives from the Royal Thai Police, the Office of the Attorney General, the Ministry of Labor, the Ministry of Interior and the Ministry of Social Development and Human Security nationwide and has locations in 76 provinces throughout Thailand, with headquarters in Bangkok located at the Ministry of Social Development and Human Security. The mandate of the Center is to implement immediate anti-TIP measures especially for women and children and monitor prostitution and human trafficking in an integrated manner. The establishment of the Center to Solve Human Trafficking Problems for Women and Children reinforces the integrated approach specifically for women and children, especially in prostitution cases. Between January and February 2015, they focused their operations in 37 target provinces and were able to process 262 prostitution and human

trafficking cases, with 52 children under the age of 18. The majority of the victims were women and children from neighboring countries. This Center to Solve Human Trafficking Problems for Women and Children also actively work with other relevant agencies on the following areas: ensuring more stringent border checks to combat transnational human trafficking with the Immigration police; prosecuting public officials involved in human trafficking as a top priority, ensuring better and more consistent victim identification process, to name but a few.

For a summary of some of the key measures and updates outlined in this Section, please see the *Progress Report Table* on the next page. For information on some of the key measures and strategies the Royal Thai Government will implement throughout 2015, please see the *Future Work Plan Table* on page 68.

Progress Report Table:

Summary of Thailand’s Anti-Human Trafficking Efforts

January – March 2015

Prosecution

Issue Areas	Progress Achieved
1. Prosecution of government officials who were involved with human trafficking (Page 50 in Thailand’s TIP 2014 Country Report)	<p>The progress of some of the prosecution cases against government officials involved in human trafficking as illustrated in Thailand’s TIP 2014 Country Report:</p> <ul style="list-style-type: none">• Kuraburi Case: A police officer was dishonorably discharged and is currently under investigation by Public Sector Anti-Corruption Commission• Pattani Case: Officers from the Highway Police and Special Unit of the Pattani Provincial Police are dishonorably discharged. The case is currently being considered by the Court.• Dontoom Case: The case is forwarded to the Office of the Attorney General. The Royal Thai Police is conducting further investigations to find more supporting evidence.• The case which involved Local Administrative Organization Executives: The case involving two members of Satun Province LAO is currently being considered by the Court.
2. The Ministry of the Interior crackdown on at-risk venues	<ul style="list-style-type: none">• The Ministry of the Interior has the administrative power to close down entertainment venues, work places, factories, and other spaces where human trafficking took place.• The Minister of Interior has been taking on an active role in combating human trafficking and the MOI’s efforts has led to a number of new additional cases being pursued and prosecuted by authorities. On 24 – 25 December 2014, General Anuphong Paochinda, the Minister of Interior held a meeting with 909 officials from at-risk provinces at Miracle Grand Hotel, Bangkok. The Minister ordered Ministry of Interior officials to mobilize the Damrongdhama Centers throughout the country to actively

engage in the suppression of human trafficking and related illegal activities which resulted in the following cases:

- On 5 January 2015, the Damrongdhama Center in Takuapa District, Pang-nga Province, received information from local citizens regarding human trafficking. The Takuapa Chief District Officer along with the police, MSDHS, and local volunteers were able to arrest a smuggling ring of 2 persons (Thai national) and rescued 53 foreign victims (38 Bangladeshi and 15 Rohingyas). Currently, this case is under further investigation.
- On 27 January 2015, the Damrongdhama Center in Udonthani Province, received information from local citizens regarding human trafficking. The Governor of Udonthani in cooperation with the police, the army, MSDHS raided 4 prostitution venues. They were able to rescue 33 Laotian female victims and rescued 2 children under the age of 18 who were victims of human trafficking. The Governor immediately ordered the venues to be closed down. Local police are investigating and filing legal cases against at least owners and caretakers of these venues.
- On 30 January 2015, the Damrongdhama Center in Thanyaburi District, Pathumthani Province received information from CTU, an NGO regarding human trafficking in the area. The Thanyaburi Chief District Officer in cooperation with the police, the arm, MSDHS and members of the NGO raided a Karaoke venue. They rescued 11 foreigners (10 Laotian and 1 Vietnamese) who were brought into prostitution, 5 of whom were under the age of 18 and were victims of human trafficking. The Governor of Pathmthani immediately ordered the venue to be closed down and the police arrested the owner of the venue.
- On 6 February 2015, the Damrongdhama Center of Nakhonpathom Province received information and cooperation from the Protect the Women Foundation, an NGO, regarding a request to find 16 years old child from Myanmar who was lured into working in a massage parlor in Sampran District, Nakhonpathom Province. The

	<p>Governor of Nakhonpathom along with the police, the army, and MSDHS and members of the NGO were able to rescue 3 Myanmar children under the age of 18 from a massage parlor which is an at-risk area of human trafficking. The children are then put under protection according to the law.</p>
<p>3. The Work Plan to Combat Human Trafficking focusing on prosecution and law enforcement to enhance and strengthen effectiveness</p>	<ul style="list-style-type: none"> • The sub-committee on combating trafficking in persons, steering by the Royal Thai Police and Ministry of Interior, has developed workplan and strategy for suppression of trafficking in persons. • In immediate term, the focus of the plan is on effective suppression of trafficking in targeted risk areas in 10 border provinces and addressing on demand and supply side of the crime. • In longer term, the focus of the workplan and strategy is on extensive investigation on trafficking syndicates which includes the use of taxation and money-laundering measures and international cooperation on prosecution. • The sub-committee also appointed focal points for each measure with deeper integration between law enforcement agencies and local governance; with strong commitment from the Ministry of Interior. • The workplan was endorsed by the sub-committee on March 23rd, 2015, and was planned to be enforced immediately.
<p>4. Additional Investigation Cases by the Royal Thai Police</p>	<ul style="list-style-type: none"> • From 1 January to 13 February 2015, the Royal Thai Police prosecuted 18 human trafficking cases involving 21 defendants. • These additional 18 cases can be categorized as 16 prostitution cases and 2 forced labor cases.
<p>5. Average duration of judicial process</p>	<ul style="list-style-type: none"> • From investigations by the Royal Thai Police to the prosecution of cases by the Office of the Attorney General to verdicts reached by the Court, human trafficking cases are given priorities in the legal process. • In 2014, verdicts were given by the court in 118 human trafficking cases. 90 cases were closed in a timeframe of under 1 year, while 27 cases took within 1 to 2 years

	<p>to reach a verdict and one case took within 2 to 3 years to reach a verdict.</p> <ul style="list-style-type: none"> • Expediting human trafficking cases are considered “special cases” and be completed <u>within six months</u> from the date of the first scheduled witness examination where possible. This timeline may be extended to a maximum of one year from the date of the first scheduled witness examination through permission from the Head of the relevant Trial Court, regardless of whether the defendant must be incarcerated throughout the duration of the trial.
<p>6. Ensuring continuity of the works of officials who handle human trafficking cases</p>	<ul style="list-style-type: none"> • Transferring and promotion of officials who handle human trafficking are done in such a way so that such changes do not impede on Thailand’s anti-TIP efforts. Officials create filing systems when working on cases, so that they could smoothly turn over their works to their replacement should they leave their current positions. • The National Plan of Action to Protect Women and Anti-TIP stipulates that appropriate trainings are provided for all officials who take up posts related to anti-TIP efforts. As such, chosen officials, new or experienced, will be well-trained to take up their mandated responsibilities.
<p>7. The Center for the Protection of Children, Women, Family and Anti-Human Trafficking by the Royal Thai Police (section (13) on page 43 of Thailand’s TIP 2014 Country Report)</p>	<ul style="list-style-type: none"> • Apart from its function as an information and data collection point for reporting purposes, the Center for the Protection of Children, Women, Family and Anti-Human Trafficking of the RTP also proactively engage with key players and stakeholders in their localities to combat human trafficking.
<p>8. The Ambon Island and its related cases (Prominent Cases - Case 6, page 56 of Thailand’s TIP 2014 Country Report; and</p>	<ul style="list-style-type: none"> • Since 1 October 2014, 146 Thai workers in the fishing vessels have been given assistance and returned to Thailand. Out of this number, 70 are from Ambon Island and 76 are from nearby islands of Indonesia. • Investigation by the Department of Special Investigation (DSI) and the Royal Thai Police is being carried out on

<p>in response to AP's recent reports)</p>	<p>several cases related to the incidents in Ambon and nearby islands. Out of 4 cases under the responsibility of DSI, 1 has already produced a concrete result. 3 Thai nationals related to Mahachai Navy 24 fishing vessel (i.e. broker, captain, and technician) were issued warrants and subsequently arrested on human trafficking charges.</p> <ul style="list-style-type: none">• As for Silver Sea Line cargo ship, which is implicated in the AP's reports as a mother vessel connected to forced labor, probes into suspects linked to human trafficking by DSI has been ongoing. Investigation into this and other cases related to Ambon and nearby islands began long before the AP's reports. <p>On 27 March 2015, a team of concerned agencies comprising the Royal Thai Police, Ministry of Justice's Department of Special Investigation (DSI), Ministry of Labor, Ministry of Social Development and Human Security, Ministry of Foreign Affairs' Department of Consular Affairs, are leaving for Ambon and nearby islands (including Benjina island reported by AP) of Indonesia to take further actions of the respective agencies and follow up on the results of victim assistance and investigation. The visit is facilitated by the Royal Thai Embassy in Jakarta and concerned Indonesian authorities. Cooperation between Thailand and Indonesia to solve the existing problems of fishing and human trafficking as well prevention will be discussed by representatives of the two countries.</p>
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Prevention

Issue Areas	Progress Achieved
1. Progress in labor management	<ul style="list-style-type: none"> • On 27 February 2015, the High-level Policy Committee on Foreign Workers and Human Trafficking chaired by General Prawit Wongsuwan (retired) extended the dateline for registered migrant workers to have their nationalities verifications conducted from 31 March 2015 to 31 March 2016. • As of 25 February 2015, 1,626,235 migrant workers have been registered (738,947 Cambodians, 664,449 Myanmar, and 222,839 Laotians). • As of 25 February 2015, 126,676 migrant workers have gone through the nationalities verification process (96,020 Cambodians, 16,394 Myanmar, and 14,262 Laotians).
2. Promoting hotlines accessibilities	<ul style="list-style-type: none"> • A meeting was held at the Ministry of Foreign Affairs on 13 February 2015 to coordinate the works of all agencies which have their own hotlines for callers to report and file complaints on human trafficking and other related wrong doings such as government officials' complicity in human trafficking cases. • In total, there are 10 hotlines namely: <ul style="list-style-type: none"> (1) Hotlines for human trafficking and related offences: <ol style="list-style-type: none"> 1. 1300 One Stop Crisis Center by MSDHS 2. 1546 Labor Protection Hotline 3. 1694 Hotline for migrant workers 4. 1191 Anti-Human Trafficking Division, RTP 5. 1202 Hotline by Department of Special Investigation (2) Hotlines for reporting corruption and complicity <ol style="list-style-type: none"> 6. 1567 Dhamrongdhama Center by Ministry of Interior 7. 1206 Anti-Corruption Hotline by PACC 8. 1710 Anti-Money Laundering Hotline by AMLO 9. 1205 Anti-Corruption Hotline by NACC 10. 1111 Hotline by the Office of the Prime Minister • All hotlines have taken measures to step up the protection of informants and to encourage informants to

	<p>feel safe to call in.</p> <ul style="list-style-type: none"> • From October 2012 to February 2015, the Anti-Human Trafficking Division, Royal Thai Police Hotline 1191 received 6,893 calls, 69 calls led to case, of which led to 21 cases being prosecuted and 48 cases are under investigations. • On 18 March 2015, the United Nations Action for Cooperation against Trafficking in Persons hosted a meeting/consultation between the One Stop Crisis Center 1300, the Polaris Project (USA) and the National TIP Hotline of Vietnam (in cooperation with Japan International Cooperation Agency) in Bangkok. The consultation aimed to share experiences among GMS countries and better understand the challenges that national anti-trafficking hotlines in the GMS are facing given the unique nature of human trafficking in the region. Collaboration opportunities were also discussed, and Polaris in particular offered to support greater sharing and collaboration between Thailand and Vietnam.
<p>3. Labor Inspections in Work Places and Sea Fishing Vessels</p>	<ul style="list-style-type: none"> • Between 5 January – 18 February 2015, the Ministry of Labor inspected 185 work places encompassing 4,340 workers. 7 work places were found to be in violations of Labor Protection Act B.E. 2541(1998) in areas of cultural holidays, work schedule, payroll, and workers registration. • Between 5 January – 20 March 2015, the Ministry of Labor inspected 523 sea fishing operators, 780 fishing vessels and 6,465 workers. 55 vessels were found to be in violations of the Labor Ministerial Regulation to Protect Labor in the Sea Fisheries Industry B.E. 2557 (2014) in areas of employment of 9 minors (below age of 18 years old), paying 56 workers below the minimum wage, 9 workers found working without working permit, no workers registration, no employment contracts, bad working and boarding conditions. Violators were prosecuted according to relevant laws and regulations and ordered to correct their shortcomings immediately.

<p>4. Mobile comprehensive registration units for fishing vessels and fishing licenses</p>	<ul style="list-style-type: none"> • Registration and licensing of fishing vessels have continued to be carried out by 112 mobile registration units at district levels across 22 coastal provinces during the period between 12 January to 28 February 2015. • Mobile registrations were jointly led by the Department of Fisheries, the Marine Department and the Department of Provincial Administration. • As of 28 February 2015, additional 4,243 fishing vessels have been registered, bringing the total of registered fishing vessels to 50,970. • As of 28 February 2015, additional 10,658 fishing licenses have been issued, bringing the total number of issued fishing licenses to 31,207.
<p>5. Strengthening monitoring and control of labor movement at sea</p>	<ul style="list-style-type: none"> • The newly amended Fisheries Act and its subordinate legislations, expected to be in force by June 2015, will significantly enhance monitoring and control of labor movement at sea in 3 levels under the operation of 26 Port in – Port out Control Centers led by the Department of Fisheries in cooperation with the Marine Department, the Ministry of Labor and the Royal Thai Navy (Please see <i>Diagram 5</i> of the Progress Report) <p><u>Upstream level (Port Out Control):</u></p> <p>As vessels from 30 gross tonnages will be required by the subordinate legislation to undergo port out control, the Port in-Port out Control Centers will be able to record the information of both vessels and their crews, while each agency can inspect its respective documents. For instance, Marine Department will inspect the seaman book and verify the permission for the laborers to work on board in accordance with its regulation (<i>see page 90 of 2014 Country Report for more details</i>). Department of Employment will verify if migrant workers have been registered. Department of Labor Protection and Welfare will inspect employment contracts and crew lists as required by the Ministry of Labor’s Regulation to Protect Labor in the Sea Fishing Industry 2014 (<i>see page 88 of 2014 Country Report for</i></p>

more details). The information will be cross-checked with the Sea Fishery Worker Management Centers and then will be shared with other agencies through the Fishing Info Database. To ensure effective inspection at further stage, Department of Fisheries will inspect that VMS is properly installed and linked with the VMS Operation Centers.

