



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

(1 January – 31 March 2021)

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Progress in January - March 2021

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Prosecution

The second wave of COVID-19 in Thailand caused the Royal Thai Government to impose strict prevention and control measures to curb the outbreak. While these measures led to a decline of trafficking in person cases in the form of general forced labour, cases of online child sexual exploitation, and other forms of exploitation were increasing. The Government did not neglect this current trend and adapted to combat trafficking in person in an even more stringent manner under the COVID-19 pressure.

1. Statistics on Human Trafficking Cases, Suspects, and Victims

One additional case of prostitution in 2020 was reported to the Thai authorities, bringing the total number of cases in all forms of human trafficking in Thailand to 132 (Diagrams 1 and 2).

Diagram 1: Statistics on Human Trafficking Cases in 2020

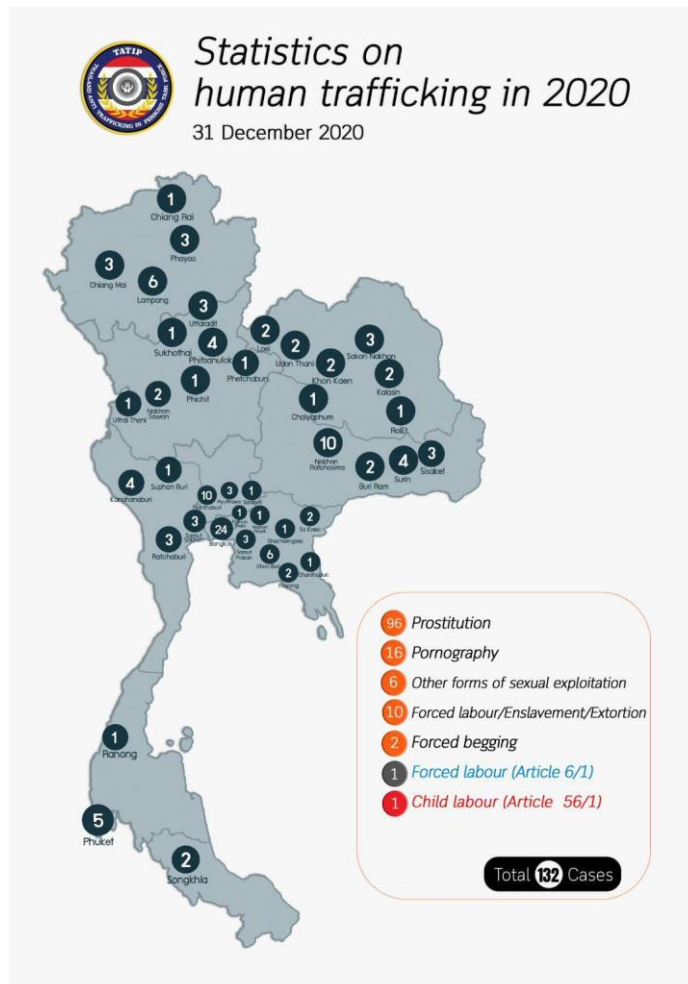
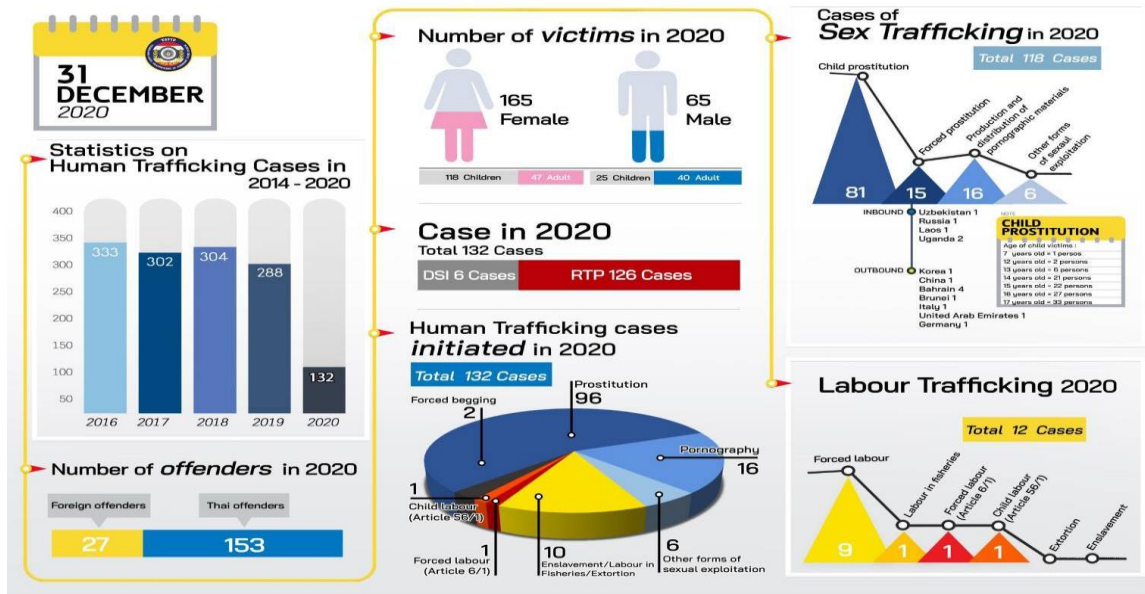


Diagram 2: Summary of Cases, Suspects, and Victims in 2020



1.1 Number of Human Trafficking Cases

During January – March 2021, 35 human trafficking cases were initiated, of which 33 cases in total were related to sex trafficking (prostitution, pornography, and other forms of sexual exploitation), and 2 cases were forced labour or services (Table 1 and Diagram 3).

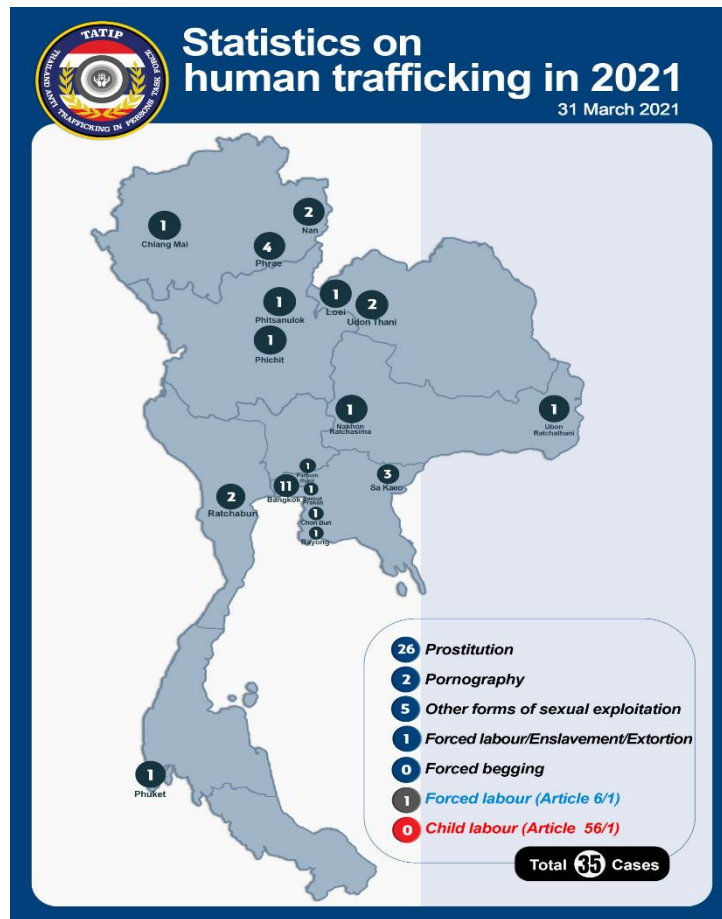
Table 1: Number of Human Trafficking Cases Initiated

Year	Total	Type of Human Trafficking Activities							
		Prostitution	Pornography	Sexual Exploitation	Enslavement	Forced Begging	General Forced Labour	Forced Labour in Fisheries	Extortion/ Others
2016	333	244	3	-	-	8	32	43	3
2017	302	246	7	2	-	26	14	7	-
2018	304	249	4	5	-	8	29	6	3
2019	288	158	15	12	33	9	31	4	26
2020	132	96	16	6	0	2	8 + (2)	2	0
2021 (Jan-Mar)	35	26	2	5	-	-	1 + (1)	-	-

Notes 1: The number in brackets represents forced labour or services cases, which are offences under the Anti-Trafficking in Persons Act.

2: A case in 2020 was moved from General Forced Labour to Forced Labour in Fisheries. Thus, the number of cases in General Forced Labour was changed from 9 + (2) to 8 + (2) cases and the number of cases in Forced Labour in Fisheries from 1 to 2 cases.

Diagram 3: Statistics on Human Trafficking Cases in 2021



1.2 Number of Human Trafficking Offenders

During 1 January – 31 March 2021, a total of 53 human trafficking offenders were arrested, comprising 22 males and 31 females. Of this number, 49 persons were Thais (92.45 percent) and 4 were foreign nationals (7.55 percent) (Table 2).