Midstream level (Inspection):

Inspections will be enhanced with the establishment of VMS Operation Center (VMS Centers) and Monitoring Control and Surveillance Center (MCS Centers).

The MCS Center, which will pool resources from the related agencies including Department of Employment, Department of Labor Protection and Welfare, Department of Fisheries, Marine Department, Marine Police Division, Royal Thai Navy and Thailand MECC, will be responsible for planning and conducting joint patrol inspection on the basis of the information from the Fishing Info Database and the VMS Centers. As far as labor inspection is concerned, labor inspectors working in the joint inspection team will verify the number of crews against the port-out information and evaluate the working conditions and well-being of the workers in pursuance of the Ministry's aforementioned Regulation. The report of patrol will be produced and information will be shared through the Fishing Info Database.

Downstream Level (Port In Control):

As with port out control, vessels from 30 gross tonnages will be required to report upon arrival at the Port in – Port Out Control Centers. At this stage, labor inspectors stationed at the centers will examine crew list report as well as other related documents. Should, for example, labor inspector find that the ship captains/ship owners fail to comply with their obligation under the Ministry's Regulation to bring their crews ashore and report at least once a year, the inspectors can promptly enforce the regulation with prescribed penalties.

	<p>In summary, the new Fisheries Act will put in place a complete control system of labor movement from the date of their port departures till the date of their arrivals and help reduce the risk of labor trafficking at sea.</p> <ul style="list-style-type: none"> • Timelines for the implementation of these measures are provided in the future work section (page 50-51).
<p>6. The establishment of MSDHS Center to Solve Human Trafficking Problems for Women and Children</p>	<ul style="list-style-type: none"> • MSDHS established the Center to Solve Human Trafficking Problems for Women and Children on 9 February 2015. The mandate of the Center is to carry out operations according to its plan of actions, implement immediate anti-tip measures especially for women and children and monitor prostitution and human trafficking in an integrated manner. • The establishment of the Center to Solve Human Trafficking Problems for Women and Children reinforces the integrated approach specifically for women and children especially in prostitution cases. • The result of operations in January and February 2015, in 37 target provinces: 262 prostitution and human trafficking cases, with 52 children under the age of 18. The majority of the victims were women and children from neighboring countries. • The Center to Solve Human Trafficking Problems for Women and Children most urgent measures include: <ol style="list-style-type: none"> 1. stringent border checks 2. reconsideration of the MoU with Myanmar and Laos 3. prosecution of public officials 4. victim identification process for all victims 5. providing protection for human trafficking victims 6. increase the number of female investigators 7. increase the number of translators 8. improve the standards of shelters

7 Key Measures to Address Labor Trafficking in the Fishing Industry

Deputy Prime Minister, General Prawit Wongsuwan (ret.), announced 7 new key measures to address labor exploitation in the fishing industry as follows:

- (1) Registration of vessels** – Department of Fisheries and Marine Department to expedite registration of fishing vessels.
 - (2) Intensified inspections** – Relevant agencies to conduct intensive inspections of fishing vessels and labor working on board with 77 vessels designated as patrol vessels.
 - (3) Establishment of VMS Operation Centers** – VMS Operation Centers to be set up by April to facilitate VMS monitoring and tracking and collect information related to location and time at sea for the purpose of inspection.
 - (4) Subordinate legislation on VMS installation** – Department of Fisheries and Marine Department to issue subordinate legislation to require fishing vessels to install VMS and link the VMS signal to the VMS Operation Centers.
 - (5) Establishment of Port in-Port Out Control Centers** – 26 of these Centers to be set up to control port in-port out inspection.
 - (6) Patrol and Inspection at sea** – Thailand MECC to conduct patrol inspection within Thai waters and to carry out rescue operations for trafficked victims.
 - (7) Registration of migrant fishery workers** – Registration of migrant fishery workers to be expedite. Employers including ship owners and ship captains must strictly comply with the Ministry of Labor’s Regulation to Protect Labor in the Sea Fishing Industry 2014 and ensure that the migrant workers are given the same level of protection as Thai workers.
- These 7 key measures are crucial for the 3 levels of control of labor movement in the fishing industry as illustrated in page 7-8.

Protection

Issue Areas	Progress Achieved
<p>1. Latest Human Trafficking Victims Statistics</p>	<ul style="list-style-type: none"> • In January – February 2014, 105 victims came under the care of MSDHS. Within this group, 100 victims went on to stay in MSDHS’ 9 shelters. The nationalities of these victims are categorized as follows: <ul style="list-style-type: none"> - 33 Thais - 3 Myanmar - 28 Laotians - 5 Cambodians - 16 Bangladeshi - 15 Rohingyas <p>The age ranges of these victims who entered into MSDHS’ shelters include 40 persons aged 18 and over, 25 persons between the ages of 15 to 18, and 35 persons aged under 15. The forms of exploitation faced by these victims encompassed sexual exploitation (49 victims), forced labor or services (48 victims) and forced begging (3 victims).</p> <ul style="list-style-type: none"> • 10 Thai victims who were exploited abroad were rescued from Bahrain (2 victims), Indonesia (6 victims), Vietnam (2 victims). 8 of these victims faced forced labor or services and 2 faced sexual exploitation. 5 Thai victims rescued from abroad chose to go back to their respective homes, while the other 5 chose to come under the protection of MSDHS’ shelters (and are accounted for among the 33 Thais mentioned above). • In addition to the 303 victims identified in 2014 (303 chose to stay in MSDHS shelters), MSDHS has taken care of 105 more victims up to February 2015. This brings the total number of identified victims from the year 2014 plus January – February 2015 to 408 in total. (Page 49 of Thailand’s TIP Country Report 2014)

<p>2. Victims' nationalities in Thailand's 2014 TIP Country Report (page 45 of the 2014 Country Report)</p>	<ul style="list-style-type: none"> • The number of victims with unidentified nationalities in Thailand's TIP 2014 Country Report can be categorized as follows: 1 Uzbekistani, 7 Indians, 23 Rohingyas, 65 Bangladeshis. The Royal Thai Police and the multi-disciplinary team conduct preliminary victim identifications. Then, a thorough nationality verification process is carried out by MSDHS once the victims are received into MSDHS shelters. • All 23 victims who were identified as Rohingyas (from Rakhine State of the Union of Myanmar) in 2014 were sent to MSDHS shelters.
<p>3. Additional information on the request to stay and finding temporary works for the victims (page 75 of the 2014 Country Report)</p>	<ul style="list-style-type: none"> • During January and February 2015, 20 trafficking victims (19 Laotians and 1 Cambodian) are under the process of submitting requests for permission to stay and work in the Kingdom according to the Human Trafficking Act of 2008. • On 27 January 2015, the Department of Provincial Administration, Ministry of Interior and the MSDHS agreed that the timeframe for processing will be reduced from 3 months down to 1 month only. This is done by streamlining the biography registration and issuing of permits processes and has become effective already. Furthermore, a coordinator position is created to facilitate and follow up on works between the MSDHS and the Ministry of the Interior. • For female victims who wish to work but do not wish to leave the shelters' premises, the shelters provide them with works within the shelters' area. These jobs include works in the beauty salon, traditional massage, and position at the shelters' gift shops (the products sold at these gift shops are made by the victims themselves such as woven bags and key chains). • For the victims (both male and females) who do not wish to work, the shelters provide them with the opportunity to receive basic career training such as weaving fabrics, handy crafts, artisanal tailoring, bicycle fixing. These trainings are to equip the victims with skills which they can use once they return home.

<p>4. Claiming compensation for victims of human trafficking</p>	<ul style="list-style-type: none"> • In 2014, the Office of the Attorney General filed for 8,613,340 baht in compensations for 57 victims of human trafficking. • The procedures for claiming compensations for victim is part of training curriculum for officers as stipulated by the Anti-Human Trafficking Act B.E. 2008. As such, MSDHS hold trainings on this issue on a yearly basis and the procedures are also outlined in handbooks distributed for all relevant officials.
<p>5. Training of Translators to help victims in the identification process and also for protection purposes as well as legal counseling</p>	<ul style="list-style-type: none"> • In the years 2011-2013, MSDHS trained 95 translators of ethnic/local languages to assist human trafficking victim protection. The ethnic/local languages for the trainings included Thai-Lu, Akha Karen, Lahu, Khmer and Mandarin. • In 2014, MSDHS trained 30 translators to work at the OSCC 1300 hotline. • In 2015 there will be 2 sessions of translators training: <ul style="list-style-type: none"> - The Department of Social Development and Welfare hosted a workshop for 30 translators to exchange views and share experiences between 9 – 11 March 2015 at the Twin Towers Hotel, Bangkok. The workshop invited experienced translators to be key speakers in the field of victims protection and topics will aim towards both users and interpreters. - The second workshop will be hosted in May for 40 translators. <p>MSDHS will then create a list of certified translators, so that other agencies can resort to services from this pool of trained translators.</p>

Policy, Policy Implementation, and Mechanisms

Issue Areas	Progress Achieved
<p>1. New Laws: Status updates and implementation</p>	<ul style="list-style-type: none"> • <u>Amendments to the Fisheries Act B.E. 2490 (1947)</u>:The amendment was adopted on 9 January 2015. It will enter into force 60 days after it is published in the Royal Gazette (by June 2015). • <u>Ministerial Regulation Concerning Sea Fishing Worker Protection B.E. 2557 (2014)</u>: in 2015, the Ministry of Labor has carried out measures to supplement effective implementation of the new regulation. Information regarding the regulation has been distributed in the form of handouts in many languages and is posted on the www.labour.go.th website. Information sessions were held for 845 employers and 4,657 workers in the sea fisheries industry. Furthermore, The Department of Labor Protection and Welfare and the International Labor Organization held a workshop for 150 implementing officials during 9 – 10 February 2015. • <u>Amendments to the Anti-Human Trafficking Act B.E. 2551 (2008)</u>: On 27 March 2015, the National Legislative Assembly voted in favor (160 for, 3 abstain) for the amendments to the Anti-Human Trafficking Act. The next step for the amendment to come into effect is for it to be signed by His Majesty and subsequently published in the Royal Gazette. The purpose of the amendment is to increase the effectiveness of the law in preventing and suppressing human trafficking by protecting authorities and those who report on trafficking crimes with legal immunity and protection from civil and criminal liabilities. The amendments will also empower authorities to shut down work places or suspend operating licenses of factories and vehicles if found to have been used to assist trafficking. Punishment terms have been appropriately increased and fines from such crimes are to be allocated to the Anti-Human Trafficking Fund.

<p>2. Cooperation with Vietnam to meet the demand for laborers in growing industries</p>	<ul style="list-style-type: none"> • Vietnam: On 10 February 2015, the Cabinet approved in principle the registration of Vietnamese workers which will allow them to continue to work in Thailand for a period of one year. • The cabinet also decreed that Vietnamese migrant workers can undertake two jobs namely labor works and domestic house works. Further discussion with the Vietnamese Government will explore possibilities of bringing in construction workers and workers in the Fisheries sector by way of an MoU process.
<p>3. Synchronization of the database for human trafficking cases</p>	<p>Currently, relevant agencies are in the process of inputting data into the human trafficking database. So far, the Anti-Trafficking in Persons Division of the Royal Thai Police and MSDHS have completed registering data for the year 2014.</p> <ul style="list-style-type: none"> • Furthermore, MSDHS held a workshop on March 3, 2015 to present the national data monitoring and report to relevant agencies. The workshop aimed to inform agencies of the procedures and future developments of the data monitoring and report. Participants included data input personnel and end-users such as the Anti-Human Trafficking Division of the Royal Thai Police, the Office of the Attorney General, MSDHS, Kredtrakarn Protection and Occupational Development Center, and Pathumthani Provincial Protection and Occupational Development Center for Men. • To ensure sustainability and reliability of the database and to protect data privacy for the victims, MSDHS and relevant agencies are drafting an MoU on National Anti-TIP Database which is expected to be signed on 9 April 2015.

Partnership

Issue Areas	Progress Achieved
<p>1. The Australian-Asia Program to Combat Trafficking</p>	<ul style="list-style-type: none"> • The Governments of Thailand and Australia are co-hosting Thailand-Australia Regional Workshop on Trafficking in Persons: Victims in the Criminal Justice

<p>in Persons (AAPTIP) workshop</p>	<p>System to be held from 7 – 9 April 2015. The Workshop is under the Asia-Australia Program to Combat Trafficking in Persons (AAPTIP)</p> <ul style="list-style-type: none"> • Participating in the workshop are stakeholders and key players from governments, international organizations, and NGOs from the region. • Topics include international and regional standards for victims in the criminal justice process, practical issues at the investigation and pre-trial phase, protective detention of victim-witnesses: advantages and disadvantages, compensation and other remedies for victims of trafficking.
<p>2. Bali Process</p>	<ul style="list-style-type: none"> • Thailand has taken leading role to encourage mutual understanding and exchange best practices on trafficking in persons for the purpose of exploitation in regional level. On 25-26 March 2015, Thailand and Australia co-hosted the first Bali Process Regional Symposium on Trafficking in Persons for the Purposes of Labor Exploitation in Bangkok. • This symposium brought together 117 counter-trafficking officers and experts from 34 Bali Process member countries and 4 organizations in a multi-stakeholders framework. The symposium has drawn on the expertise of member countries, NGOs, private sector, academia, and international organizations to promote better understanding of the concept and emerging trend of human trafficking for the purposes of labor exploitation and exchange experiences and good practices in preventing labor trafficking and protecting workers' rights. • The participants highlighted importance of regulation of recruitment process, promotion of sustainable reintegration of victims by encourage community support and participation of stakeholders after victim care period, vital roles of training and capacity building for officers and awareness raising for public as pivotal prevention measure. • The symposium also opened venue for participants to share case study, exchange lesson learnt and collect

	<p>good practices from extensive and active discussion on the issue. Most importantly, member countries have identified and explored avenues for cooperation to address this specific issue in the regional level within the framework of the Bali Process.</p>
<p>3. Partnership with neighboring countries to combat human trafficking</p>	<ul style="list-style-type: none"> • <u>Brunei</u>: On 17 February 2015, MSDHS received a draft MoU between the governments of Thailand and Brunei on the cooperation to combat human trafficking (draft as revised by Brunei). The MSDHS held a meeting to make revisions and comments and is currently in the process of sending Thailand’s draft and comments back to Brunei for further considerations. • <u>Laos</u>: In March 2015, at the sidelines of the 59th Session of the Commission on the Status of Women, Police General Adul Saengsingkaew, the Minister of Social Development and Human Securities met with Mrs. Bundith Prathoumvanh, the Vice President of Laos Women’s Union. They discussed the issues of women and children crossing the Thai-Laos borders illegally, providing protection for Laotian workers in Thailand, project to provide career training for women to create employment opportunities and lessen the chances for Laotian women falling prey to human trafficking. • <u>Cambodia</u>: In March 2015, at the sidelines of the 59th Session of the Commission on the Status of Women, Police General Adul Saengsingkaew, the Minister of Social Development and Human Securities met with Dr. Ing Kanthaphavi , the Minister of Women Affairs of Cambodia to discuss cooperation on cross border data collection to solve the problem of illegal entry by Cambodians into Thailand which could lead to human trafficking and illegal labor.

II. Frequently Asked Questions (FAQs)

II. Frequently Asked Questions (FAQs)

1. Why is there a year-on-year decrease in terms of the number of trafficking cases when comparing statistics between the years 2014 and 2013?

Answer:

There are two key reasons for this decrease: A) Improved law enforcement strategy
B) Improved prevention measures that address the root causes of human trafficking.

A) Improved law enforcement strategy

While the number of arrests on charges of human trafficking in 2014 did decrease from 2013, the overall multi-year trend for prosecution statistics has increased as demonstrated by the graphs on the pages 47 and 48 of Thailand's Trafficking in Persons 2014 Country Report.

The year 2013 was anomalous due to a policy instituted within law enforcement agencies that recommended that police make at least five arrests per month per police station. This well-intentioned policy was meant to set targets that would encourage police officers across Thailand to be vigilant about protecting potential victims and arresting perpetrators, big or small, and, indeed, it did result in a much higher number of arrests. However, these quantitative targets led to officers making arrests in a large number of cases that arguably could be considered human trafficking, but when these cases were actually brought to court, it was observed by relevant officials that a number of these cases could not result in convictions due to insufficient evidence.¹³

Therefore, this year the Royal Thai Police has tried to stop law enforcement resources from being focused on arresting as many likely offenders as possible and attempting to bring human trafficking charges even when evidence may not have been sufficient. Instead, the Prime Minister has instructed the Royal Thai Police to re-investigate all of the 280 human trafficking cases to make sure that they put emphasis on conducting intensive, longer term investigations that would lead to successful charges against the "big fish" at the top of trafficking rings, which is the strategy that will make a deep, sustainable impact on reducing trafficking. In other words, the focus was shifting towards more on quantity rather than quality alone.

¹³ Precise conviction data for 2013 is not yet available since the new data management system described in the Future Work Plan section is not yet fully operational. There is, however, a broad consensus among officials today that the large number of arrests in 2013 did not necessarily translate into significant increases in convictions.

In service of this new strategy, law enforcement implemented two key strategies: 1) focusing on busting up major networks and prosecuting the “big fish” and 2) for lower level offenders, rather than arresting on charges of human trafficking when evidence is insufficient, prosecute these offenders for related offenses where evidence is sufficient to likely result in a conviction to ensure that these offenders are punished.

- 1) The new strategy, initiated in 2014, of focusing law enforcement resources on busting up networks and successfully prosecuting “big fish” requires a much slower, more careful investigation process that does not yield a recurrent large number of cases but results in high quality cases that make a deep and sustainable impact on lowering human trafficking and tackling corruption and malfeasance. This new strategy has already yielded notable and concrete dividends, which are explained in further detail in *Table 2*.
- 2) Because the 2013 strategy resulted in numerous arrests on human trafficking charges that were unable to be successfully prosecuted, the current strategy emphasizes ensuring that trafficking offenders and offenders who are likely to become involved in the trafficking chain are prosecuted on related offenses, even when there is not yet sufficient evidence that they have committed human trafficking offenses. In 2014, there were 7,573 arrests and 9,543 defendants on such related offenses, which are explained in more detail in *Table 4*. The prosecution of these related crimes creates a deterrence effect on human traffickers. Relevant offenses include:
 - a. Procuring persons for indecent acts
 - b. Procuring persons for prostitution
 - c. Smuggling persons into Thailand
 - d. Illegally housing non-Thai persons
 - e. Employing non-Thai persons without work permits

Overall, the quality of cases prosecuted in 2014 has improved and led to arrests of larger human trafficking syndicates operating in various provinces and repeating the crimes many times. In 2014, law enforcement crackdowns on two sex trade trafficking and forced labor rings that were prosecuted, while one transnational forced labor trafficking ring is currently under investigation. Furthermore, five Rohingya people smuggling rings have been prosecuted and the Anti-Money Laundering Office has also confiscated over 32 million baht worth of assets from these syndicates (See more in *Table 3*).

In addition, a number of cases in 2014 led to further prosecutions in other areas encompassing many provinces and also resulted in reaching the leaders in the

trafficking rings. Even government officials who were found to be complicit in human trafficking were not exempted from prosecution. Such was the case in Dontoom District, Nakhonpathom which led to further arrests in Suphanburi and Nhonkai Provinces, where a government official was arrested and many victims were rescued. Finally, prosecuting wrongdoers under other relevant laws such as labor and employment laws, prostitution law, or immigration law could, in fact, preempt human trafficking from occurring.

B) Improved Prevention Measures

Please refer to Section I, sub-section 2 (C) of this report for discussion of a range of Improved Prevention Measures. These measures offer a full explanation of how the new labor system addresses the root causes of trafficking and has a direct impact on lowering the incidence of human trafficking in Thailand.

2. How has the structural change at the top affected the way Thailand deals with human trafficking issues? Why are there now new committees and sub-committees? Are they really necessary?

Answer:

Under previous governments, to the formulation and implementation of national policy on combating human trafficking were concentrated primarily in the National Committee on Prevention and Suppression of Human Trafficking or the National Anti-Trafficking in Persons Committee (chaired by the then Prime Minister),¹⁴ and the Committee on Coordination and Supervision of Anti-Trafficking (chaired by a Deputy Prime Minister).¹⁵ As noted above in the Progress Report section of this report, “previous structure focused on human trafficking was narrowly construed,

¹⁴ Often referred to in Thai abbreviation as *Por Kor Mor*. The Prime Minister as Chair was traditionally be supported by a Deputy Prime Minister (who also chaired *Por Gor Kor*. See below for detail). Other members of this Committee were the Minister of Defence, Minister of Foreign Affairs, Minister of Tourism and Sports, Ministry of Social Development and Human Security (MSDHS), Minister of Interior, Minister of Justice, Minister of Labor, and usually 4 additional eminent persons with special expertise in working with international organizations and NGOs on human trafficking issues, prosecution, or prevention, to name but a few.

¹⁵ Usually referred to in Thai abbreviation as *Por Gor Kor*. For the composition of this Committee, see <http://www.nocht.m-society.go.th/humantrafficking/mechanisms/index.php?cateid=2>

without being attentive to other interrelated issues that are key drivers of human trafficking, including labor issues, women's issues, etc. Without addressing these related issues in tandem and in a more proactive manner, human trafficking cannot be effectively addressed.

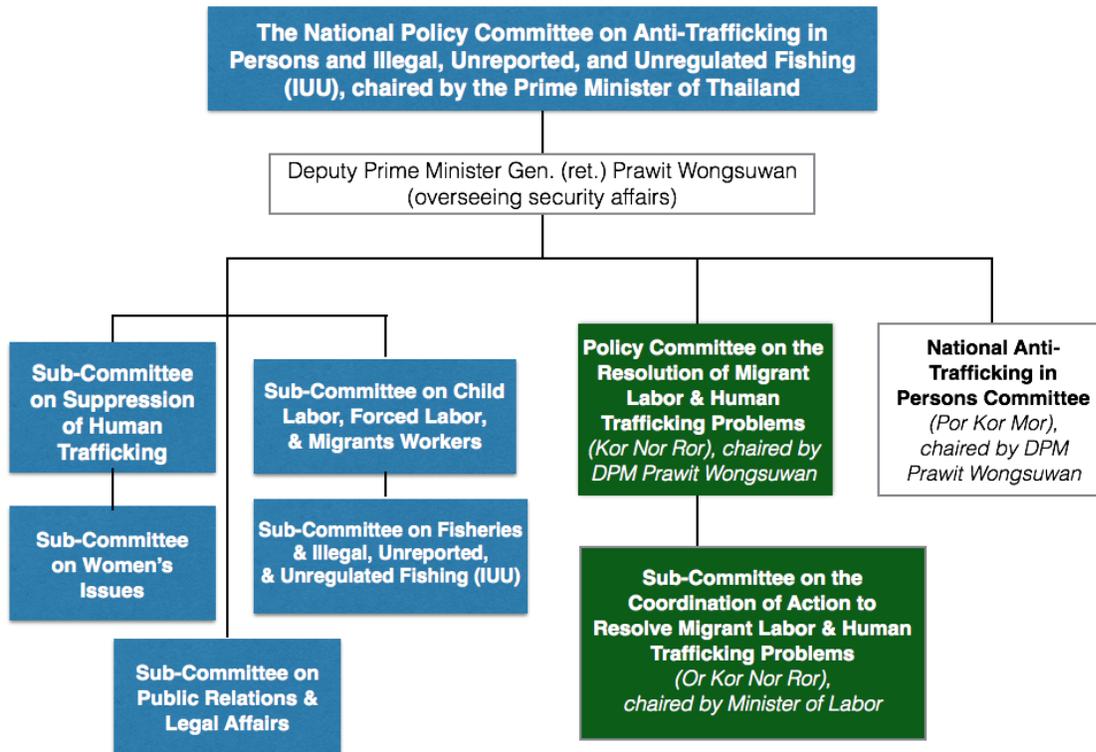
Additionally, it was generally agreed that, under the previous system, some agencies charged with law enforcement and administration, such as the Ministry of Interior, were not sufficiently engaged in policy implementation. Though they were represented on the National Anti-Trafficking in Persons Committee, there was no structure in place that facilitated them playing a formal and more proactive role in ensuring that policy translated to effective implementation.

Acknowledging the immense scale and interconnectedness of the many dimensions of human trafficking, this Government decided to change its approach to human trafficking to create improvements in both structures and systems. Today, the new Sub-committee on the Suppression of Human Trafficking is therefore led by a wider range of agencies and focuses directly on how law enforcement, immigration, and other administrative agencies should implement relevant laws and policies to create concrete results on the ground.

In terms of the structural change, the Government has, since December 2014, set up the National Policy Committee on Anti-Trafficking in Persons and Illegal, Unreported, and Unregulated Fishing, chaired by the Prime Minister, and also 5 Sub-Committees to drive the policy in each related dimension of human trafficking. These sub-committees are:

- (i) the Sub-Committee on Suppression of Human Trafficking (chaired by the Deputy Prime Minister, General (ret.) Prawit Wongsuwan, with the Minister of Interior as the Vice-chair);
- (ii) the Sub-Committee on Women's Issues (chaired by the Minister of Social Development and Human Security);
- (iii) the Sub-Committee on Child Labor, Forced Labor, and Migrants Workers (chaired by the Minister of Labor);
- (iv) the Sub-Committee on Fisheries and Illegal, Unreported, and Unregulated Fishing (chaired by the Minister of Agriculture and Cooperatives);
- (v) the Sub-Committee on Public Relations and Legal Affairs (chaired by the Deputy Minister of Foreign Affairs)

The diagram below illustrates this structural change at the policy level:



As shown in the Diagram above, the pre-existing National Anti-Trafficking in Persons Committee mandated by the Anti-Human Trafficking Act continues to function but now serves as a platform where a Deputy Prime Minister (in this case, General (ret.) Prawit Wongsuwan), acting as Chair, convenes meetings to follow up on progress and key issues that require action across a range of agencies working in various sub-committees to ensure the new integrated, holistic approach is fully functioning.

The Policy Committee on the Resolution of Migrant Labor and Human Trafficking Problems (*Kor Nor Ror*) as well as the Sub-Committee on the Coordination of Action to Resolve Migrant Labor and Human Trafficking Problems (*Or Kor Nor Ror*) are two additional mechanisms that this Government is using to ensure effective operations on the ground level in solving all problems related to migrant workers and human trafficking victims. This Policy Committee and Sub-

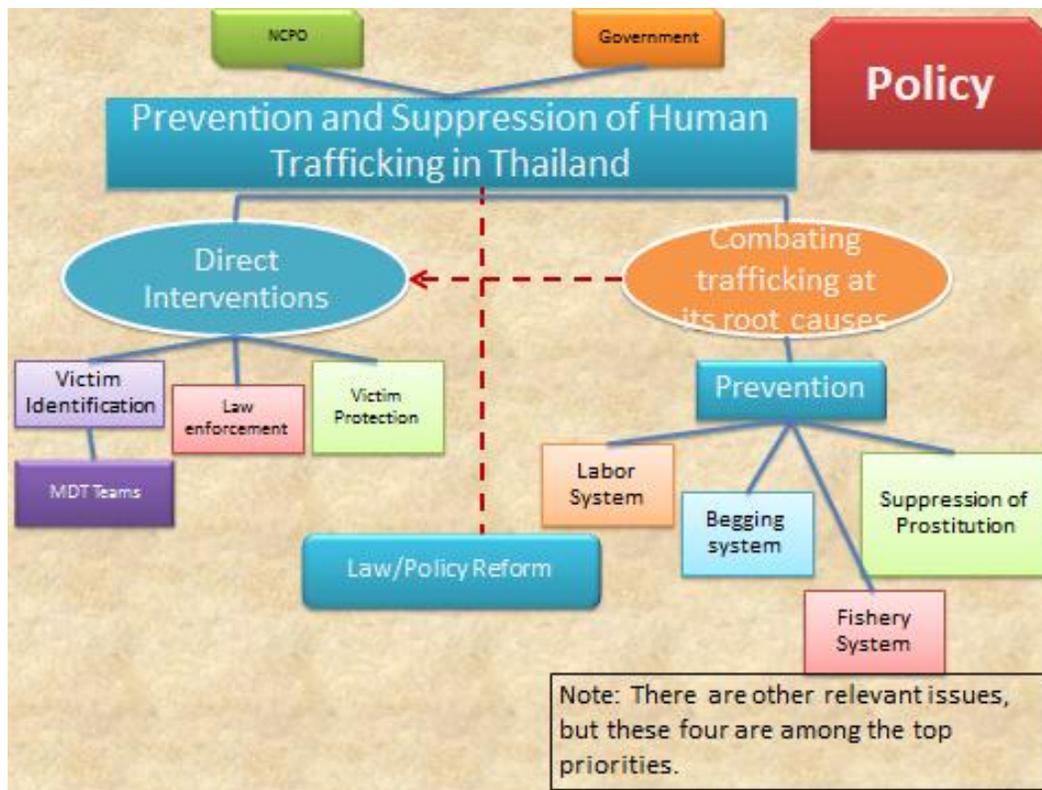
Committee were set up by the NCPO on 25 June 2014 (approximately one month after the NCPO came into power).¹⁶

Both the Committee and Sub-Committee have clear and specific responsibilities and full autonomy. The composition of each of these Committees and Sub-Committees allows for close coordination both at the policy and operation levels. New actors are now brought into the national efforts to fight with human trafficking. The Royal Thai Navy is a prime example of such actors, as it plays a critical role in inspecting fishing vessels in the high seas, among other responsibilities.

The Chair of each Committee and Sub-Committee is to report on work progress at least on a monthly basis (usually weekly) to the Deputy Prime Minister in charge (Gen. (ret.) Prawit Wongsuwan), who then reports progress to the Prime Minister. In other words, even if the National Policy Committee on Anti-Trafficking in Persons and Illegal, Unreported, and Unregulated Fishing may not be convened every month, the Chair of each Committee is still held accountable for collecting information on progress, driving real actions, and reporting the weekly progress to the Prime Minister, who pushes for ongoing progress across all domains of the system.