Table 2: Number of Suspected Human Trafficking Offenders

Year	Total	Gender		Nationality				
		Male	Female	Thai	Myanmar	Cambodian	Laotian	Others
2016	600	265	335	462	35	26	41	36
2017	427	145	282	361	9	25	3	29
2018	532	229	303	424	30	15	4	59
2019	555	330	225	402	120	4	6	23
2020	180	79	101	153	2	7	0	18
2021 (Jan-Mar)	53	22	31	49	0	0	0	4

1.3 Number of Victims of Trafficking

A total of 65 victims of trafficking (16 males and 49 females) were rescued during 1 January – 31 March 2021. In terms of nationality, 47 victims were Thais, and 18 Myanmar nationals (Table 3). Of this number, there were 30 victims of prostitution, 3 victims of pornography, 7 victims of other forms of sexual exploitation, and 25 victims of general forced labour (Table 4).

Table 3: Number of Human Trafficking Victims by Gender and Nationality

Year	Total	Gender		Nationality				
		Male	Female	Thai	Myanmar	Cambodian	Laotian	Others
2016	824	411	413	333	238	52	58	143
2017	455	88	367	327	53	26	30	19
2018	631	282	349	345	205	28	14	39
2019	1,821	1,158	663	251	1,306	96	38	130
2020	230	65	165	161	5	5	46	13
2021 (Jan -Mar)	65	16	49	47	18	0	0	0

Table 4: Number of Human Trafficking Victims by Type of Human Trafficking Activities

Year	Total	Types of Human Trafficking Activities							
		Prostitution	Pornography	Other Forms of Sexual Exploitation	Enslavement	Forced Begging	General Forced Labour	Forced Labour in Fisheries	Extortion/ Others
2020	230	128	20	13	0	2	8 + (39 + 1)	13	0
2021 (Jan-Mar)	65	30	3	7	0	0	18 + (7)	0	0

Notes 1: The number in brackets represents forced labour or services cases, which are offences under the Anti-Trafficking in Persons Act.

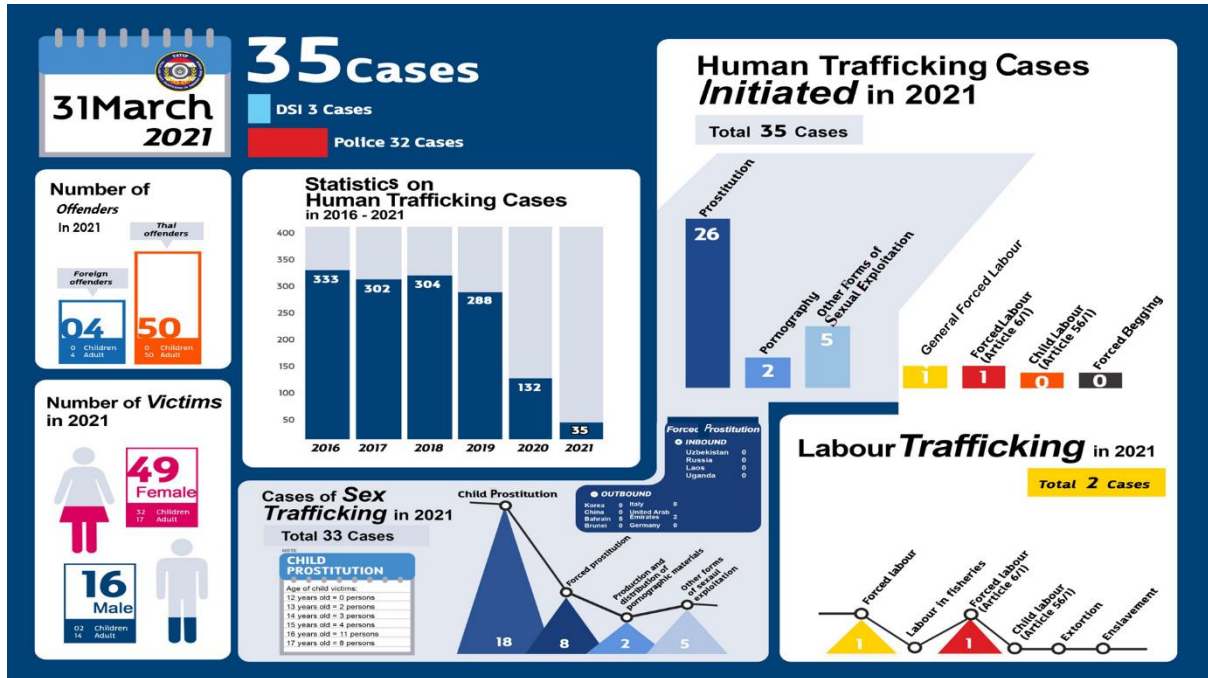
2: In accordance with the change made to the statistics on the types of human trafficking activities in 2020 (Table 1), the number of human trafficking victims by types were adjusted accordingly.

The statistics suggested that even though the total number of cases declined, the total number of offenders arrested and victims rescued did not decrease proportionately. At present, offenders used social media as a networking platform to contact victims without having to physically meet in person. Therefore, an arrest of one offender normally involved more than one victim (2 – 3 victims per case on average).

Police officers and prosecutors continued to enhance their collaboration with other relevant public and private agencies in exchanging information and sharing resources to tackle human trafficking as well as forced labour.

The Prime Minister’s Delivery Unit (PMDU) assigned the Royal Thai Police to be the focal agency in coordinating, monitoring, and providing all necessary support to other agencies.

Diagram 4: Summary of Cases, Suspects, and Victims in 2021



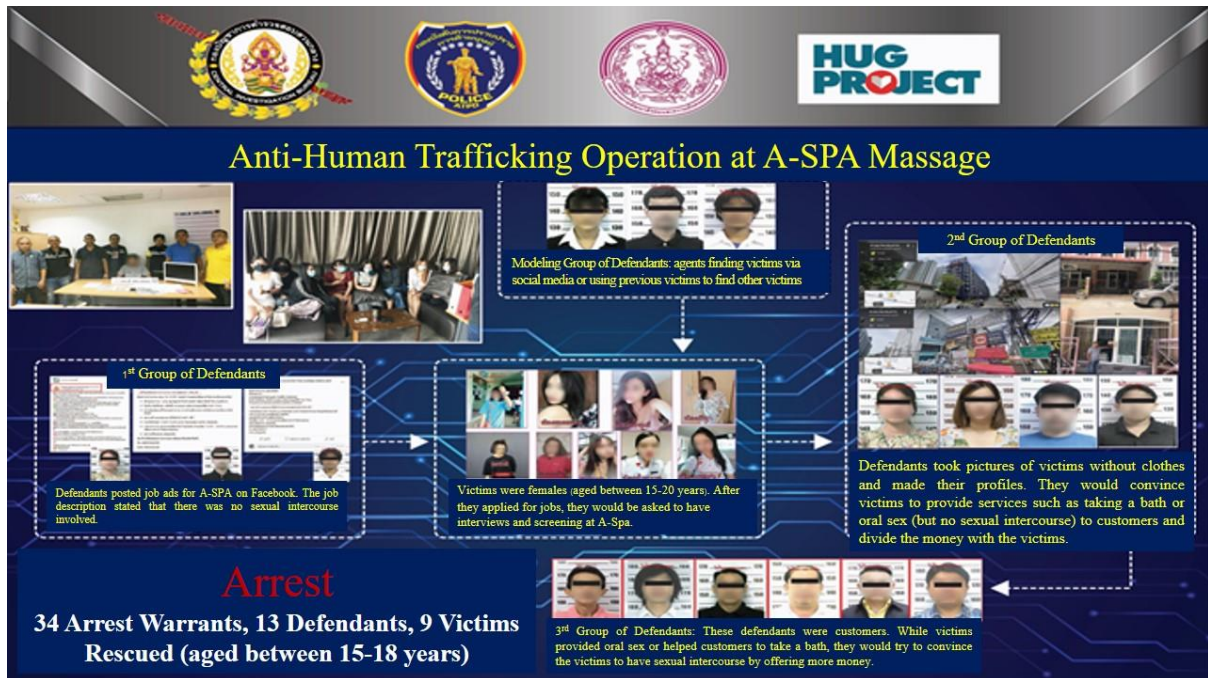
1.4 Key Prosecution Progress of Human Trafficking Cases during January – March 2021

1.4.1 Prostitution and Sexual Exploitation Cases

1) Child Sexual Exploitation of Girls Aged under 18 years old (A-Spa Massage in Nonthaburi Province)

In August 2020, the Anti-Trafficking Police Department (ATPD) investigated the case and managed to arrest an organised crime syndicate at A-Spa Massage in Nonthaburi Province, consisting the owner, a manager, shopkeepers, and agents who lured girls under 18 years old into prostitution via LINE and Facebook, the popular channels of communication among children and minors. All 9 victims were rescued and sent to protection services. The Hug Project, Zoe Foundation, and Arun Sawad Foundation (Rafa Home) were observers during the operation and provided assistance to the victims. The arrest warrants were issued for 13 offenders (7 human traffickers and 6 offenders for using the services).

Diagram 5: A-Spa Massage Operation



The success of this operation was attributed to the ATPD's careful planning and its close cooperation with NGOs based on a victim-centred approach. NGOs staff were involved in the process and earned the victims' trust. The victims subsequently opened up and provided all the evidence to the police, leading to the prosecution of all the offenders in this case.

2) Forced Prostitution in Bahrain Case

On 11 February 2021, the ATPD collaborated with the Protection of Thai Nationals Abroad Division, Department of Consular Affairs, Ministry of Foreign Affairs (MFA) and rescued 6 Thai women who were deceived into forced prostitution in Bahrain by a job recruitment agency called "BAM BAM" via Facebook. The agency advertised for job openings, promising a monthly salary of no less than 100,000 THB. All the women returned to Thailand on 14 February 2021. After the victim identification interviews, 4 were identified as victims of human trafficking.

3) Online Prostitution Case

The ATPD was notified by the Department of Provincial Administration and Operation Underground Railroad (O.U.R.) about a Facebook page and its LINE group under the name "Sakura," which advertised sexual services by children under the age of 18, costing about 4,000 – 10,000 THB per service. The LINE group was used as a platform of communication between the administrator/agent and customers. After an investigation, the ATPD managed to

identify the administrator of the Facebook page and the LINE group. On 23 February 2021, the ATPD arrested the suspect, who later confessed. Currently, the ATPD is preparing the case to be submitted to the public prosecutor for online sexual exploitation offence.

1.4.2 Forced Labour and Other Cases

1) Rubber Glove Case

On 19 January 2021, 17 labour workers filed a complaint on forced labour against CC Medical Device Limited, an illegal medical glove manufacturing business, to the ATPD. The complaints included workers being held hostage against their will and threatening or use of force by the employer. These workers were forced to work overtime and not allowed to travel outside the factory. After the victim identification interview, 6 workers were identified as victims of forced labour. The owner of the factory was arrested on 19 February 2021 for committing an offence against the Labour Protection Act B.E. 2562 (2019).

2) Prosecution of a Surrogate Mother Case

A case of a surrogate mother was exposed in September 2020 at Ramathibodi Hospital when the hospital had to contact the mother due to an internal bleeding in the head sustained by a 4-month old infant. The woman confessed that she was a surrogate mother for a foreigner in exchange for 450,000 THB, including a 15,000 THB monthly allowance. Passport and visa fees, hospital expense, traveling cost, and other expenses were all covered by the agent. Due to the COVID-19 pandemic, the mother could not travel to China to give birth but instead gave birth at a private hospital in Bangkok. The agent took the infant in their care a few days after birth. This led to the rescue of 2 infants and finding of other surrogate mothers, as well as documents relating to surrogate mother operation in Thailand and its connection to destinations in China. The police also found a potential organised surrogacy syndicate in this case. This case is an offence under the Protection of a Child Born by Medically Assisted Reproductive Technology Act B.E. 2558 (2015) and the Anti-Participation in Transnational Organized Crime Act B.E. 2556 (2013). The case is now under further investigation.

3) A Case of a Foreigner Suspected of Child Sexual Exploitation

On 11 January 2021, the Department of Special Investigation (DSI) together with the Embassy of Israel in Thailand, the Immigration Bureau, O.U.R., and LIFT International, launched a search operation at an apartment owned by an Israeli citizen, under the search warrant granted by the court. The

Israeli citizen was then arrested for possessing child pornography for exploitation purposes. Further investigation is being conducted by the public prosecutor.

2. Prosecution of Human Trafficking Cases

2.1 Human Trafficking Cases Handled by Inquiry Officers

During the first three months of 2021, police inquiry officers received a total of 35 human trafficking cases. At present, 34 cases are currently under the inquiry process and 1 case has been filed to public prosecutors (Table 5).

Table 5: Progress of Human Trafficking Cases Handled by Inquiry Officers

Year	Total	Under Inquiry	Filed to Public Prosecutors	Not Filed to Public Prosecutors
2017	302	0	299 (99.01%)	3 (0.99%)
2018	304	2 (0.66%)	300 (98.68%)	2 (0.66%)
2019	288	6 (2.09%)	280 (97.22%)	2 (0.69%)
2020	132	16 (12.12%)	113 (85.61%)	3 (2.27%)
2021 (Jan-Mar)	35	34 (97.14%)	1 (2.86%)	-

Note: 2 pending cases from 2018 involve extra-territoriality still await evidence from countries of final destination for inquiry officers' consideration. 6 pending cases from 2019 and 16 pending cases from 2020 are still under consideration of DSI and RTP.

Table 6: Case Classification by Number of Suspects

Year	Total	Cases Involving One Suspect	Cases Involving Two or More Suspects
2018	304	219 (72.04%)	85 (27.96%)
2019	288	187 (64.93%)	101 (35.07%)
2020	132	102 (77.27%)	30 (22.73%)
2021 (Jan-Mar)	35	26 (74.29%)	9 (25.71%)

2.2 Human Trafficking Cases Pursued by Public Prosecutors

During January – March 2021, the Department of Trafficking in Persons Litigation of the Office of the Attorney General (OAG) received a total of 29 human trafficking cases from inquiry officers across Thailand. Of this number, 23 were sex trafficking cases, and 6 were labour trafficking cases (Table 7).

Table 7: Classification of Human Trafficking Cases Pursued by Public Prosecutors

Type of Exploitation	2016	2017	2018	2019	2020	2021 (Jan-Mar)	Total
(1) Prostitution, pornographic material production and distribution, and other forms of sex trafficking	335	325	286	242	191	31	1,410
(2) Forced begging	13	25	14	7	3	-	62
(3) Forced labour or services or similar forms of exploitation/ slavery or similar practices	135	68	57	115	47	6	428
Total	483	418	357	364	241	37	1,900

Of the total 33 human trafficking cases received by OAG between January – March 2021, the public prosecutors completed the consideration of 20 cases (60.61 percent), and 19 cases were submitted to the Court of Justice. Details appear in (Table 8) and (Table 9).

Table 8: Progress of Human Trafficking Cases with Arrested Suspects

Year	Total	Progress of Human Trafficking Cases			
		Cases submitted to the Courts (%)	Cases not submitted to the Courts (%)	Cases still under public prosecutors' consideration (%)	Cases returned to inquiry officers (%)
2016	446	438 (98.20%)	7 (1.57%)	-	1 (0.23%)
2017	396	385 (97.22%)	11 (2.78%)	-	-
2018	331	294 (88.83%)	33 (9.97%)	-	4 (1.20%)
2019	343	273 (79.59%)	65 (18.95%)	1 (0.29%)	5 (1.46%)
2020	225	202 (89.78%)	16 (7.10%)	1 (0.45%)	6 (2.67%)
2021 (Jan-Mar)	33	19 (57.58%)	1 (3.03%)	12 (36.36%)	1 (3.03%)

Table 9: Progress of Human Trafficking Cases with Fleeing Suspects

Year	Total	Progress of Human Trafficking Cases			
		Cases submitted to the Courts (%)	Cases not submitted to the Courts (%)	Cases still under public prosecutors' consideration (%)	Cases returned to inquiry officers (%)
2016	19	16 (84.21%)	2 (10.53%)	-	1 (5.26%)
2017	22	16 (72.73%)	4 (18.19%)	-	1 (4.54%)
2018	26	23 (88.46%)	1 (3.85%)	-	2 (7.69%)
2019	21	17 (80.95%)	3 (14.29%)	1 (4.76%)	-
2020	16	13 (81.25%)	-	-	3 (18.75%)
2021 (Jan-Mar)	4	1 (25%)	-	2 (50%)	1 (25%)

2.3 Human Trafficking Cases Pursued by the Courts of Justice

1) Progress of Consideration of Human Trafficking Cases by the Courts of Justice

During January – March 2021, a total of 122 human trafficking cases were brought before the Courts of Justice across Thailand. Of this number, 105 were pending cases from previous years and 17 cases were initiated during the reporting period. The Courts of First Instance adjudicated on 18 cases (14.75 percent) and is considering 104 cases. Of the cases that the Courts adjudicated, 14 cases (77.78 percent) were convicted, 3 cases (16.67 percent) were acquitted, and 1 case (5.56 percent) was disposed of by the Courts (Table 10).

Table 10: Decisions Reached by the Courts of Justice on Human Trafficking Cases

Year	Cases submitted to the Courts			Decided cases				Pending cases (as standing at the end of indicated year)
	Cases initiated in previous years	Cases initiated in indicated year	Total	Convicted	Acquitted	Disposed	Total	
2016	136	468	604	298 (79.05%)	37 (9.81%)	42 (11.14%)	377	227
2017	227	330	557	319 (81.59%)	54 (13.81%)	18 (4.60%)	391	166
2018	166	279	445	235 (77.05%)	24 (7.87%)	46 (15.08%)	305	140
2019	140	256	396	217 (76.68%)	26 (9.19%)	40 (14.13%)	283	113
2020	113	191	304	157 (78.89%)	22 (11.06%)	20 (10.05%)	199	105
2021 (Jan-Mar)	105	17	122	14 (77.78%)	3 (16.67%)	1 (5.56%)	18	104

The 3 acquitted cases (6 defendants) were under the sole discretion of the Courts based on the evidence. This was to provide a fair trial without infringing on the rights and freedom of the defendants. The disposed case was related to a juvenile. Thereby, children’s rights to receive special measures for juveniles had to be observed in accordance with the Juvenile and Family Court and Procedure Act B.E. 2553 (2010).