The structural change described above is connected to a broader move by the act of the Government to a systems approach to combating human trafficking. This is a result of the acknowledgement by this Government that there are many interrelated issues that the Government must immediately tackle more effectively in order to address the root causes of human trafficking on various fronts, including the labor system, begging, commercial sexual exploitation, child protection, etc. Rather than viewing these issues as related issues that are outside the core of anti-human trafficking work, the new approach acknowledges that these issues are intimately connected to human trafficking, and human trafficking cannot be eradicated without also addressing them. For more information on this new system and approach, see *Section I.2 (C)* of this Progress Report. The diagram below serves to lay out how Thailand is tackling with various interrelated issues that directly and indirectly linked with the prevention and suppression of human trafficking.

¹⁶ For the composition of *Kor Nor Ror*, see http://www.army3.mi.th/army3_internet/mod/book/view.php?id=31&chapterid=209.



3. Why have the large numbers of inspections of sea fishing vessels not yet led to any prosecution of traffickers? Why are boat captains and ship owners never punished for human trafficking crimes?

Answer:

3.1 Inspections of sea fishing vessels are crucial endeavors that serve two crucial functions in eradicating human trafficking in the sea fishing sector. First, frequent inspections serve as deterrence for ship owners and captains from doing illegal activities. Secondly, successful inspections based on careful planning and good intelligence force fishing vessel owners and captains to keep themselves in check/compliance with the laws. Once regular inspections are known to vessel owners and captains, it may have the unintended consequence of making these vessel owners and captains more vigilant such that they try to keep evidence of human trafficking out of Thai waters and ports, necessitating increased bilateral and multilateral cooperation. Beginning with the new Ministry of Labor Regulation in January 2015, the Ministry has begun inspecting boats further out from shore. Additionally, from now on, the Navy will be directly involved in inspecting boats

and investigating cases where VMS data shows suspicious activity (*See Progress Report*, Section 2(F)) for further information.

3.2 Most recently, in the period during 5 January-18 February 2015, the Ministry of Labor inspected 349 sea fishing operators, including 599 fishing vessels and 4,138 workers. 21 vessels were found to be in violations of the Labor Ministerial Regulation to Protect Labor in the Sea Fisheries Industry B.E. 2557 (2014) in areas of employment of 5 minors (below age of 18 years old), paying 56 workers below the minimum wage, 7 workers found working without working permit, no workers registration, no employment contracts, bad working and boarding conditions. Violators were prosecuted according to relevant laws and regulations and ordered to correct their shortcomings immediately.

3.3 On the Ambon Island Case, the Department of Special Investigations (DSI) filed human trafficking charges with the Office of the Attorney General to prosecute the labor broker and the boat captain, and the machinist, as well as the boat owner. (See full details of this case in *Table 2*). As of 31 March 2015, DSI is filing more arrest warrants for many more influential figures in relation to the recent AP report on the use of slave labor on Thai fishing vessels. Further updates on these arrests and prosecutions will be announced publicly both by the Government's spokesperson and DSI.

3.4 In response to the recent report by AP on the use of slave labor on Thai fishing vessels, the Prime Minister has instructed all agencies involved to work together to promptly rescue the victims, give them the support and treatment they need, ensure prompt prosecutions of the employers/owners – regardless of how influential and well-connected they are in Thai society, put in place better coordination and cooperation between the public and the private sectors to ensure good labor practices in the fishing sector, and ensure Thailand plays a leading role in working with Indonesia and other neighboring countries to push for a more sustainable and responsible fishing cooperation.¹⁷ We acknowledged the existing challenges in the fishing sector, and we are working hard to overcome those challenges by putting all the recent policy and legislative changes into effective operations.

¹⁷ On how the Prime Minister has vowed to fight forced labor in the fishing industry, please see, for example, a news report published in the New York Times at http://www.nytimes.com/aponline/2015/03/27/world/asia/ap-as-seafood-from-slaves-reaction.html?_r=0 and also <http://www.thaigov.go.th/en/speech-2/item/90952-90952.html> for the Prime Minister's televised address in response to the AP report on 27 March 2015.

4. Just like inspections of fishing vessels, how come the numerous inspections of work places have led to no prosecution results?

Answer:

4.1 Inspections of work places and factories have already led to prosecutions under many laws including the Anti-Human Trafficking Act. In 2014, the Royal Thai Police inspected high-risk areas of 9,506 venues leading to the issuances of arrest warrants in 44 human trafficking cases and 79 victims (including 13 minors under the age of 18 years old) were rescued.

4.2 Just as well, labor inspection in 2014 have already led to the prosecutions of 1,316 workplaces found to be in violation of labor laws.

5. It seems that only foreigners are punished for human trafficking crimes. Are there any Thai defendants in human trafficking cases?

Answer:

In 2014, there were 374 defendants in 280 human trafficking cases, the majority of whom were Thais (319), while the rest include 10 Laotians, 34 Myanmar, 6 Cambodians and 5 of other nationalities (Details in *Table 8*).

6. In 2014, the Government has increased the budget for the prevention and suppression of human trafficking. How was the budget used? Were implementing agencies equipped with human and other resources to combat human trafficking apart from merely organizing meetings and seminars?

Answer:

Comprising of 5 Strategic Areas, 77 Projects, totaling 1,496,789,726 Baht

Budget Distribution: (See *Table 8* for details)

Projects Implementation 478,961,060 Baht

Minimum running costs and management costs incurred by agencies
917,828,666 Baht

Details:

1. Prosecution	6 Projects	35,882,500 Baht
2. Protection	8 Projects	151,602,900 Baht
3. Prevention	51 Projects	307,882,360 Baht
4. Policy development and mechanisms	11 Projects	77,593,300 Baht
5. Development and management of information	1 Project	6,000,000 Baht

7. How do the Government’s measures to address IUU fishing relate to human trafficking?

Answer:

There have been reports that workers in the Thai sea fishing sector often become victims of human trafficking because the fishing industry is largely unregulated. Correcting these problems has been a top priority of the new government. However, because the industry is transnational, the domestic measures of one country will never be sufficient to resolve the problem. Vessel owners and captains are highly adaptable and utilize international waters, flying “flags of convenience” from countries where regulation is weak, and maintaining multiple flags that can be rotated as tools to evade inspection and prosecution.

Thus, while the Thai government this year has taken extraordinary measures to improve the law and policy framework governing the fishing industry in Thai ports and on Thai waters, in 2015 the Prime Minister has instructed the Ministry of Foreign Affairs and the Department of Fisheries to take lead in spearheading a regional movement to create shared standards for the regulation of the fishing industry to ensure that more stringent regulations in one country do not merely have the result of pushing vessels using trafficked labor to the waters of other countries where regulations are less stringent. This regional approach is the most effective way to reduce trafficking in the fishing industry. (See the Chart on Future work plan for more information about the draft MOU with Indonesia that should be finalized in May 2015).

Because IUU fishing is one of the key ecosystems that both propagates and masks human trafficking, in addition to being the one most difficult for law enforcement to reach for the reasons noted above, coming up with both a domestic and international set of systems and processes for eliminating IUU fishing is one of the key strategies for eliminating human trafficking. (See details on solutions to IUU fishing problems in *Table 6*) For a full explanation of the new domestic policy

agenda in Thailand and its implementation to date, please see *Section I.1(D)* of this Progress Report.

8. What has the judicial process done to assist Thailand’s efforts to combat human trafficking?

Answer:

Please see *Section I.2(D)* of this Progress Report.

9. Would prior consent of the worker negate responsibilities of the employer under the Anti-Trafficking in Persons Act BE 2551 (2008)?

Answer:

Prior consent does not preclude a finding of human trafficking or designating someone a trafficking victim. The Anti-Trafficking Act B.E. 2551 (2008) lays out three constitutive elements of a trafficking offense, comparable to those contained in the Palermo Protocol: (1) act (e.g., transport, procurement, etc.), (2) means or method (e.g., deception, force, threats) and (3) purpose (exploitation). In the case of children, element (2) is not relevant, and authorities will only consider elements (1) and (3), which means **consent is never a relevant factor**; children cannot consent to exploitation.

If an adult initially consents to work, but the terms and conditions of employment change and the person is pushed by a third party (who has performed an action contained in element (1)) into accepting these new terms through the means indicated in element (2) for the purpose of exploitation, the person will be designated a victim regardless of prior consent. This is a factual question that is often quite complex, and we recognized that sometimes even experts in the field might have come up with different responses when faced with concrete cases in the past.

To address this, the Government is making adjustments to the Victim Identification form and creating an accompanying Manual complete with sample cases to create greater consistency in victim identification in complex, borderline cases (*See Future Work Plan Section*). There will also be a meeting of experts and

practitioners to test and improve these new materials, and the Government would welcome the US Government's participation in this event.

10. How is the Royal Thai Government ensuring that Rohingya victims of human trafficking are identified?

Answer:

In all cases involving Rohingya in Thailand, the Government conducts an initial victim screening involving police and translators to determine whether there is any evidence of potential trafficking. In cases where there is initial evidence suggests a possible case of trafficking, the potential victim will be taken to a shelter to receive protective services and undergo a full victim identification process involving local translators. This process has resulted in the identification of 15 Rohingya victims of human trafficking in 2014 (*See Table 8*). In light of the special vulnerabilities faced by the Rohingyas, the Government is reviewing this process to determine whether a special process for all vulnerable groups of all high-right nationalities, including the Rohingyas, needs to be implemented (*See Future Work Plan Table in Section III of this Progress Report*).

11. What happened with the defamation case filed by the Thai navy against Phuket Wan newspaper?

Answer:

The recent case, widely covered in the media, of the Royal Thai Navy filing criminal defamation charges against one editor and one reporter from *Phuket Wan* newspaper for allegations of Navy involvement in human trafficking is ongoing. The Government has indeed specifically assigned two key high-level officers to closely monitor this case to ensure that a small number of concerned agencies (particularly the Ministry of Foreign Affairs, the Embassy of Australia, and the Royal Thai Navy) continue to ensure that informal and constructive dialogues regularly take place in a non-intimidating environment. The aim of such dialogues is to make sure that both parties' concerns and views are shared. While the Royal Thai Navy and *Phuket Wan* continue to have their differences, it is important they both understand and respect such differences.

If the *Phuket Wan* newspaper insists on standing by its news story, the Royal Thai Navy has requested it to submit evidence sufficient to initiate a case against the

relevant officers. If Phuket Wan is able to produce a more detailed charge, the Royal Thai Navy has pledged its full determination and willingness to promptly set up an internal investigation process and will make sure to share with the media the progress made in this investigation. The Royal Thai Navy will ensure that this internal investigation process will be conducted in a just and transparent manner with no unnecessary delay. Any Thai Navy officers for which there is sufficient evidence of wrongdoing will be brought to prosecution immediately.

If, however, the newspaper is unable to or does not wish to provide further detailed evidence, the defamation case will have to proceed according to Thai law and every effort is made to ensure a due process of law. The members of the public and the media will be kept informed of any progress made.

The Royal Thai Government is fully aware of the sensitivity of this case, but it can only serve as a mediator and facilitator of a constructive dialogue should the two parties wish to settle this dispute out of court. Any sign of intimidation – public or private – by either of the parties will not be tolerated. Continued efforts for a constructive dialogue and mediation through an impartial third party will continue. The Government is closely monitoring this case and continuing to serve as a vehicle to reach a solution that will be agreeable to all.

12. How does the policy of establishing Special Economic Zones (SEZ) in border areas with neighboring countries create the incentives for doing away with human trafficking?

Answer:

This measure serves as an additional prevention mechanism under the assumption that, even with the significantly reduced fees, requirements and time required to register under the new system (See *Section I.2(D)* of the Progress Report for additional information), for some migrants even these remaining costs and processes could serve as a deterrent to entering the legal, regulated migrant labor system, which would leave some laborers outside the system and still vulnerable to human trafficking.

These SEZs serve as an additional mechanism to bring most of these vulnerable workers into the system and thereby continue to reduce the number of workers vulnerable to human trafficking. See *Section I.2(D)* of the Progress Report for additional details on SEZs. The SEZ Policy Committee is in charge of

implementing effective labor management measures, especially those concerning migrant workers.

III: Future Work Plan

III: Future Work Plan

Despite enhanced efforts in preventing and combating human trafficking in 2014, challenges remain that require the Thai Government to make further improvements in all necessary dimensions of implementation. In 2015, action plans and outlines of future work have been laid out along the 5Ps (i.e. prosecution, prevention, protection, policy and mechanisms, and partnership), with a view to address pending issues, overcome the existing limitations and shortcomings, and better tackle and eliminate various problems concerning trafficking in persons.

1. Policy, Policy Implementation and Mechanisms

Issue Areas	Future Work
Passing Amendments to the Criminal Code to Define and Criminalize Child Pornography	<ul style="list-style-type: none">• These amendments have been proposed for several years but to no avail. This Government will, therefore, see to it that these draft amendments will soon be put under consideration by the National Legislative Assembly (NLA), because we recognize the production of child pornography as a form of human trafficking. As of 31 March 2015, the bill has passed the first reading and is due to complete the two additional required readings within 60 days, after which it will be passed by the NLA if there are no major objections. After His Majesty the King signs the law, it will be in force in an additional 30 days.
Improvement of Database System on prevention and	<ul style="list-style-type: none">• The database system on the prevention and suppression of human trafficking has been put in place and, when fully functioning by the end of 2015 will be capable of presenting data for all human trafficking cases across all relevant domains,

Issue Areas	Future Work
suppression of human trafficking	<p>from investigation, prosecution, conviction, to victim assistance.¹⁸</p> <p>(1) Data entry on investigation of human trafficking offenders in 2014 has been completed, while the entry of such data from 2008-2013 will be finished by April 2015.</p> <p>(2) Data entry on prosecution of defendants by the Office of the Attorney-General is still a work in progress, as the link of each case is being examined in relation to the Police’s relevant investigation result.</p> <p>(3) Data entry on victims of human trafficking in 2014 has been completed.</p> <p>(4) An MOU covering the Database System on Prevention and Suppression of Human Trafficking between the Royal Thai Police, DSI, the Office of the Attorney-General (OAG), and the Ministry of Social Development and Human Security (MSDHS) will be signed on 9 April 2015.</p> <p>(5) The training session on database entry was held in 2014. The subsequent workshop on the reporting format was organized on 3 March 2015, with participants from the Royal Thai Police’s Anti-Trafficking in Persons Center, the Office of the Attorney-General, and the Ministry of Social Development and Human Security and their victim care shelters. The next</p>

¹⁸ This new database system is the shared responsibility between the Royal Thai Police, DSI, the Office of Attorney General, the Office of the Courts, and MSDHS.