2) Number of Defendants in Human Trafficking Cases Convicted by the Courts of Justice

During January – March 2021, a total of 25 defendants (11 males and 14 females) were brought before the Courts across Thailand. In terms of nationality, 21 were Thais and 4 were other nationalities. Of this number, 18 persons (72 percent) were convicted, 6 persons (24 percent) were acquitted, and 1 person (4 percent) was disposed of by the Courts (Table 11). As of 31 March 2021, 165 defendants are awaiting trials, including those pending from 2020.

Table 11: Defendants in Human Trafficking Cases Brought before the Courts of Justice

Year	Number of defendants subjected to the Courts' consideration			
	Total	Convicted	Acquitted	Disposed
2016	493	366 (74.24%)	69 (14%)	58 (11.76%)
2017	638	466 (73.04%)	154 (24.14%)	18 (2.82%)
2018	438	316 (72.15%)	57 (13.01%)	65 (14.84%)
2019	386	304 (78.76%)	27 (6.99%)	55 (14.25%)
2020	302	233 (77.15%)	41 (13.58%)	28 (9.27%)
2021 (Jan-Mar)	25	18 (72%)	6 (24%)	1 (4%)

3) Severity of Punishment Handed Down by the Courts of Justice in Human Trafficking Cases

The Courts continued to hand down severe punishment for human trafficking crimes. Evidently, more than 80 percent of the sentences in the convicted cases during January – March 2021 were imprisonments of 5 years or above (Table 12) in accordance with the Anti-Human Trafficking Act B.E. 2551 (2008) and the Procedures for Human Trafficking Act B.E. 2559 (2016).

Table 12: Imprisonment Sentences in Human Trafficking Cases

Year	Total number of defendants sentenced to imprisonment	Shorter than 1 year	Between 1-2 years	Between 2-5 years	Between 5-10 years	Over 10 years
2016	310	18 (5.81%)	8 (2.58%)	100 (32.26%)	117 (37.74%)	67 (21.61%)
2017	377	9 (2.39%)	10 (2.65%)	109 (28.91%)	118 (31.30%)	131 (34.75%)
2018	236	1 (0.42%)	4 (1.69%)	47 (19.92%)	60 (25.42%)	124 (52.54%)
2019	276	6 (2.17%)	8 (2.90%)	38 (13.77%)	124 (44.93%)	100 (36.23%)
2020	199	8 (4.02%)	15 (7.54%)	41 (20.60%)	53 (26.63%)	82 (41.21%)
2021 (Jan-Mar)	16	-	-	3 (18.75%)	5 (31.25%)	8 (50%)

3. Prosecution of Complicit Officials in Human Trafficking Cases

The Royal Thai Government continued to attach great importance to suppressing and preventing complicity of officials in human trafficking as an integral part of Thailand's anti-human trafficking efforts. Public officials found to be involved in human trafficking activities, demanding or receiving benefits

from those activities, or neglecting duties in preventing and suppressing human trafficking would be subject to criminal prosecution and/or disciplinary actions.

3.1 Prosecution of Officials Accused of Involving in Human Trafficking Cases

In 2021, one public official was accused of complicity in a human trafficking crime. Since 2012, a total of 74 suspected public officials have been accused of complicity in human trafficking. Of this number, 46 were police officers, 8 were military officers, 5 civil servants/teachers, and 15 local administrative officers (Table 13). The one case in 2021 is now under the consideration of the Court of the First Instance (Table 14).

Table 13: Public Officials Suspected of Complicity in Human Trafficking Cases Classified by Type

Year	Number of public officials	Type of Public Officials			
		Police officers	Military officers	Civil servants/ Teachers	Local administrative officers
2012-2016	45	23	8	2	12
2017	11	8	-	1	2
2018	2	2	-	-	-
2019	7	7	-	-	-
2020	8	6	-	2	-
2021 (Jan – Mar)	1	-	-	--	1
Total	74	46	8	5	15

Table 14: Criminal Prosecution of Suspected Public Officials in Human Trafficking Cases

Year	Number of Cases	Under investigation	Under public prosecutor's consideration	Under Courts' consideration			Completed cases		Fleeing
				Court of First Instance	Court of Appeal	Supreme Court	Imprisoned	Acquitted/ Not pursued	
2012 – 2016	48	-	3	2	1	22	8	10	2
2017	12	-	-	4	-	7	-	1	-
2018	2	1	-	-	-	1	-	-	-
2019	7	6	-	-	1	-	-	-	-
2020	3	1	-	2	-	-	-	-	-
2021 (Jan – Mar)	1	-	1	-	-	-	-	-	-
Total	73	8	4	8	2	30	8	11	2

Note: 4 suspects from 2012 - 2016 were charged with 2 criminal cases each, the public prosecutor sent the cases back for further investigation.

3.2 Progress of Criminal Prosecution of Complicit Officials

1) **Nataree Case** (initiated in 2016) – 4 police officers were expelled. The public prosecutor has submitted the cases of 2 police officers to the Court and is in the process of submitting the cases of the other 2 police officers to the Court.

2) **Khong Chiam Case** (initiated in 2016) – the cases of 2 police officers are under the consideration of the Court of Appeal, while the public prosecutor has submitted the case of another officer to the Court.

3) **Sichon Case** (Initiated in 2021) – one civil servant was involved in this case. The case is now under the consideration of the Court of the First Instance.

3.3 Progress of Disciplinary Action against Complicit Officials

From January – March 2021, one public official was expelled. Since 2012, a total of 74 public officials were subjected to disciplinary actions related to human trafficking (Table 15).

Table 15: Complicit Public Officials Subjected to Disciplinary Actions

Year	Number of public officials	Disciplinary actions and other measures						
		Under disciplinary inquiry	Expelled	Suspended	Resigned	Administrative Court Revoked the Sentence	Retired	The Disciplinary Actions Ended
2012-16	45	-	36	2	3	1	-	3
2017	11	3	6	-	1	-	1	-
2018	2	-	1	-	-	-	-	1
2019	7	3	1	-	-	-	2	1
2020	8	4	1	-	-	-	-	3
2021 (Jan – Mar)	1	1	-	-	-	-	-	-
Total	74	10	46	2	4	1	3	8

4. Asset Restraints and Seizures by the Anti-Money Laundering Office

4.1 Amount of Asset Restraints and Seizures

During January – March 2021, the Anti-Money Laundering Office (AMLO) issued orders for asset restraints and seizures in 6 cases in accordance with Article 3(2) of the Anti-Money Laundering Act B.E.2542 (1999) and its amendments. The initial value of the assets subjected to these orders was 4,664,775.05 THB (150,476.62 USD). The public prosecutors will submit a

request to the Court to order a total of 261,500 THB (8,435.48 USD) in value of assets forfeited for the benefits of the State.

4.2 Amendments of Relevant Laws

On 19 January 2021, the draft Anti-Money Laundering Act B.E.... was approved by the Cabinet and is currently under the consideration of the Coordinating Committee of the House of Representatives before being put forward to the Parliament. The amended Act seeks to extend the claims to cover more damages done to the victims including those to life, body, and individual freedom, in addition to claims related to damages to property.

5. Measures to Improve the Efficacy of Human Trafficking Prosecution

5.1 International Cooperation Development

1) Documentation and Seminar on Addressing Evidential Issues in TIP Cases in Thailand – The Office of the Judiciary in cooperation with the United Nations Office on Drugs and Crime (UNODC) published the Thai version of “UNODC Case Digest: Evidential Issues in Trafficking in Persons Cases” with an aim to enhance capacity building in analysis of evidence related to human trafficking cases. A series of 5 seminars have been scheduled to provide trainings for judges across Thailand on the topic of “Addressing Evidential Issues in TIP Cases in Thailand” during December 2020 – April 2021. The first seminar was held on 17 December 2020 in Chiang Rai. The second was held on 18 – 19 March 2021 in Udon Thani. The third was held on 25 – 26 March 2021 in Trang. The fourth and fifth seminars will be held on 8 – 9 and 22 – 23 April 2021 in Ranong and Bangkok respectively.

2) Seminar on Trauma-Informed Care – The seminar is a collaboration between the Office of the Judiciary, ASEAN-Australia Counter-Trafficking (ASEAN-ACT), and the International Justice Mission (IJM). It is aimed at training judges on the use of the trauma-informed care approach for victims of human trafficking during the prosecution process. It was initially scheduled on 20 – 21 January 2021 but was postponed to 21 – 22 May 2021 due to the COVID-19 situation.

5.2 Child Abuse Resistance Education (C.A.R.E.)

Due to a growing number of online sexual exploitation cases, especially among students, the ATPD initiated the C.A.R.E. project to provide information and knowledge to students to prevent them from being lured into or exploited for

prostitution. A direct channel of communication with students was also established so that any suspicions could be directly and timely reported to the police.

In the efforts to establish vigilant networks to monitor risks of prostitution among students, the C.A.R.E. training programme (Training of Trainers) was initiated. Initially, C.A.R.E. teachers were scheduled to work at targeted schools at risk of human trafficking starting from January 2021. The school selection was based on the statistics and data collected by the Social Development and Human Security Provincial Offices and the Protection and Occupational Development Centres. However, due to the new wave of the COVID-19 pandemic, the programme was postponed to March 2021.

In March 2021, a C.A.R.E. awareness raising campaign was organised for students in 5 schools nationwide in order to promote their online media literacy, as well as knowledge on the Anti-Trafficking in Persons Act and related regulations. This campaign focused on training students to become media literate to protect themselves against online abuse, drugs or violence. It also aimed at strengthening the relationship among police officers, students, teachers, parents, and community members as the collaborative networks to fight against trafficking in persons, as well as to make all the stakeholders better aware of the ATPD's communication platforms such as Facebook, LINE, hotlines and website. Details of the campaign at the 5 schools were as follows:

1) On 4 March 2021, ATPD instructors, together with the Hug Project's staff who underwent the C.A.R.E. training project, conducted an awareness raising campaign for 600 students of Grade 7 studying at Yupparaj Wittayalai School in Chiang Mai Province.

C.A.R.E. Campaign at Yupparaj Wittayalai School in Chiang Mai on 4 March 2021



2) On 16 March 2021, ATPD instructors, together with officials from Phatthalung Provincial Social Development and Human Security Office, conducted a C.A.R.E activity to raise awareness for 80 students of Grade 11 studying at Phatthalung School in Phatthalung Province.

C.A.R.E. Campaign at Phatthalung School in Phatthalung on 16 March 2021



3) On 17 March 2021, ATPD instructors, together with experts from the Welfare Protection Centre for Victims of Trafficking in Persons at Nakhon Ratchasima (Ban Nari Sawat), conducted a C.A.R.E awareness raising campaign for 80 students and 10 teachers at Dan Khun Thot School in Nakhon Ratchasima Province.

C.A.R.E. Campaign at Dan Khun Thot School in Nakhon Ratchasima on 17 March 2021



4) On 18 March 2021, ATPD instructors, together with the “Superhero Team” consisting of the ATPD and C.A.R.E. teachers, conducted a campaign to raise awareness for 80 students of Grades 7 – 9 studying at Than Thahan School (Huai Duan) in Nakhon Sawan Province.

C.A.R.E. Campaign at Than Thahan School in Nakhon Sawan on 18 March 2021



5) On 25 March 2021, ATPD instructors, together with the “Superhero Team” consisting of the ATPD, C.A.R.E. teachers, One Sky Foundation, social development and human security officers and local leaders, conducted an awareness raising campaign for 43 students of Grades 7 – 9 studying at Wat Chuk Phi School in Kanchanaburi Province.

C.A.R.E. Campaign at Wat Chuk Phi School in Kanchanaburi on 25 March 2021



5.3 Department of Special Investigation’s Meetings and Seminars

In the first quarter of 2021, DSI held several meetings with civil society networks and organised seminars to enhance the efficacy of prosecuting human trafficking cases. These activities aimed to improve the intelligence network for surveillance, prevention, and support for victims of human trafficking; to organise the database and the information system in support of investigation; to strengthen capacity building for individuals and organisations in carrying out anti-human trafficking activities; to promote the coordination and cooperation among investigation and prosecution agencies; and to enhance the efficacy of investigation and rescue missions in emergency situations.

5.4 Collaboration with NGOs to Tackle the Issue of Migrant Workers Lured to Work in Thailand

On 4 March 2021, the ATPD held a meeting with IJM to exchange information between government officials and NGOs in order to prevent and suppress labour trafficking crimes.



5.5 Office of the Attorney General

1) **Capacity Building Activities for Public Prosecutors** – Department of the Trafficking in Persons Litigation, OAG, together with the Hug Project held a capacity building programme on enhancing a child-friendly justice among prosecutors working with child victims of human trafficking and online sexual abuse. The objective of the programme was to train public prosecutors working on cases related to child trafficking and online sexual exploitation of children. The programme's activities included sharing of knowledge and experiences by OAG with its provincial public prosecutors, and creating guidelines on a safe and friendly environment for children during prosecution process. The programme runs for 5 years, starting from March 2021 to December 2025.

2) **Training Programmes on Basic Human Trafficking Prosecution** – Department of the Trafficking in Persons Litigation, OAG, in cooperation with the ASEAN-Australia Counter-Trafficking (ASEAN-ACT) Initiative organised training programmes on basic human trafficking prosecution for three batches of 136 public prosecutors posted at the provincial offices for the first time in 2021. The training programmes aimed at enhancing capacity building of public prosecutors in human trafficking prosecution as well as protection of victims' rights.

A series of lectures on the Anti-Trafficking in Persons Act, evidence collection, human trafficking prosecution, protection of victims' rights, trauma-informed care, gender equality principles, related international frameworks and conventions against trafficking in persons, as well as international investigations

were given by both Thai and foreign experts. The first training was held on 23 – 25 February 2021. The second and third trainings were held on 2 – 4 March 2021 and 8 – 10 March 2021 respectively.

Training Programmes on Basic Human Trafficking Prosecution on 2 - 4 March 2021



3) Capacity Building Programme for Attorneys – On 18 – 19 February 2021, the Department of the Trafficking in Persons Litigation, OAG, together with O.U.R. organised a capacity building activity on digital evidence investigation and collection for attorneys. This programme aimed at enhancing better understanding of a new method of human trafficking through the use of digital technology and to strengthen the efficacy of identifying offenders and suspects.

4) Upgrade of OAG’s Website – OAG, with a funding from ASEAN-ACT and the Hug Project, launched a new website of the Department of the Trafficking in Persons Litigation. The website was upgraded and developed to become more user-friendly. The website provides useful information, including the updated status of cases, categorisation of human trafficking exploitation, news releases on OAG’s activities with public and private agencies, as well as articles related to regulations and policies on trafficking in persons.

5) Study to Improve the Efficacy of Prosecution Process of Human Trafficking Cases – During January – March 2021, the Government allocated 700,000 THB (22,580.65 USD) to the Department of the Trafficking in Persons Litigation to conduct a study to improve the efficacy of prosecution process of human trafficking cases through retrospective analysis of the past human trafficking case studies. The study focused on three important categories of human trafficking cases: sexual exploitation, forced labour, and forced begging. Data collected will be used to develop a prosecution strategy for human trafficking cases, which is scheduled to be completed and published by the end of 2021.

6) **OAG's Coordination Centre** – On 23 March 2021, OAG established a Coordination Centre under the Department of the Trafficking in Persons Litigation in order to promote seamless coordination among attorneys, victims, and other concerned agencies during the prosecution process in order to protect the rights of human trafficking victims based on the recommendations from the 2020 Trafficking in Persons Report. The Coordination Centre provides advice on measures to protect victims' rights, coordination between attorneys in Bangkok and regional offices, legal advice and knowledge on trafficking in persons and other related laws, and support to attorneys in Bangkok and regional offices as well as other public and private agencies in their prosecution work. The Coordination Centre's contact information such as phone numbers and LINE ID is available on the Department of the Trafficking in Persons Litigation's website.

5.6 The Office of the Judiciary

The Office of the Judiciary is in the process of updating the Judicial Guidelines for Human Trafficking Procedures. The guidelines are expected to be completed and published by the end of 2021.

6. Prosecution Progress of Pending Cases from Previous Years

6.1 Cases Related to Sexual Exploitation of Children

1) **Kanchanaburi and Ratchaburi Case** – The 2 human trafficking victims were provided a safe house, a monthly allowance of 15,450 THB and other necessary assistance under the government witness protection programme, as well as mental health rehabilitation in line with the trauma-informed care approach. At the safe house, the victims had activities and hobbies such as exercising, cooking, gardening, and watching movies. The Rights and Liberties Protection Department, MOJ, also counselled them about their future plans, and brought a child of one victim to stay at the safe house for the benefits and morale of the family. Due to the new wave of COVID-19 pandemic, the Court had to postpone an advance hearing of one victim to 8 March 2021, while the schedule for the other victim is to be further confirmed.

2) **Payao Case** – In May 2020, RTP Children, Women, Families Protection and Anti-Human Trafficking Centre, Police Regional Office 5, Payao Provincial Police, and ATPD arrested a group of 13 human traffickers in a sexual exploitation case of children aged 14 and 15 years. The police prosecuted all the 13 offenders as follows:

- 1 offender, a girl aged between 13 – 17 years, was involved in child prostitution as an agent. On 3 November 2020, the suspect was admonished by the Court and sent back into the custody of the guardian. She was put on probation for 1 year.

- 2 offenders, girls aged between 13 – 17 years, were involved in child prostitution as agents. On 18 November 2020, the Court ordered both offenders to be sent to the Regional Juvenile Vocational Training Centre (7), Chiang Mai Province for vocational training for a period of 2 – 3 years. Each offender was ordered to pay 30,000 THB in compensation to the victim.

- 1 offender was charged with possession and commercial exploitation of child pornographic materials. On 23 December 2020, the Court sentenced the offender to an imprisonment of 7 years and 6 months.