Issue Areas	Future Work
	workshop on the format improvement is expected to be before September 2015.
Special Economic Zones (SEZ) and Labor Management in SEZ¹⁹	<ul style="list-style-type: none"> • For further explanation of SEZ and their role in reducing human trafficking, see Progress Report section. • The 02/2015 meeting of the Policy Committee on SEZ on 16 March 2015 agreed to add 5 border provinces in the SEZ list; namely, Nongkhai, Chiang Rai, Narathiwat, Nakhon Phanom, and Kanchanaburi (in addition to 5 existing ones; i.e. Tak, Sakaew, Mukdaharn, Trat and Songkhla) in which investment incentives and privileges will be given to 13 sectors, i.e. (1) agro industries, fishery and related enterprises, (2) ceramics, (3) textile, garment, and leather industries, (4) furniture manufacturing, (5) jewelry, (6) medical equipment, (7) automobile, auto parts and machinery, (8) electrical appliances and electronics, (9) plastics, (10) pharmaceutical industries, (11) logistics, (12) industrial estate, (13) tourism related activities. • Legal workers in SEZ, both Thai and migrant, are treated equally with those outside. They are all protected from maltreatment and abuses by relevant laws, such as Labor Protection Law, Criminal Codes, etc. and entitled to receive the minimum wage under Thai law.

¹⁹ The SEZ in Thailand’s border provinces aims at (1) stimulating economic growth in Thailand’s remote areas and neighboring countries, and (2) creating more jobs near workers’ homes, so that both Thais in rural areas and neighboring countries’ nationals will not have to seek jobs further afield and run the risk of labor exploitation and human trafficking.

Issue Areas	Future Work
	<ul style="list-style-type: none"> • Extra measures and regulations concerning labor management in SEZ will include (1) migrant workers from a neighboring country being allowed to cross the border on a daily basis to work in SEZ, (2) other migrant workers in SEZ having to be recruited through the MoUs on Employment Cooperation between Thailand and neighboring countries, (3) equal wages paid to Thai and migrant workers, (4) wages in SEZ being the same as those in urban areas (5) training sessions will be provided to both Thai and migrant workers.

2. Prosecution and Law Enforcement

Issue Areas	Future Work
<p>Speed up legal proceedings</p>	<ul style="list-style-type: none"> • Ensure full implementation of the new “Recommendations” issued by the Courts of Justice (<i>See Progress Report</i> section for full explanation) as well as the Guidelines, circulated by the Office of the Attorney General (OAG). Any complaints regarding any deviations from such “Recommendations” and Guidelines can be sent directly to the President of the Courts of Justice or the Attorney-General directly. The Government’s “zero tolerance for human trafficking” also means that victims must be better supported to ensure a full recovery and reintegration and to prevent re-trafficking.

<p style="text-align: center;">Issue Areas</p>	<p style="text-align: center;">Future Work</p>
	<ul style="list-style-type: none"> • Data collection by Prosecutors as well as the Courts of Justice concerning conviction on the charges of human trafficking will be improved. Special attention will be paid to compiling the following statistics on human trafficking cases: the number of cases and defendants, gender, citizenship, bail information, time elapsed from the beginning to the end of the case, convicted/acquitted number and ratio, types of penalties. More up-to-date information will be posted on <u>www.oppb.coj.go.th</u> more regularly by the Courts of Justice. <u>The OAG, on the other hand, is responsible for the data entry on behalf of both prosecutors and judges into the new database</u> • Pre-trial depositions will become a more common practice among prosecutors, as the Office of the Attorney-General already circulated a note encouraging such practice.
<p>Pro-active Investigation</p>	<ul style="list-style-type: none"> • Investigation teams have been sent to monitor, investigate and expedite investigation of cases in targeted border provinces in which certain types of human trafficking are prevalent; namely, <ul style="list-style-type: none"> - Sra-kaew Province : forced beggar cases - Nongkai Province : prostitution - Tak Province : forced labour - Ranong : Rohingya smuggling <p>Plans for other targeted provinces are in the pipeline.</p>

3. Protection

Issue Areas	Future Work
Hotline Services	<ul style="list-style-type: none">• The Royal Thai Government will continue to improve the accessibility and capacity of Hotline Services by<ol style="list-style-type: none">(1) Promoting public awareness on available hotlines, their specialized services, and the protection of confidentiality of informants through multiple channels, in multiple languages;(2) Training staff of call center officials who take complaints/ reports to become more aware of the sensitivity of human trafficking cases and to be able to refer such cases to responsible agencies, both the police and social workers;(3) Enhancing the quantity and quality of interpretation services, particularly in cooperation with organizations in the civil society, including domestic and international NGOs;(4) Integrating the work processes across various hotlines and concerned agencies, including referral systems and procedures, from taking complaints/ reports, verifying facts, taking necessary actions, to bringing offenders to justice;(5) In order to respond to the fact that Thailand now has a large number of Hotlines, the Government will increase our efforts even further to work with Hotline providers (both local ones and national ones) to create a set of minimum standards and provide trainings on good practice to ensure that all hotlines are

Issue Areas	Future Work
	<p>operating effectively and coordinating well with all relevant agencies. A single National Emergency Number (191) is also being considered.</p> <ul style="list-style-type: none"> • (6) Additionally, to improve the quality of hotline services, the Ministry of Social Development and Human Security has increasingly engaged with the Polaris Project and other hotline services in neighboring countries, such as Vietnam. Areas of future cooperation include information linkage, sharing of good practices, and improvement of interpretation services as well as capacity of call center staff in handling human trafficking cases.
Interpretation Services	<ul style="list-style-type: none"> • The Ministry of Social Development and Human Security will continue to improve the quality of interpreters and broaden the scope of languages made available in the interpretation services. • Interpreters will be trained not only in terms of language efficacy but also psychological skills. They will also be made aware of victim protection measures required at each stage of victim assistance. • A workshop for 40 independent interpreters and volunteers will be organized in May 2015.²⁰ The purpose is to make interpreters aware of protection measures to be given to victims during the entire procedure of victim assistance. Participants include interpreters from both public and private sectors, i.e.

²⁰ The first workshop for 30 translators was organized in March 2015.

Issue Areas	Future Work
	<p>One Stop Crisis Center of the Ministry of Social Development and Human Security, International Organization for Migration, Alliance Anti Trafficking, World Vision Foundation, Fatoni University, and Sheikhul Islam Office.</p>
<p>Victim Identification</p>	<ul style="list-style-type: none"> • Measures to improve the victim identification process are ongoing. The Ministry of Social Development and Human Security has commissioned a study on limitations and weaknesses of the existing victim identification practice, based on a survey conducted in 10 Thai provinces. Findings have now been fed into the improvement of a set of interview guidelines and forms used in identifying human trafficking victims and the development of a supplementary interview manual with illustrative cases to enhance understanding of practitioners and ensure a consistent process in accordance with relevant law and international standards. After these materials are completed, the Government will host a forum involving practitioners and experts from both government and civil society to test and improve these new materials. The Government would welcome the US Government’s participation at this event. • In addition, a comparative study of the victim identification forms in ASEAN has already been conducted, and a number of good practice recommendations emerged from this process. The Government would welcome the opportunity to work with US agencies involved in victim identification to learn from their

Issue Areas	Future Work
	<p>experience in this area.</p> <ul style="list-style-type: none"> • The Working Group to improve the Preliminary Checklist for Identifying Victims of TIP and develop the supplementary manual convened a meeting during 16-18 February 2015. A meeting for public hearing is expected to be organized by June 2015. • Interpretation services in victim identification process are to be improved and made more available and accessible, especially in the provinces outside Bangkok. • Acknowledging that every nationality faces a unique range of risk factors, the Government is considering methods of improving the victim identification process for all high-risk nationalities, including the Rohingyas, to ensure that all victims of trafficking – real or potential – are accurately identified. • The Thai Government is also considering how to better work with other governments in the region to ensure that there is shared understanding and coherence among the victim identification practices of other countries in the region through a set of victim identification guidelines.
<p>Building from Good Practices in Pattaya and Chiang Mai</p>	<ul style="list-style-type: none"> • The Royal Thai Police is already considering how to expand and replicate good practices in police stations in Chiang Mai and Pattaya. These innovative models emphasize closer connections to communities and more integrated, efficient service delivery (See <i>Work Progress</i>, Section 2(I) for further

Issue Areas	Future Work
	information). The Royal Thai Police is considering an initial expansion site into Phuket, with others possibly to follow.

4. Prevention

Issue Areas	Future Work
Labor management and future work to solve problems in the fishing sector	<ul style="list-style-type: none"> • Between 1 April – 30 June 2015, Ministry of Labor’s One Stop Service (OSS) Centers located in 22 coastal provinces will open a new round for registration of migrant workers in order to continue to bring more workers into the system and thereby lower their risk of trafficking. These registered workers who complete nationality identification process will be granted 2-year work permits. • Revise the MOUs with Lao PDR, Myanmar and Cambodia so that after migrant workers who had been employed in Thailand for 4 years, they have to return to their countries for only 30 days instead of 3 years in order to resume their employment in Thailand.
Addressing labor issues via MOUs	<ul style="list-style-type: none"> • The Government will determine the quotas for each sector and recruit workers through the existing MOUs with Myanmar, Laos and Cambodia. The government is also in talks with Vietnam and Bangladesh on the possibility of recruiting workers through similar arrangements. This scheme will allow

Issue Areas	Future Work
	the government to effectively regulate employment in the fishing sector and prevent recruitment of workers through informal channels.
Re-systematizing and registering labour in fishing sector and fishing vessels	<ul style="list-style-type: none"> • Ensuring full enforcement of new laws and regulations by issuing secondary legislations and other measures: A number of secondary legislations and measures will be issued and implemented to improve the enforcement of laws and regulations²¹ on regulating fishing vessels and employment of labor in the sea fishing sector. After the Fisheries Act B.E. 2558 (2015), which serves to establish a monitoring, control and surveillance system (MCS) on fishing operations, comes into effect in June 2015, its subordinate legislation will be issued and all fishing vessels of over 30 gross tonnage will be required to install vessels monitoring system (VMS) or undergo port-in/-out controls by July 2015. • <u>Timelines</u> <ul style="list-style-type: none"> ▶ Fishing Vessel Registration (12 Jan. – 30 March15) ▶ New Fisheries Act (enter to force June 2015) ▶ Subordinate Legislation (enter to force July 2015) ▶ NPOA-IUU implementation (July 2015) ▶ MCS Centers/Patrol at sea (Strengthening) (June 2015)

²¹ The Ministry of Labour Regulation to Protect Labour in the Sea Fishing Industry B.E. 2557 (2014), the Marine Department’s Regulation on Criteria for permission to work on fishing vessels of 30 gross tonnage or over B.E. 2557 (2014),and the Fisheries Act B.E. 2558 (2015), which has been approved by National Legislative Assembly (NLA).

Issue Areas	Future Work
	<ul style="list-style-type: none"> ▶ VMS Operation Center and Implementation (March 2015) ▶ VMS sub-center in region (June 2015) ▶ Port in - Port out (pilot project) (April – June 2015) ▶ Port in – Port out Implementation (July 2015) ▶ Improving Traceability System (Since Jan. 2015) <ul style="list-style-type: none"> • Between April to June 2015, pilot projects for Port in – Port out will be conduct in Phuket and Chumpon Provinces. 26 Port in – Port out Centers in 22 provinces will be operational by July 2015. • Ministry of Labor will promote awareness of the new laws and regulations, i.e. the Ministry of Labor’s Regulation to Protect Labor in the Sea Fishing Industry B.E. 2557 (2014), among government officers, labor, employer and related agencies so that rights and responsibilities of all parties will be clear and upheld according to the laws.
Increasing Efficiency of Labor Inspection	<ul style="list-style-type: none"> • The Ministry of Labor’s form to evaluate the working conditions on fishing vessels has been developed and soon will be used together with the new labor inspection form, which was revised under the cooperation with ILO and includes the indications of human trafficking, such as illegal wage reduction, identity document confiscation, forced labor, detention, restraint, and physical assault of any worker, to ensure that labor

Issue Areas	Future Work
	<p>inspectors are equipped with the knowledge and tools they need to identify labor trafficking.</p> <ul style="list-style-type: none"> • The Ministry of Labor together with other related agencies, such as the Royal Thai Navy, the Royal Thai Police, the Marine Department, the Department of Fisheries, the Department of Employment, and the Department of Labor Protection and Welfare will further improve their multidisciplinary labor inspection on fishing boats and in high-risk worksites. • The pilot launching of the integrated database for joint inspection on fishing vessels, containing the information of both vessels (registration/owner/captain/license/logbook) and laborers (employer/registration of migrants workers/ name list of port-in/-out), as well as the results of previous inspections, will be conducted during 4-10 April 2015 in 4 provinces, including Chumporn, Phuket, Ranong, and Songkhla. • The Fishery Department is creating a list of fishing vessels who are authorized to conduct fishing expeditions in foreign waters, which will include registration of all laborers working on these vessels. This, combined with new VMS technology, will allow authorities to track boats and ensure that there is no loss or transfer of laborers registered to a particular vessel when they return to port.

5. Partnership and International Cooperation

Issue Areas	Future Work
Increasing Collaboration with NGOs	<ul style="list-style-type: none"> • To ensure that all the NGOs and members of the local press are fully aware of the content of Thailand’s Country Reports (dated 30 Jan 2015 and 31 March 2015), the Government will have these reports translated into Thai shortly and then publish these reports in both Thai and English on the websites of the Ministry of Foreign Affairs and the Ministry of Social Development and Human Security. On 9 April 2015, the Government will host a forum with NGOs and media to update them on progress and listen to their views on how further improvements can be achieved
Thailand-Australia Regional Workshop on Trafficking in Persons	<ul style="list-style-type: none"> • The Governments of Thailand and Australia are co-hosting Thailand-Australia Regional Workshop on Trafficking in Persons: Victims in the Criminal Justice System from 7 – 9 April 2015. Topics will include international and regional standards for victims in the criminal justice process, practical issues at the investigation and pre-trial phase, protective detention of victim-witnesses: advantages and disadvantages, compensation and other remedies for victims of trafficking and participating in the workshop will be stakeholders and key players from governments, international organizations, and NGOs from the region.

<p>MOU Agreement on Labor with Vietnam and Bangladesh</p>	<ul style="list-style-type: none"> • Cooperation on migrant labor flows through government-to-government agreement will be continuously expanded. Currently, the Thai government is negotiating MOUs with Vietnam and Bangladesh and plans to revise the existing agreements with Laos PDR, Cambodia and Myanmar.
<p>Thailand-Indonesia Cooperation on fishing</p>	<ul style="list-style-type: none"> • Evidence recently unearthed in news reports and from other sources working on the ground indicates that there are networks of traffickers operating between Thailand and Indonesia. These networks take advantage of the difficulty of enforcing law in the high sea, using multiple flags to evade inspection by authorities in multiple countries, and docking on remote islands to evade arrest and prosecution. The Thai Government is urgently pushing the finalization of an MOU with Indonesia that would provide for sharing information on and revoking fishing vessel registration in cases of inappropriate or duplicate registration, promoting collaboration in inspection, certification and quarantine.²² It will also provide a foundation for both parties to jointly ensure the welfare, safety health and equal treatment of all laborers, regardless of nationality, and promotes joint law enforcement responsibility, regardless of which flag the vessel is flying. Indonesia has requested to delay finalizing this MOU until after its new fishing policy framework is issued in April. The Thai Government continues to push to finalize this MOU as soon as possible.