- 1 offender was charged with possession and commercial exploitation of child pornographic materials. On 2 December 2020, the Court sentenced the offender to an imprisonment of 2 years and a fine of 40,000 THB.

- 1 offender was charged with sexual exploitation of a girl aged under 15 years. On 8 December 2020, the Court sentenced the offender to an imprisonment of 4 years 10 months and a fine of 100,000 THB.

- 1 offender was charged with sexual exploitation of a girl aged under 15 years. On 9 November 2020, the Court sentenced the offender to an imprisonment of 8 years 24 months.

- 6 other offenders are under the consideration of public prosecutors on sexual exploitation cases against children aged under 15 years.

3) **Ubon Ratchathani Case** – A girl aged under 18 years was a victim of child sexual exploitation. The case is now under consideration by the Court of Appeal.

6.2 Cases Related to Labour Trafficking (Forced Labour in Fisheries)

1) **Sichon Case** – DSI has gathered enough evidence against all 7 suspects and decided to forward the case to the public prosecutor on 1 March 2021. On 10 March 2021, the public prosecutor has finished considering the case and decided to submit all 7 victims to the Court. The case is now under the Court's consideration.

2) **Rui Sheng Shipping Vessel Case** – The public prosecutor has completed the consideration of the case and has decided to submit the case to the Court. The case is now under the Court’s consideration. All 3 suspects remain under custody at the Bangkok Remand Prison.

6.3 Other Labour Case (Offence under Labour Protection Act B.E. 2562)

Wadani Case – 10 witnesses from the plaintiffs’ side were already called to the Labour Court for witness hearing. Initially, 4 witnesses from the defendants’ side were scheduled for witness hearing on 5 February 2021, but the hearing was postponed to 20 – 21 April 2021 due to the COVID-19 situation.

6.4 Cases Related to Production and Commercial Exploitation of Pornographic Materials

1) **Operation Black Wrist** – DSI, through cooperation with INTERPOL, was alerted to a potential child sexual exploitation and harassment website of which the IP Address was located in Australia. And with the assistance of the Australian Federal Police (AFP), DSI could arrest a Thai national in Surin Province. The Court sentenced the offender to an imprisonment of 50 years. At the same time, the AFP also made an arrest of a suspect living in Australia. During the investigation, the AFP found pictures of victims from Thailand and informed DSI. This led to an arrest of one Thai offender in Bangkok. The Criminal Court sentenced the offender to an imprisonment of 19 years, but since the offender confessed, the sentence was reduced to 9 years and 6 months and a 300,000 THB compensation to the victims.

DSI’s further investigation led to an arrest of another suspect in Pathumthani Province on 21 May 2020. The police found files of child pornographic materials, involving the sexual exploitation of children. On 11 March 2021, the Court of Appeal sentenced the offender to an imprisonment of 6 months with a suspended sentence. The offender was put on probation for 1 year, and was liable to 12 hours of community services and a 15,000 THB fine. From DSI’s interviews with the children, 4 children were identified as victims of sexual exploitation, which led to an arrest of another suspect on 11 February 2021. The case is now under the consideration of an inquiry officer. The success of this operation is a result of DSI’s cooperation and information sharing with INTERPOL and the AFP.

2) **Nakhon Ratchasima Case** – DSI charged a German national living in Nakhon Ratchasima with possessing child obscene materials for the purpose of trade or for public distribution or exhibition. On 11 February 2021, the Provincial

Court sentenced the offender to an imprisonment of 8 months with a suspended sentence and a fine of 14,000 THB.

3) **Yasothon Case** – DSI together with relevant agencies arrested a Thai national on the charge of possessing child obscene materials for the purpose of trade or for public distribution or exhibition. Since the offender confessed, the Court sentenced the offender to an imprisonment of 3 years with a suspended sentence. The offender was put on 1 year probation and was liable to 48 hours of community services.

6.5 Cases of Forced Labour and Extortion

1) **Phuket Case** – The police found Cambodian children forced to sell garlands and eyeglasses to tourists on the streets of Phuket. Two cases are under the Court's consideration and two cases are under the process of OAG.

2) **Ladprao District Case** – DSI received a request from the Myanmar Labour Attaché, the Myanmar Embassy in Thailand, to rescue 11 Myanmar workers who were victims of forced labour at a jelly factory in Ladprao District, Bangkok. DSI in collaboration with the Department of Employment, the Department of Labour Protection and Welfare, the Immigration Police Division (1), Chokchai Police, the Myanmar Embassy, and the Ladprao District Office launched a search operation at the factory. The authorities managed to rescue 18 Myanmar workers (12 males and 6 females), two of whom were 16 and 17 years old. The victims told the authorities that they were forced to work from 07.00 to 24.00 hrs. and were not allowed to leave the factory premise. The multi-disciplinary team (MDT) interviewed and screened all the victims. 13 victims (7 males and 6 females) were identified as victims of human trafficking. Currently, all the victims are placed in the shelter for victim protection.

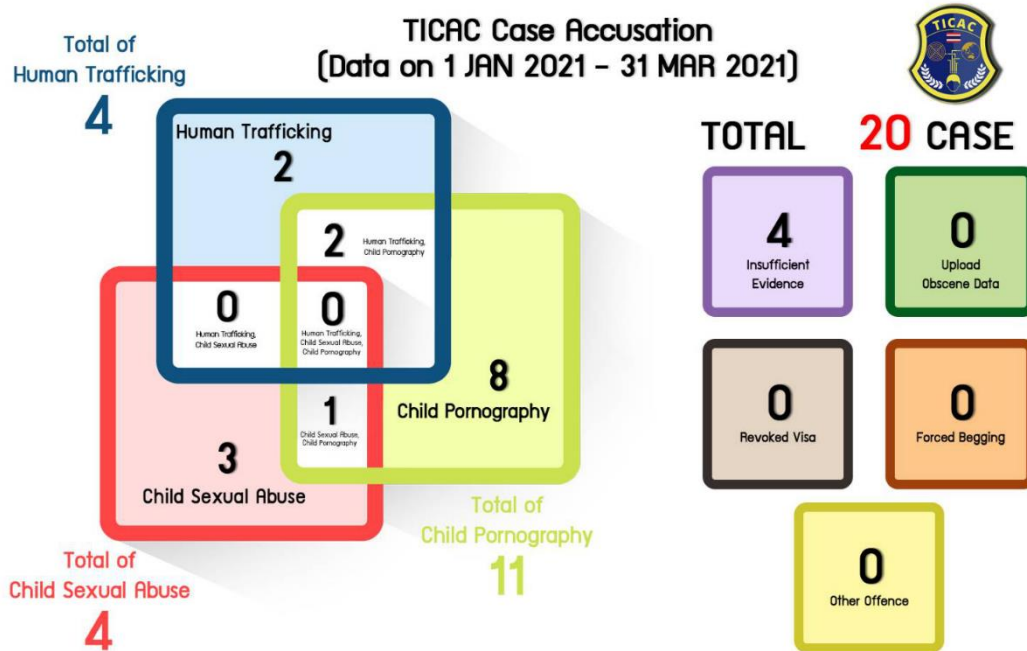
IJM provided interpreters and a temporary shelter for the rescued workers. The workers were also tested for COVID-19 before being sent to the shelter. On 16 February 2021, this case was admitted as a special case under DSI. DSI is now in the process of investigation and evidence gathering to prosecute the offender.

3) **Laotian Employee Case** – The public prosecutor completed the consideration of the case and decided to submit the case to the Samut Sakhon Provincial Court on 25 February 2021. The case is now under the Court's consideration.

7. The Work of Anti-Online Child Sexual Exploitation Sub-Division

From 1 January – 31 March 2021, the Anti-Online Child Sexual Exploitation Sub-Division, better known under its former name as TICAC, investigated 20 cases and was able to arrest offenders for 19 cases. One case is under further evidence collection and investigation (Diagram 6).

Diagram 6: TICAC Case Accusations



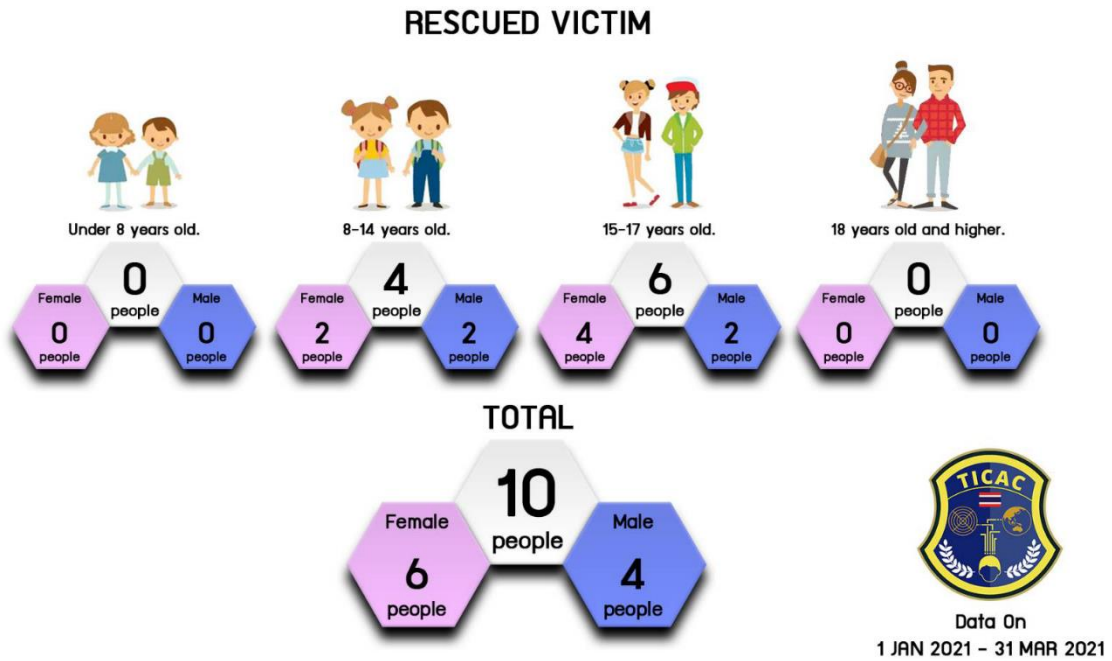
Among these, 18 were males and 2 were females, comprising 20 Thais (Diagram 7).

Diagram 7: The Number of Offenders



During 1 January – 31 March 2021, 10 victims were rescued comprising 4 children aged 8 – 14 years old (2 males and 2 females) and 6 minors aged 15 – 17 years (2 males and 4 females) (Diagram 8).

Diagram 8: The Number of Rescued Victims



Protection

Thailand continued to develop and put in place measures and mechanisms to ensure that the protection of human trafficking victims was based on a victim-centered approach and trauma-informed care. The Ministry of Social Development and Human Security (MSDHS) worked closely with relevant government agencies and NGOs to address the operational challenges posed by the COVID-19 pandemic. Key accomplishments of Thailand's progressive work during January – March 2021 were as follows:

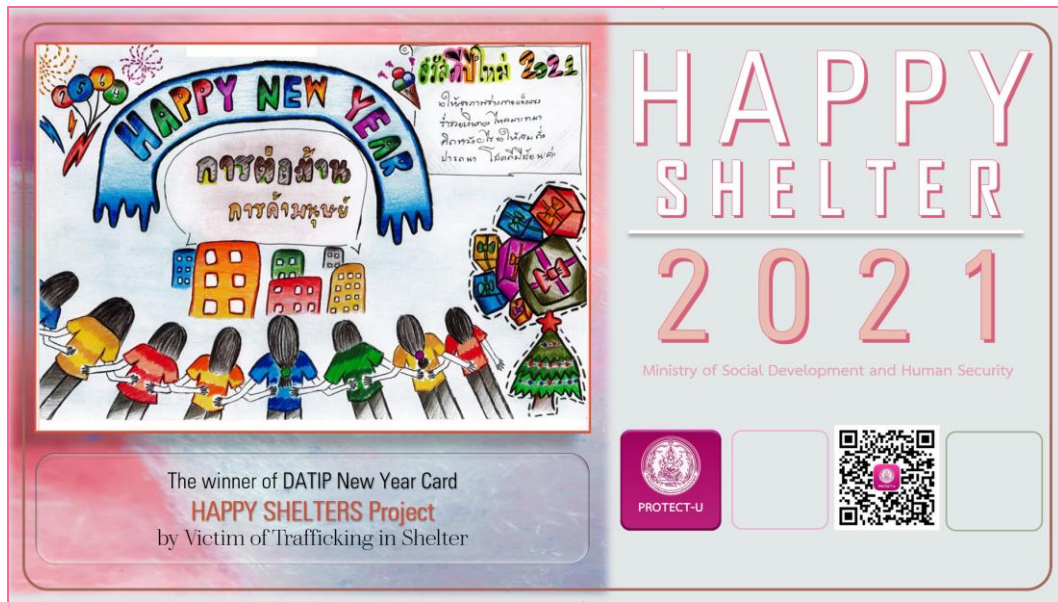
1. Protection and Assistance for Victims of Trafficking and Victims of Forced Labour or Services

1.1 Protection Granted to Victims of Human Trafficking and Victims of Forced Labour or Services

Services provided by the Welfare Protection Centres for Victims of Trafficking in Person (WPCVOTs) or commonly known as “the shelters” were the key to ensure effective protection and assistance to victims. The process started with an interview by a multi-disciplinary team to make an assessment of the victim and identify appropriate assistance for each individual case. The victim would be informed of his/her rights in every step of the process. In the case where the victim refused to stay at a government or private-run shelter, the social worker from MSDHS, as a member of the multi-disciplinary team, would regularly follow up with the victim to ensure that he/she received the same rights to government protection and assistance.

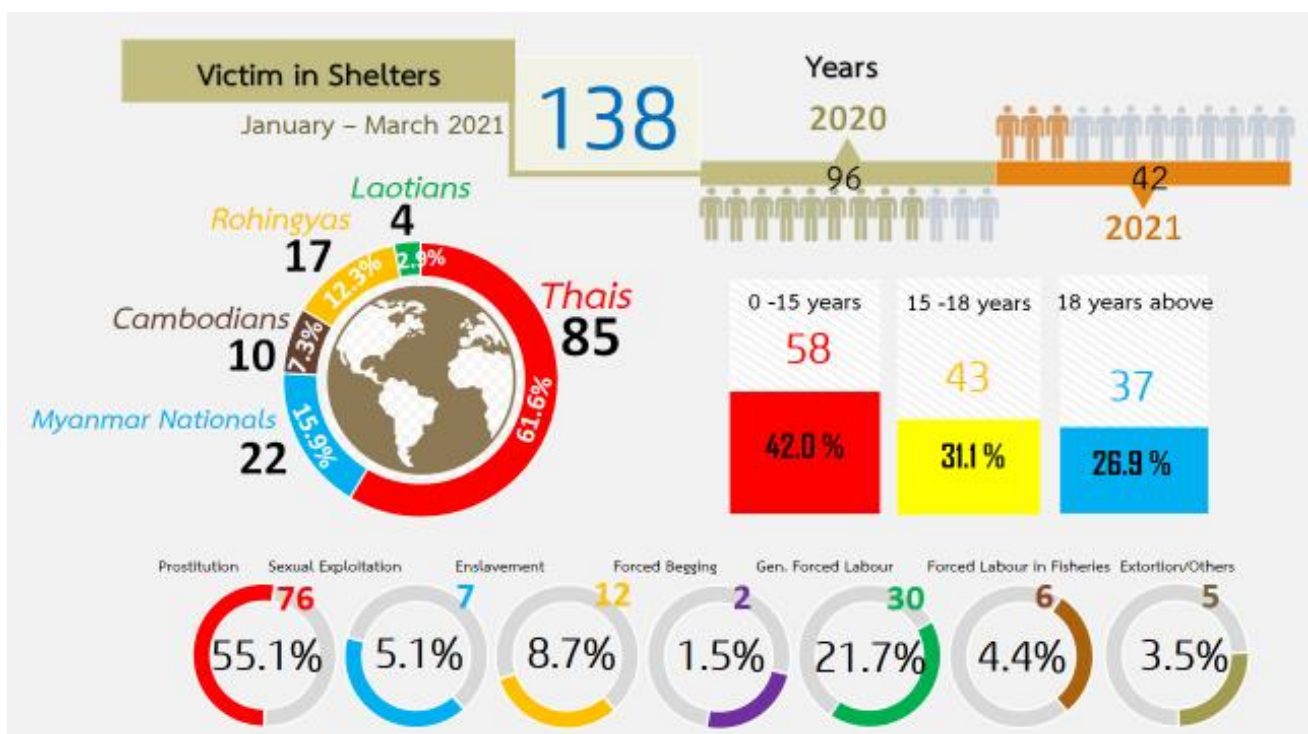
In 2021, MSDHS initiated the “Happy Shelter” project with an aim to enhance the use of trauma-informed care approach for victims at the shelters. The “Happy Shelter” project focused on tailoring the protection and care to each individual victim, promoting capacity building for shelter staff members and officials from concerned agencies, as well as providing a better environment for victims through the so-called “Color for Change” initiative, whereby the shelters were repainted in tones psychologically suitable for victims. This has helped ease the trauma suffered by victims of human trafficking during the protection and rehabilitation processes.

Diagram 1: Painting by Victim of Human Trafficking under the Happy Shelter Project



During January – March 2021, the Thai Government provided protection and assistance to 138 victims of human trafficking, comprising 96 remaining victims from 2020 and 42 additional victims. There were 85 Thais, 22 Myanmar nationals, 10 Cambodians, 17 Rohingyas, and 4 Laotians. In terms of age, 101 out of 138 victims were under 18 years old. The breakdown of human trafficking cases were as follows: 76 victims of prostitution, 7 victims of other forms of sexual exploitation, 12 victims of enslavement, 2 victims of forced begging, 30 victims of general forced labour, 6 victims of forced labour in fisheries, and 5 victims of extortion (Diagram 2).