²² The Thai draft MOU is scheduled to be considered by the Thai Cabinet on 30 March 2015.

<p>Finalizing the new SOP with Myanmar</p>	<ul style="list-style-type: none"> • The ongoing negotiations with the Myanmar government on establishing special processes for victims with special needs (e.g., children, physically/emotionally traumatized victims, etc.) should be finalized in June 2015 and will help ensure that both countries operate in a coordinated fashion in accordance with high standards of victim care.
<p>U.S. – Thailand cooperation on regional training programs by International Law Enforcement Academy (ILEA) Bangkok</p>	<ul style="list-style-type: none"> • In 2015, ILEA-Bangkok, which is a regional training institution co-sponsored by the U.S. and Thai governments aiming to improve regional cooperation in Southeast Asia in addressing transnational crime will offer two courses on human trafficking as follows: <ul style="list-style-type: none"> 1) Human Trafficking and Child Exploitation , 13-24 July 2015 (instructors from U.S. Immigration and Customs Enforcement -ICE) 2) Trafficking in Persons, 7-28 August 2015 (instructors from Australian Federal Police - AFP) <p>The participants of these two courses will be government officers with direct responsibilities on the issues from related agencies from 14 countries.</p>
<p>National Child Labor and Forced Labor Survey</p>	<ul style="list-style-type: none"> • The Ministry of Labor is currently working with the International Labor Organization (ILO) and Thailand’s Consortium of Academic Network for Human Ecology in Labor Policy (CAN HELP) – as a research network – to conduct a National Child Labor and Forced Labor Survey in Thailand.

	<p>The research network has been formed by researchers and representatives of leading universities and research agencies across Thailand. This survey will be completed by the end of 2015. The aim of this survey is to ensure that the Thai policy makers and other key agencies involved will be more fully informed about the current situation in Thailand and know specifically what actions need to be taken. Our team at the Ministry of Labor is also working closely on this with the U.S. Department of Labor.</p>
<p>Intensifying our efforts to work with the U.S. TIP Office, think tanks, academic and community-based organizations in the US and across Thailand</p>	<ul style="list-style-type: none"> • The Royal Thai Embassy in Washington has been allocated a significant amount of budget to intensify their work on anti-human trafficking with several agencies both in the U.S. and Thailand. • One example of the projects that are currently being undertaken by the Embassy is a project with a leading expert and his small team at John Hopkins University to build the evidence base to help all stakeholders - government, international organizations, community based organizations and communities themselves - gain better understanding of trafficking risks, effective program and policy responses and trends over time. The aim is for this work to contribute to a more constructive and profound dialogue and collaboration on how trafficking is measured and how anti-trafficking efforts are assessed. In addition, this team will visit Thailand to meet with government officials (both at the policy and operation levels), to have real conversations with the NGOs, and also to

inspect/observe how things are happening on the ground. By the second half of 2015, we expect to see a report, which will also include their frank assessment on how much progress the Government has made, what the key challenges are and how to effectively overcome them.

- Victim coordinators: The Government is already looking into the possibility of designating some Royal Thai Police officers with expertise as dedicated victim coordinators, so that victims and their families can liaise with police throughout the case, when cases are pending. Coordinators would also help identify specific services for the victim/survivor and coordinate with other agencies, social workers, etc.

- MLAT: The Thai Government will work with the US Government to make more effective use of the Mutual Legal Assistance Treaty to investigate and prosecute trafficking offenses. As many trafficking rings use technology and social media owned by companies based in the United States, working with the US authorities to gather intelligence from these media could be beneficial in reaching the “big fish” of networks.

- We will make sure to add specific recommendations from the U.S. side, such as the importance of having police officers as victim coordinators (how to set up this system and train them); how to use technology to help improve our prosecution work even further, especially when trying to catch the “big fish”; and perhaps to consider how to push for a better system to allow cross-border sharing of information about offenders and

	<p>assist police forces in tracking the movements of offenders.</p> <p>These are some of the areas of work in which we will be working closely with the U.S. Embassy in Bangkok.</p>
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ADDITIONAL INFORMATION

P. 28 – 19 Partnership 1. Domestic

Engaging with Private sector

- In engaging with private sector, on 18 February 2015, Mr. Don Pramudwinai, Deputy Minister of Foreign Affairs, as Chairman of the National Sub-Committee on Public Relations and Legal Affairs under the Policy Committee on Human Trafficking and Illegal Fishing, met the representatives from private sectors, Thai Chamber of Commerce and related industry associations in order to have constructive discussion and exchange of views and information in order to strengthen efforts to address human trafficking, forced labour including minors, and illegal fishery. More active role to promote cooperation between private sectors and civil societies had been discussed in order to tackle the human trafficking issue.

Engaging with NGOs

- In engaging with NGOs, as a follow-up measure, on 25 February 2015, Deputy Minister of Foreign Affairs met with civil society groups and non-governmental organizations in order to exchange views and concerns, as well as discuss strategies and ways to enhance cooperation in preventing and solving the issue, such as suggestions to have a channel of discussion between the government and NGOs, as well as a closer cooperate with Thailand's neighbours to address the problem at root cause, and increasing disciplinary punishment against government officials involved in the crime will be taken into account. The Ministry of foreign Affairs also met with the representative of many NGOs such as Human Rights Watch (HRW), Labour Rights Promotion Network (LPN), and Alliance Anti Traffic (ATT) several times to exchange views and information, as well as explore possible cooperation.

P. 38 – 39 Prosecution 8. Ambon Island Case

- On 29 March 2015, Thailand's Ambassador to Indonesia and the Special Team met with Mr. Nanang Koesdarianto, Head of Immigration Office of Ambon to coordinate cooperation between the two sides. The Thai side provided the Immigration Office with basic medical supplies to be used for the Thai labourers and also for those of other nationalities who might need

medical attention while in custody of the Immigration Office. The Thai delegation then met with Thai fisheries workers who are currently under the repatriation process. The Immigration Office of Ambon Island also allowed some of the Thai fisheries workers to guide the Thai delegation to identify spots where Thai nationals have gone a strayed, in order to meet with the remaining Thais and to spread the news about the rescue and assistance being organized by the Thai Government.

- The Thai delegation also met with Mr. Cholieq Syahid, the Director of the Archipelago Fishing Port Ambon, and discussed the following issues of cooperation (1) seeking a space to establish a Center for Rescue, Rehabilitate, and Repatriation of Thai Labourers , (2) requesting a list of Thai fishing vessels and their Thai crews in the Ambon Island's areas, and (3) seeking cooperation from the Ambon Port Authority to summon 90 fishing vessels which have Thai crews on board to ask whether they wish to return to Thailand.
- The Thai delegation established a **temporary Center for Rescue, Rehabilitation, and Repatriation** Thai Labourers in Indonesia at the Ambon Port Authority facilities. The Center is to collect information regarding Thai crew (of fishing vessels) in order to proceed with repatriation. So far, there have been 33 Thai crews and homeless people who expressed intentions to return back to Thailand. The team from the Ministry of Foreign Affairs collected and processed their information to expedite the issuance of Certificate of Identity for their traveling back home. Apart from the Thai labourers, 10 Myanmar labourers have expressed their intention to go back, so the Thai Team gathered their information and will forward such information to the Myanmar Embassy for further actions.
- The Thai team had sought out remaining Thai nationals in communities on Ambon Island and nearby areas according to the information provided by crews of fishing vessels and NGO's. The Thai Team then asked the local communities to spread the information and reach out to remaining Thais who might wish to return to Thailand to contact the Center and the Royal Thai Embassy for further assistance.
- As of 31 March 2015, the Royal Thai Embassy in Jakarta has sent workers of Thai Fishing vessels back to Thailand 20 times totaling 169 persons. In

cases where the persons who wish to leave Indonesia were not Thai citizens, the Royal Thai Embassy contacted their relevant Embassies in Jakarta to take further actions.

- It is important not to rush to conclusion that all foreign fisheries workers on Ambon and Benjina Islands are victims of human trafficking. Most of the fisheries workers remain grounded at port because the fishing vessels they work on are being ordered not to operate offshore by the Indonesian authorities. As a result, most wish to travel back to their respective home countries, but it does not mean that all of them are human trafficking victims.

P. 52 Partnership

- 4. European Union** – Thailand envisages increasing engagement and cooperation with the European Union on the prevention and suppression of human trafficking. In March 2015, the Thai Ambassador to Brussels and the Thai delegation headed by the Director General of the Department of American and South Pacific Affairs met with senior representatives from the EU Commission, the members of EU Parliament as well as major EU retailers. It was agreed that a channel for communication and exchange of information should be formally established, and that the European Union and other stakeholders should enhance cooperative partnership with Thailand, especially in the areas of victim protection, prevention and law enforcement. In this connection, cooperative endeavors between Thailand and other countries such as Thailand – Australia’s AAPTIP and the cooperation between MSDHS and US Polaris Project were discussed as possible models of cooperation for the next step.

5. **The Shrimp Sustainable Supply Chain Task force**, consisting of leading **Thai companies** such as Charoen Pokphand Foods (CPF), Thai Union Frozen Products, Marine Gold Products, and Thai Royal Frozen, major **U.S. and EU retailers** including Costco Wholesale, Walmart, Morrisons, and Sodexo, and **international NGOs** such as World Wide Fund for Nature (WWF) and Environmental Justice Foundation (EJF), was set up in July 2014. In addition to its objective of achieving sustainable supply chain, this multi-stakeholder taskforce has been working to ensure that the seafood supply chain is free from illegal and forced labour by putting in place a “track and trace” mechanism and developing codes of conduct for their suppliers and their sub-contractors, which incorporate respect for labour standards.

- The members of the Shrimp Sustainable Supply Chain Task Force has closely engaged with the MFA and other related agencies to address human trafficking in the fishery industry.
- The latest meeting was held on 26 March 2015 between the Director General of the Department of American and South Pacific Affairs, MFA and Mr. Ken Kimble, Assistant General Merchandise Manager of COSTCO. Costco informed of the works undertaken by the taskforce, and that it focuses on 1) traceability, 2) social compliance, and 3) marine resource management. Many Thai companies also participate in such programs and even request the presence of 3rd party auditors.
- The RTG provides full support for such initiatives by the private sector. For example, the MFA had coordinated all relevant agencies to facilitate and expedite verification processes and other paper works.
- COSTCO expressed appreciation in the works of the RTG, which are moving in the same direction as the taskforce’s in tackling the labour issues in the fishery sector.

6. **The Thai Tuna Industry Association** has partnered with several NGOs such as Finnwatch, the Migrant Worker Rights Network (NWRN), LPN and Mr. Andy Hall to improve labour standards and working conditions for both Thai and migrant workers and, therefore, ensure that they are accorded full protection under the labour protection laws.

P. 84 Future Work U.S. – Thailand Cooperation on regional training programs by ILEA Bangkok

- ILEA agreed in principle to offer a course in 2015 on human trafficking and law enforcement for Thai officials, private sectors, and NGOs to deepen understanding on the indicators of human trafficking as well as to increase awareness on human trafficking and related issues.

ANNEX

ANNEX

Summary of combating human trafficking measures and case results in 2014

1. Reasons that the statistic arrests of human trafficking cases declined are as follows:

- Measures on reorganizing an overall labor system to decrease the risk of human trafficking victims
- Measures on monitoring employers/workplace both onshore and offshore to preclude the opportunity for exploitation of traffickers.
- Measures on law enforcement to disconnect and break the cycle of human trafficking

2. Report of case results in 2014 (Table 1)

- 280 cases arrested
- Police Interrogators submitted prosecution opinions to public prosecutors for 205 cases (99.03%), while submitting non-prosecution opinions to public prosecutors for 2 cases (0.97%), where 73 cases remain pending under investigation
- Prosecutors filed charges for 155 cases (96.87%), dropped charges for 5 cases (3.13%), where 47 cases remain pending under investigation
- Courts rendered decisions for 47 cases, while 108 cases remain pending

3. The investigation on extended network of human trafficking in 2014

3.1 Human trafficking network (Table 2)

- 2 networks of prostitution
- 3 networks of forced labor
- 1 network of Rohingya/money laundering
- (Hua Sai case, Nakhon si Thammarat province) (Police Region 8)

3.2 Groups involved in people smuggling into Thailand (Table 3)

- 5 networks Myanmar/Rohingya/Unidentified nationality Muslim (Police Region 9)

3.3 Arrests related to human trafficking or Surrogate crimes (Table 4)

- 58 cases on procuring indecent act (Penal Code)
- 734 cases on prostitution
- 491 cases on people smuggling persons into Thailand
- 940 cases on illegally housing non-Thai persons
- 5,350 cases on illegal non-Thai persons working, without permission / Employers
- Total numbers of cases 7,573 cases

4. Government officials involved in human trafficking (Table 5)

- Arrested 8 officers, 4 police officers, 1 marine officer, 2 municipal officers and 1 social and human development officer

5. Latest statistics of human trafficking victims (Table 8)

- In January – February 2014, 105 victims came under the care of MSDHS. Within this group, 100 victims went on to stay in MSDHS' 9 shelters. The nationalities of these victims are categorized as follows:
 - 33 Thais
 - 3 Myanmar
 - 28 Laotians
 - 5 Cambodians
 - 16 Bangladeshi
 - 15 Rohingyas

Table 1: Progress on Human Trafficking Prosecution in 2014

Police Interrogators					
Progress	Interrogation results			Numbers	
	Opinions	Cases	Percentage	Cases	Percentage
Completed	Filing charges	205	99.03	207	73.93
	Charges dropped	2	0.97		
	Total	207	100.00		
Pending				73	26.07
Total				280	100.00
Prosecutors					
Progress	Prosecution results			Numbers	
	Order	Cases	Percentage	Cases	Percentage
Completed	Filing charges	155	96.87	160	77.29
	Charges dropped	5	3.13		
	Total	160	100.00		
Pending				47	22.71
Total				207	100.00
Court					
Progress	Sentencing				
	Cases	Percentage			
Decisions	47	30.32			
Pending	108	69.68			
Total	155	100.00			

**Table 2: The Investigation on Extended Network of Human Trafficking as Case Studies
in 2014 (6 Cases)**

No.	D/M/Y	Details	Case results
1	From 25 Dec 13 to 21 Mar 14	<p>Human Trafficking groups for prostitution (Child Laotian Case)</p> <p>On 25 December 2013, the police entered into the establishments for providing sexual services in the area, Don Hua Lo, Chonburi province to rescue 31 female Laotian. After having conducted victim identification, there were 3 victims to be sent to Kredtrakarn Protection and Occupational Development Centre</p> <p>On 21 March 2014, the interview was conducted with the rescued Laotian female. It found out that there were other 5 persons who were under the age of 18 years old. From further investigation, 8 victims were brought to be commercially and sexually exploited in 6 provinces, such as Chachoengsao, Songkla, Kanchanaburi, Suphanburi, Narathiwat, Nongkhai and etc.</p> <p>Police officers from the Anti-Trafficking in Persons Division rescued 8 additional victims and arrested 4 more wrongdoers in 3 Karaoke stores in Baan Po district in Chachoengsao province. Moreover, the Police rescued 5 more victims and arrest an additional wrongdoer in the Karaoke store in Hat Yai district in Songkla</p>	<p>- Arrested 5 suspects - Rescued 13 victims in total - Establishments for providing sexual services (Karaoke Store) 4 stores in Chonburi, Chachoengsao and Songkla</p> <p><u>Case results:</u></p> <p>Criminal case No. 1466/2556 submitted to the prosecutor on 11/06/14 and currently pending in the court proceeding</p>
2	From Oct 13 to Jan 14	<p>Child Labor: The Broker Case</p> <p>In October 2013, police officers from the Anti-Trafficking in Persons Division successfully rescued 5 children of Laos nationality, all of whom had been forced to work in a pineapple field and in a street food stall in Prachuap Khiri Khan Province where</p>	<p><u>Case results:</u></p> <p>Criminal case No. 9/2556, suspects and case dockets submitted to the prosecutor on 7 October 2013 and currently pending in the</p>

		<p>they had been working for over 3 months without pay. The owner of the food stall was arrested and charged with the offence of trafficking in persons by using forced labor. All 5 children are now under the care of the Kredtrakarn Protection and Occupation Development Center.</p> <p>Further investigation has led to the arrest of two Thai male brokers in January 2014, while an arrest warrant has been issued for another suspect. It is also found that the two brokers engaged in facilitating illegal immigrants from Laos, who were later found to be victims in four criminal cases including, among others, a case concerning slave labor trafficking in which 9 victims were successfully rescued.</p>	court proceeding
3	5 Nov 14	<p>Sex Trade Syndicate: The Dontoom Case</p> <p>On 5 November 2014, police from the Anti-Human Trafficking Division along with the Paweena Foundation for Children and Women rescued 17 victims and arrested 1 human trafficking perpetrator in Dontoom District, Nakhonpatom Province.</p> <p>Further investigation led to the issuance of arrest warrants for 11 more accomplices, which include brokers and smugglers. The police were able to capture 3 of the 11 human traffickers.</p> <p>One of the captured traffickers acted as the broker and was in fact a social work employee at the MSDHS Home for Children and Family in Nong Khai Province. This offender provided a place for victims from Laos to stay while awaiting transportation to other venues.</p> <p>Another captured trafficker brought victims to engage in forced prostitution at a Karaoke bar in Song-Pi-Nong District in Suphanburi Province. The arrest of the second criminal occurred during an operation where 72</p>	<p>Criminal Case No. 12/2557</p> <ul style="list-style-type: none"> - Arrested 4 suspects - Issued arrest warrants for 8 more suspects <p><u>Case progress:</u></p> <p>After Police Interrogators had submitted a prosecution opinion to public prosecutor, the prosecutor issued a prosecution order and filed charges against 4 suspects and the case is currently pending in the court proceeding</p>

		victims were rescued.	
4	From 10 Mar 13 to April 14	<p>Forced Labor Syndicate: The Kantang Case</p> <p>In the case of human trafficking on forced labor, the Immigration police were coordinated from private organizations that there was a request from foreign workers for assistance from confinement, detention, forced labor on fishing boats when the ship docked at Pae Pla, Kan tang district, Trang province. Later on 10 March 13, the police conducted investigation at Pae Plan Boon Larb located at 206 Moo. 4, Kittikul road, Kantang sub-district, Kan tang district, Trang province. It found out that Mr. WR acted as a security officer and such place was belong to Mr. SC (later known that it was currently rented by Mr SJ).</p> <p>From the investigation, there were a total of 18 Myanmar workers, of which 4 persons after having conducted victim identification entered into Thailand illegally without permission. The other 14 persons were victims of human trafficking, as well as entering into Thailand illegally without permission. This illegal activity was conducted by Mr. MA (Myanmar) who controlled, bullied, and forced them to work on fishing boats and under confinement not to be out of premise, except entering into fishing boats to work.</p> <p>From the interview, Mr A. Go who was only 16 years testified that he came into Thailand and went to Kan Tan district, Trang province. Mr. AM (Myanmar) picked him up by motorcycle, confiscated his property and took him to detain at Pae Pla and forced to work on fishing boats. If he did not obey, he would be kicked and assaulted, as well as not receiving wages from work.</p> <p>When the boat entered the dock, workers would be detained in the room unable to go out. However, the police officers rescued</p>	<p><u>Arrests 3 persons</u></p> <ul style="list-style-type: none"> - Mr SJ (Investor /owner of the place) - Mr. MA (broker/head controlling forced labor) (Myanmar) - Mr. AM (broker/head controlling forced labor) (Myanmar) <p><u>Case results:</u></p> <ul style="list-style-type: none"> - Mr. SJ (Objected to the case and now pending in the court). - Mr. MA pleaded guilty to the court to imprisonment for 6 years, 12 months, confessed and sentenced to 3 years and 6 months - Mr. AM confessed (pending in the court for decision)

		victims of trafficking and arrested the suspect to be further prosecuted.	
5		<p>Forced Thai Labor: The Ambon Island Case</p> <p>On August 2014, the Department of Special Investigation (DSI) received reports from Labor Rights Promotion Network Foundation (LPN) that a group of Thai nationals had been forced into providing labor in a fishing boat operating offshore near Ambon Island in Indonesian waters. The DSI then registered the case as a special case no. 84/2557 and the Director-General of the DSI has been assigned to be responsible for the case. The public prosecutors have also been assigned to investigate the case with the DSI team. On October 2014, the synchronized efforts for victim rescue had been made among officials of the Ministry of Social Development and Human Security, the Department of Consular Affairs, Ministry of Foreign Affairs, the DSI, the Ministry of Labor and other relevant agencies. Twenty-seven Thai nationals were rescued as a result and 16 persons were identified as trafficked victims. Substantive investigations have led to the criminal court issuing arrest warrants for 3 suspects. On 19 January 2015, DSI led a joint operation comprising officers from AMLO and Central Institute of Forensic Sciences in apprehending the labor broker and the boat captain while the search for the remaining suspect is ongoing.</p> <p>Authorities are following up with further investigation while AMLO is seeking possible seizure of assets of the suspects. The Ministry of Labor was able to recover the unpaid salaries totaling THB 750,700 for 11 victims who filed claims.</p>	<p>Accepted as 4 separate special cases due to different courses of actions</p> <p>The victim and the accused were different</p> <p>Since the case was linked to crime outside of Thailand which would be responsible by the Attorney General under section 20 of the Criminal Procedure Code, which gave the Department of Special Investigation to be responsible interrogator officials whereas the prosecutor would join the investigation and interrogation.</p> <p><u>Case results:</u> The first case issued the arrest warrants for 4 persons as follows:</p> <ul style="list-style-type: none"> - Mr. MM (Broker in the Samutsakorn province) arrested on 19 Jan 15 - Mr. PJ (Boat Captain) arrested on 19 Jan 15 - Machinist in fishing boat who behaved in a way of menacing victims - Mr. S (Ship owner) <p>While other cases are</p>

			currently under investigation and collecting evidence
6	From 11 Jan 15 to 18 March 2015	<p>Rohingya trafficking groups/ Human Trafficking Myanmar - Thailand - Malaysia. (Mr. P)</p> <p>On 11 Jan 14, police officers at Hua Sai arrested two accused</p> <p>1. Mr. SP and 2. Mr. P together with seizing 5 cars and 97 Rohingyas (male 49 persons, female 48 persons, dead at the hospital 4 persons) by accusing them to bring or procure Myanmar workers into Thailand or acting in a way that solicited foreign workers and human trafficking. This was done and arrested at Sai 408 Moo 2 Sai Kao sub-district, Hua sai district, Nakhon Si Thammarat District</p> <p>The investigation extended Phase 1 From 13 to 23 January 2015, there were additional investigations / issuances of arrest warrants for 5 suspects from the escaping human trafficking groups transport processes, such as Mr. SN(Investor /Employer), Mr. SW, Mr. WC, Mr. SR or, Mr C (transporting migrant workers). Currently, there were two arrests two men of Mr. SN and Mr. SR on 13 and 23 January 2015 at Muang Ranong and Kuraburi district, Phang Nga, respectively.</p> <p>The investigation extended Phase 2 From 12 to 14 March 2014, there were investigations linked to evidence from the analysis of the financial transaction and phone use records among members of the gang, as well as questioning witnesses involved in the area of Ranong and Songkla provinces.</p> <p>They could issue arrest warrants for three persons and already arrested two persons, Mr. T, together with seizing an adapted</p>	<p>Arrested 9 persons:</p> <ul style="list-style-type: none"> - Mr. P (Big enterprenuer), according to the arrest warrant no. 36/58 dated 18 March 2015, arrested on 18 March 2015 at Muang district, Ranong province - Mr T (Boat captain), according to the arrest warrant no. 32/58 dated 12 March 2015, arrested on 13 March 2015 at Muang district, Ranong province - Mr. SR, according to the arrest warrant no. 35/58 dated 13 March 2015, arrested on 13 March 2015 at Nongjik district, Pattani province - Mr. SN (Investor/Employer), according to the arrest warrant no. 9/58 dated 13 January 2015, arrested on 13 January 2015 at Muang district, Ranong province - Mr. SP (transporting migrant workers) - Mr. P (transporting migrant workers) - Mr. SR (transporting migrant workers), according to the arrest warrant no. 15/58 dated 20 January 2015, arrested on 23 January 2015 at Kuraburi

		<p>vessel and Mr. SR on 14 March 2015 at Muang district, Ranong province and Nokjik district, Pattani Province. Another person was an unidentified Myanmar male who has not been arrested.</p> <p>The investigation extended Phase 3 This investigation involved with the investor groups who were the mastermind of these human trafficking syndicates. The investigation team could issue an arrest warrant and arrested one person, Mr. P who acted as broker for Thailand, which was linked to human trafficking broker on the Myanmar coast. This was done by deceiving Myanmar to work in Malaysia by sending them on small boats at the harbor near Myanmar’s coast to take off the adapted fisherman boats through international waters, near Surin Islands, Phang Nga province to wait for small boats to take off from the coast of Thailand and then waiting at the unidentified island around Kapur district and Suksumran district in Ranong province.</p> <p>When embarking, there would be mini-trucks to pickup and sending people to the area near Sadao district, Songkla province to walk across the border to Malaysia. Moreover, it could link to other three previous networking cases in Phang Nga province and Ranong province (Criminal case no. 3/58 and 7/58 at Takuapa, Phang Nga province and criminal case no. 53/58 at Kapur district, Ranong province).</p> <p>On 20 March 2015, the Court issued an arrest warrant for Mr. WP, a suspect of human trafficking and housing illegal foreign workers based upon Kapur Police Station Criminal Case No. 53/2558. Mr. WP was arrested on 23 March 2015. Furthermore, Mr. WO was also arrested on 20 March 2015.</p>	<p>District, Phang Nga Province - Mr. WC (transporting migrant workers), according to the arrest warrant no. 14/2558 dated 20 March 2015, as well as being arrested on 20 March 2015 - Mr. WP (human trafficking and housing illegal foreign workers), according to the arrest warrant no. 24/2558 dated 20 March 2015, being arrested on 23 March 2015</p> <p><u>Assets seized:</u></p> <p>THB 32 million based on Hua Sai Police Station Criminal Case No. 10/2558 dated 11 January 2015</p> <p>- The order of Secretary General of AMLO no. Yor 41/58 dated 27 February 2015, no. Yor 48/58 dated 2 March 2015</p>
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		<p>In the investigation extended from the Anti-Money Laundering Act B.E. 2540 (1997), there was a cooperation closely with Anti-Money Laundering Office (AMLO) and the Secretary of the AMLA ordered to impound as order no. yor. 41, 48/58 dated 27 February 2015 and 2 March 2015 for 121 items totaling THB 32 million.</p>	
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Table 3: Groups involved in people smuggling into Thailand mainly in 2014

No.	D/M/Y	Details	Case results
1	From 10 Jan 13 to 13 Jan 13	<p>Smuggling Rohingyas into Thailand (Mr. P)</p> <p>On 10 January 2013, officers received the information regarding the smuggling of Myanmar (Rohingya) to wait at the rubber plantation behind the house at 121 Moo 4, padangbesar sub-district, Sadao district, Songkhla province. The police brought the force to inspect and found 393 Rohingya led by Mr. P and Mr. J (Myanmese) who was a broker.</p> <p>Later on 13 January 2013 from the investigation extended, the Police entered and raided the house no. 25/10 Rd., Chai dansum-naksong, Padangbesa sub-district and found a total of 155 Myanmar residing in the house with Mr. S and Mr. J, investor/ broker.</p>	<p><u>Arrested 6 persons:</u></p> <ul style="list-style-type: none"> - Mr. P (Investor) - Mr. S (Investor) - Mr. G (Administrator) - Mr. O (Administrator) - Mr. N (Administrator/ delivery person) - Mr. M (Lookout /Chef) <p><u>Arrest warrants:</u></p> <ul style="list-style-type: none"> - Mr. J, Myanmar (Investor / Broker) <p><u>Escape:</u></p> <ul style="list-style-type: none"> - Mr. Kh, Myanmar - Royingha(Administrator) - Mr K, Myanmar-Rohingya (Administrator)
2	From 4 Feb to 10 March 2014	<p>Smuggling Rohingya groups (Mr. M), Criminal Case No. 529/57 in Hadyai, Songkla province</p> <p>From 4th February to 10 March 2014, Mr. M, the victim came from Myanmar via boat at Satun province and detained by human trafficking Rohingya group at the camp in one of the areas of Puyu sub-district, Muang Satun, Satun province. While being detained in the camp, the accused forced Mr. M to contact with his wife for the ransom. While talking, Mr. M was being assaulted. It was agreed to pay THB 60,000 to Mr. M who was the head of the group and brought 2 persons and issued 7 arrest warrants. Currently, it is under investigation to arrest the suspect.</p>	<p><u>Arrested 2 persons</u></p> <ul style="list-style-type: none"> - Mr. M (Chief executive) - Mr. A(Smuggling Rohingya) <p><u>Arrest warrants 7 persons</u></p> <ul style="list-style-type: none"> - Mr. R, the arrest warrant no. 259/57 - Mr. J, the arrest warrant no. 260/57 - Mr. S, the arrest warrant no. 261/57 - Mr S, the arrest warrant no. 262/57 - Mr. A, the arrest warrant no. 263/57 - Male Unidentified, the arrest warrant no. 314/57 - Male Unidentified, the arrest warrant no. 315/57
3	13 March 2014	<p>A Smuggling Ring of Unidentified Muslims (Mr. SLM)</p>	<p><u>Arrested 2 persons</u></p> <ul style="list-style-type: none"> - Mr. SLM (owner of

		<p>On 13 March 2014, police officers inspected a rubber plantation in Klongtor Village, Kumpangpetch Sub-district, Rattabhumi District, Songkhla Province. 219 Muslims of unidentified nationalities were found hiding in the rubber plantation.</p> <p>Investigations found that the rubber plantation belongs to Mr. S. and that it was Mr. G who brought them from Ranong Province. There were 4 more accomplices, but preliminary investigations could not collect enough evidence to issue arrest warrants.</p>	<p>rubber plantation / provided funding) (arrest warrant issued on 22 March 2015).</p> <p>- Mr. G (smuggling of illegal foreign workers) (arrest warrant issued on 22 March 2015).</p> <p><u>Escape: 4 persons</u></p> <p>- A Thai man (Smuggling of illegal aliens).</p> <p>- Mr. C (logistic / food supplies).</p> <p>- Mr. SL (accomplice)</p> <p>- Mr. SC (accomplice)</p>
4	28 March 2014	<p>A Smuggling Ring of Labors from Myanmar (Mr. J)</p> <p>On 28 March 2014, police officers from the Songkhla Provincial Police Head Quarter inspected an unregistered rental room on Thai Jungloan alley, Sumnakkham Sub-district, Sadao District, Songkhla Province. Officers found Mr. A, Mr. Z, at the unregistered rental room along with 40 Myanmar nationals who illegally entered the Kingdom. Investigations led to further inspection of a house in Dannok Village, Gaosibrai Street, Samnakkham Sub-district, Sadao District, Songkhla Province. The house belongs to Ms. P and Mr. J. Police found 9 more Myanmar nationals. Mr. B drove and brought the Myanmar labors from Ranong Province to the said house. Ms. P and Mr. A (brother of MS. P) provided the accommodation for the group while waiting Mr. Z to bring them to Malaysia.</p>	<p><u>Arrested 7 persons</u></p> <p>- Mr. J (investor/housing)</p> <p>- Ms. P (investor/housing)</p> <p>- Mr. B (transporting)</p> <p>- Mr. A (housing)</p> <p>- Mr. Z (Myanmese, transporting)</p>
5	24 October 2014	<p>A Smuggling Ring of Rohingyas/Bangladeshi (Mr. SLM)</p> <p>On 24 October 2014, police officers inspected a rubber plantation in Padungbesar Subdistrict, Sadoa District, Songkhla Province and found a group of Rohingyas and Bangladeshi. The police could not confirm the exact number of people involved but were able to detain 7 of</p>	<p><u>Arrested 7 persons</u></p> <p>- Mr. SLM (investor)</p> <p>- Mr. SC (foreign national accomplice)</p> <p>- Ms. SH (detain foreigners)</p> <p>- MS. AR (detain foreigners)</p> <p>- Mr. P (detain</p>

	<p>them and confiscated 4 motorcycles at the scene.</p> <p>The victim identification process revealed that all immigrants in this group were victims of human trafficking. The police then ran a check on the registration plates on the confiscated motorcycles and found that one of them belonged to</p> <p>Mr. P. was involved in a human trafficking ring in Rattanaabhumhi District, Songkhla Province. Further investigations found that 9 more people were involved. The police were able to issue arrest warrants and arrested 7 of them. The police also have pictures of the remaining 2 and are in the process of bringing them to justice.</p>	<p>foreigners) - Mr. AH (detain foreigners) - Mr. AP (look out)</p> <p><u>Escaped 2 persons</u> - Mr. DR (broker) - Mr. MZ (detainer)</p>
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Table 4: Arrests related to Human Trafficking or Surrogate Crimes

No.	Charges	2014		1 Jan – 13 Feb 2015	
		Number of Cases	Accused (persons)	Number of Cases	Accused (persons)
1	To gratify the sexual desire of another person, procures, seduces or takes away for indecent act the man or woman with his or her consent under Section 282 283 284 and 285 of <i>Thai Criminal Code 1956</i>	58	68	12	21
2	Any person who procures, seduces or takes away any person for the prostitution of such person, even with her or his consent and irrespective of whether the various acts which constitute an offence are committed within or outside the Kingdom, under Section 9, 10, 11 and 12 of Prevention and Suppression of Prostitution Act B.E. 2539 (1996)	734	772	63	74
3	Whoever brings or takes an alien into the Kingdom or does anything which helps, assists, or facilitates an alien in making and entry into the Kingdom in contravention of Immigration Act, B.E. 2522 (1979), Section 63	491	643	56	72
4	Whoever know of any alien entering into the Kingdom in contravention of this Act, and harbors, hides or in any manner assists said alien to evade arrest, Immigration Act, B.E. 2522 (1979), Section 64	940	1,396	98	115
5	Hiring and working of unauthorized foreign workers without having obtained work permit and hiring, Section 9,27,51,and 54	5,350	6,664	1,066	1,293
Total		7,573	9,543	1,295	1,575

Table 5: Cases relating to Government Officials involved in Human Trafficking

The cases where the authorities are involved in trafficking as follows:

i) Police Senior Sergeant Major WF in Phang Nga province

In May 2013, Pol.Sen.Sgt.Maj. WF engaged with a Myanmar who assisted 5 Rohingya women and children fleeing from women and children shelter in Phang Nga province to travel to the destination country. They were taken to detention, but later, in June 2013, police were able to rescue the victim out and following the arrest of a Myanmar to prosecute for human trafficking, detention and rape charges. For Pol.Sen.Sgt.Maj. WF, he was criminally charged for human trafficking and wrongful act. The police sent the docket to the Commission Against Corruption in government (PACC) to investigate under their authority. The case is under consideration, while the National Police Agency has already suspended Pol.Sen.Sgt.Maj.WF from working during this period. PACC appointed a fact-finding sub-commission since September 2014 and expected to reach a conclusion by April 2015.

ii) Petty Officer 1st class SR under the Navy fleet

On 13 October, 2014, there were arrests of karaoke stores in Nong Khai province and rescued victims (6 Laotian children and women) who were forced into prostitution by 1PO SR and Mr. S who rented the premise and was arrested at the scene together for human trafficking charge, according to the criminal case (Nong Khai) No. 1088/2557. The police interrogators finally filed charge against the accused on Dec 3, 2014 and currently under the consideration of the prosecutor.

iii) The officer of Social Development and Human Security, Ms. RS in Nong Khai province

In the investigation extended for Dontoom case in Nakhon Pathom, Ms. RS who was an employee in the children and women shelter in Nong Khai province acted as a broker for Thailand to smuggle Laotian female for prostitution in karaoke stores. She was arrested on 21 January 2015 on charges of human trafficking, procurement of indecent acts and prostitution, accommodating illegal workers and engaging in transnational and criminal organizations, according to 5 related laws. The police interrogators finally filed charges and currently the case

is under interrogation by the prosecutor since the accused appealed for further interrogation of evidence.

iv) Mr. A and Mr. M Officer in Puyu District, Satun Province)

Mr. A (Member of the Provincial Council of Satun province) and Mr. M (Chief Executive of Sub-district Administrative Organization (SAO), Puyu in Satun Province) were arrested in Rohingya smuggling network (See more in Table 3 (2)), during February - March 2014 for criminal case no. 529/57 in Hadyai, Songkhla province. After the police interrogators had submitted a prosecution opinion to the public prosecutor, the prosecutor have already issued prosecution order and filed criminal charges against both suspects in this case, and the case is currently in the court's proceeding. It should be noted that this case is not under the jurisdiction of the PACC.

v) The Highway Patrol officer and special operation police officer in Pattani province

2 Highway Patrol officers and 1 special operation police officer, altogether 3 persons were arrested at Pattani police station as criminal case no. 609/57 in the charge of human trafficking. The Police Interrogators finalized to file the case and submitted a prosecution opinion to the prosecutor on 5 September 2014. Since the prosecutor determined that the case involved charges against officials' abuse of power which is thus under the jurisdiction of the PACC. On 26 September 2014, the case was submitted to the PACC. After hearing the case, the PACC decided to appoint the fact-finding sub-commission on 25 March 2015. Further steps will be taken according to the PACC law.

Table 6: Progress in the Implementation of the Joint Action Plan to Solve the Problem of IUU Fishing and Human Trafficking in Fisheries Sector

Procedures	Results	Target /time	Succ ess %	Responsible agencies
Reorganizing .1 fisherman boats	1.1 Registered 50,970 vessels correctly, not registered about 2,030 vessels	53,000 boats	96 %	Marine Department
	1.2 Having valid vessel licenses for 30,541 vessels - 60 tons gross or over for 2,070 vessels - 30 - 60 tons gross for 3,462 vessels - Remaining 25,000 vessels are small boats	53,000 boats	57 %	Marine Department
	1.3 28,432 vessels with fishing licenses	53,000 boats	53 %	Department of Fisheries
Setting up the .2 VMS system	Focusing on fishing vessels in Thailand outside waters first - 7 fishing vessels in high seas - 36 vessels in the waters of PNG and Bangladesh	200 boats	22%	Department of Fisheries
Warning for .3 vessels Port in – Port out	-The establishment of PIPO in 23 coastal provinces - The center in 4 pilot provinces (Songkhla Chumphon, Ranong, and Phuket Provinces)	26 centers	15%	Marine Department Department of Fisheries Department of Labor Protection and Welfare

Monitoring .4 Fishing Vessels	Improving maritime monitoring center - Royal Thai Navy has completely renovated and currently during processing the system's software operation	center 1 ay M 2015	80%	Royal Thai Navy
	- Establishment of the Department of Fisheries VMS operating system.	1 center April 2015	70%	Department of Fisheries
	- Connection Fishing Info system	1 system May 2015	20 %	Royal Thai Navy Department of Fisheries

(From January to March 2015)

Table 7: Action Plan against Human Trafficking for the Fiscal Year of 2015

This plan is consisted of 5 strategic issues for 77 projects amounting to THB 1,496,789,726 which were divided THB 578,961,060 for project budget, minimum expenditures and expenses for the administration of the agency of THB 917,828,666 as follows:

1. The strategic issue on prosecution for 6 projects totaling THB 35,882,500 (from THB 22,178,547 in 2014)

2. The strategic issue on protection for 8 projects totaling THB 151,602,900 (from THB 82,265,449 in 2014)

3. The strategic issue on prevention 51 projects totaling THB 307,882,360 (from THB 355,363,008 in 2014)

4. The strategic issue on development policy and driving mechanism for 11 projects totaling THB 77,593,300 (from THB 30,993,167 in 2014)

5. The strategic issue on development and data management for a project totaling THB 6,000,000 (from THB 3,646,472 in 2014)

**Table 8: Comparison Table for the Action Plan against Human Trafficking
Between the Fiscal Year of 2014 and 2015**

Issues	2015	2014
<p>1. Prosecution for 6 projects</p> <ul style="list-style-type: none"> • Combating human trafficking projects in 77 provinces for 100 times (THB 25,634,200) • 300 Officers' training of combating human trafficking (THB 7,046,200) 	THB 35,882,500	THB 22, 178,547
<p>2. Protection for 8 projects</p> <ul style="list-style-type: none"> • The first connecting point center for 100 human trafficking victims in Banteay Meanchey Province in Cambodia (THB 65,300,000) • Project to provide victim protection and occupational development in 4 shelters for 200 victims (THB 61,167,500) • The supply of food to the 250,763 accused / foreigners detained (in the group likely to be involved in human trafficking) (THB 23,331,800) 	THB 151,602,900	THB 82, 265,449
<p>3. Prevention 51 projects</p> <ul style="list-style-type: none"> • Prevention of human trafficking and deterring individuals vulnerable to human trafficking (THB 10,788,880) • Establishment of 10,500 Fishermen Centers in 7 provinces (THB12,983,400) • Program to prevent and resolve labor trafficking and child labor in a cruel form in 2,200 workplace for 50, 500 persons (THB 14,444,600) • Communication projects created with the participation of the public in preventing and solving the problem of human trafficking (THB 14,000,000) • Project to provide victim protection and occupational development in 4 shelters for 1,300 female victims (THB 33,318,900) • Setting up fishing vessels monitoring system (VMS) to prevent IUU fishing and human trafficking (THB 12,892,000) • Port in - Port out projects in 22 provinces 	THB 307,882,360	THB 355, 363,008

<p>(THB 13,833,000)</p> <ul style="list-style-type: none"> • The ship/aircraft patrolling 95 times outside 12 nautical miles to prevent and combat human trafficking in charge of the Navy Fiscal Year 2015 (Navy Region 1 - 3) (THB 36,500,000) • Program Human Trafficking in fishing workers 456 times (THB 19,641,600) 		
<p>4. Development policy and driving mechanism for 11 projects</p> <ul style="list-style-type: none"> • Fund for the Prevention and Suppression of human Trafficking 100 projects to prevent and combat trafficking in persons (THB 62,500,000) 	THB 77,593,300	THB 30,993,167
<p>5. Development and data management for a project totaling</p>	THB 6,000,000	THB 3,646,472

Table 9: Latest Human Trafficking Victims Statistics

Issues	Details
<p>1. Latest Human Trafficking Victims</p>	<ul style="list-style-type: none"> • In January – February 2014, 105 victims came under the care of MSDHS. Within this group, 100 victims went on to stay in MSDHS’ 9 shelters. The nationalities of these victims are categorized as follows: <ul style="list-style-type: none"> - 33 Thais - 3 Myanmar - 28 Laotians - 5 Cambodians - 16 Bangladeshi - 15 Rohingyas • During January and February 2015, 20 trafficking victims (19 Laotians and 1 Cambodian) are under the process of submitting requests for permission to stay and work in the Kingdom according to the Human Trafficking Act of 2008. • The age ranges of these victims who entered into MSDHS’ shelters include 40 persons aged 18 and over, 25 persons between the ages of 15 to 18, and 35 persons aged under 15 years old. The forms of exploitation faced by these victims encompassed sexual exploitation (49 victims), forced labor or services (48 victims) and forced begging (3 victims). • 10 Thai victims who were exploited abroad were rescued from Bahrain (2 victims), Indonesia (6 victims), and Vietnam (2 victims). 8 of these victims faced forced labor or services and 2 faced sexual exploitation. 5 Thai victims rescued from abroad chose to go back to their respective homes, while the other 5 chose to come under the protection of MSDHS’ shelters (and are accounted for among the 33 Thais mentioned above). • In addition to the 595 victims identified in 2014 (303 chose to stay in MSDHS shelters), MSDHS has taken care of 105 more victims up to February 2015. This brings the total number of identified victims from the year 2014 plus January – February 2015 to 700 in total. (Page 49 of Thailand’s TIP Country Report 2014)
<p>Victims’ nationalities in Thailand’s 2014 TIP Country Report (page 45 of the 2014 Country Report)</p>	<ul style="list-style-type: none"> • The number of victims with unidentified nationalities in Thailand’s TIP 2014 Country Report can be categorized as follows: <ul style="list-style-type: none"> - 1 Uzbekistani - 7 Indians - 23 Rohingyas - 65 Bangladeshis. • The Royal Thai Police and the multi-disciplinary team conduct preliminary victim identifications. Then, a thorough nationality verification process is carried out by MSDHS once the victims are

	<p>received into MSDHS shelters.</p> <ul style="list-style-type: none">• All 23 victims who were identified as Rohingyas (from Rakhine State of the Union of Myanmar) in 2014 were sent to MSDHS shelters.• In 2014, the Office of the Attorney General filed for 8,613,340 baht in compensations for 57 victims of human trafficking.
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