Diagram 2: Number of Victims at the Shelters



1.2 Additional Protection Measures for Victims of Human Trafficking under the Covid-19 Situation

1) Admission of Victims at the Shelters

Despite the COVID-19 pandemic, WPCVOTs continued to admit new victims, while employing additional measures in line with the Ministry of Public Health (MOPH)'s COVID-19 guidelines, including mask wearing, social distancing, and designating separate areas within the shelters to prevent the spread of the disease and ensure health safety for all victims. Due to the effective disease control measures, no shelters have reported a case of COVID-19 infection (Diagram 3).

Diagram 3: COVID-19 Prevention Measures at the Shelters



2) Repatriation and Follow-up on Reintegration into the Society

During January - March 2021, due to border closure and limited number of repatriation flights, WPCVOTs continued to provide protection to foreign victims of human trafficking and general forced labour who could not return to their countries of origin.

As for victims of Thai nationality, 17 Thais were reintegrated into the society in the first quarter of 2021. Prior to their reintegration, MSDHS worked closely with the victims and their families to prepare for their life plans. MSDHS also collaborated with MSDHS provincial offices to monitor and provide assistance to the victims in their respective provinces in order to ensure sustainable reintegration and prevent revictimisation.

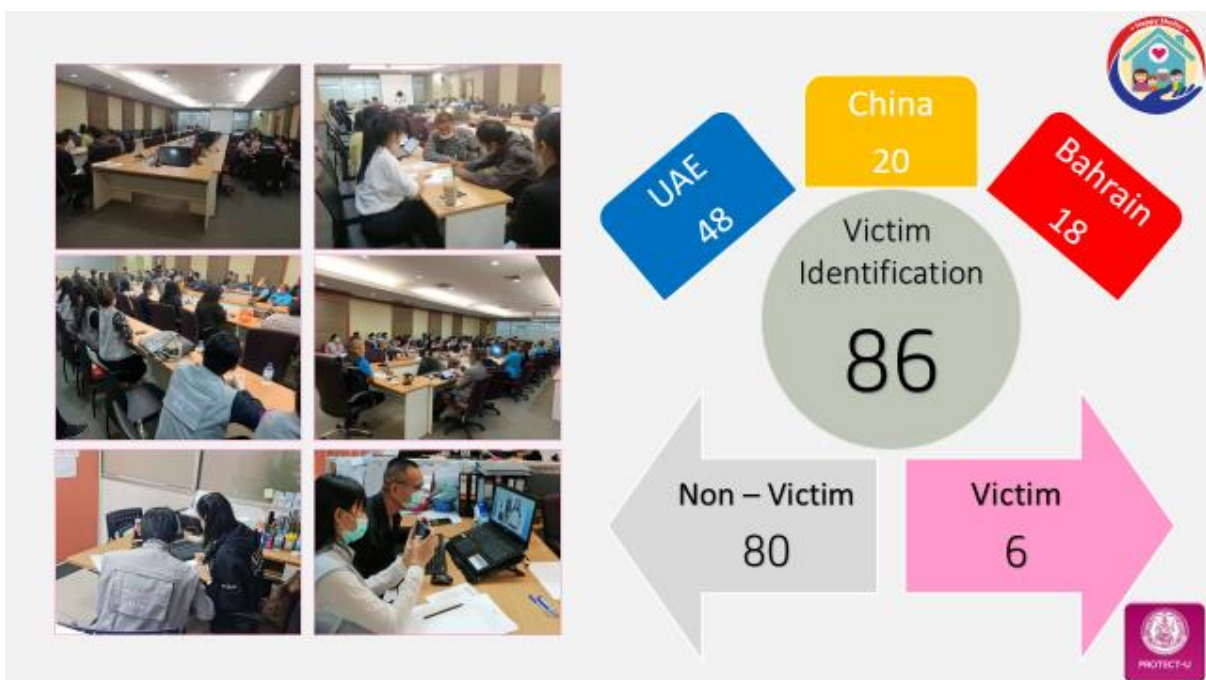
Furthermore, as a relief measure to help victims heavily impacted by the COVID-19 pandemic, MSDHS provided financial assistance from the Anti-Human Trafficking Fund to more than 20 victims in the amount of 60,000 THB each.

3) Repatriation of Thai citizens during the Covid-19 pandemic

Amidst the Covid-19 pandemic, all agencies concerned in Thailand (MFA, MSDHS, RTP and NGOs, such as the Hug Project and the Stella Maris Seafarers Center in Songkhla) actively coordinated and facilitated repatriation of Thai workers abroad. Upon their return to Thailand, these workers were required to complete the COVID-19 state quarantine and enter the identification process to determine whether they were victims of human trafficking, or victims of forced labour or services so that they could receive appropriate protection and care.

From January – March 2021, 86 Thai nationals were repatriated to Thailand (48 from the United Arab Emirates, 20 from China and 18 from Bahrain). Of this number, 6 were identified as victims of human trafficking and given proper assistance and care. As for the other 80 Thais, MSDHS also monitored the return to their hometowns and provided necessary assistance to ensure they would not fall prey to human trafficking in the future (Diagram 4).

Diagram 4: Victim Identification of Repatriated Thai Citizens



4) Collaboration between the Shelters and NGOs

MSDHS initiated “1 Shelter 1 Partnership” programme under the “Happy Shelter” project. The programme was aimed at establishing a strong partnership between the shelters and NGOs to provide protection and assistance to victims of human trafficking, and build a surveillance and monitoring network to protect potential victims of trafficking. This programme was designed to promote the role of the civil society in combating human trafficking.

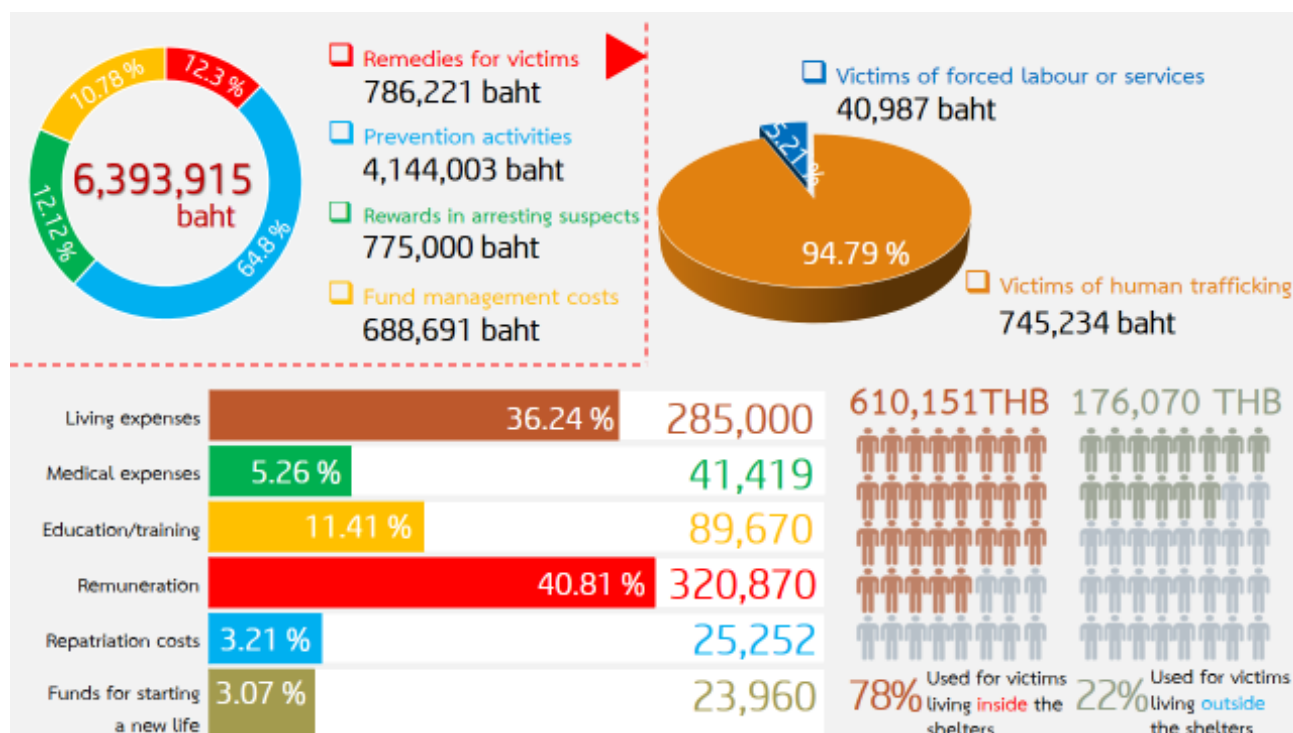


2. Equal Treatment in Remedy and Compensation Measures for Victims of Human Trafficking and Victims of Forced Labour or Services

According to the Emergency Decree Amending the Anti-Human Trafficking Act B.E. 2551 (2008) / 2562 (2019), victims of forced labour or services would receive care and protection as well as remedies equivalent to those rendered to human trafficking victims. Both groups of victims would receive remedies and financial assistance from the Anti-Human Trafficking Fund, such as living expenses during the period that the victims were searching for new jobs or were in the process of prosecution. The Emergency Decree also provided measures to protect the welfare of victims of forced labour or services and ensured that the trial procedure was in line with human rights principles.

From January – March 2021, the Thai Government approved an addition of over 14 million THB to the Anti-Human Trafficking Fund to be utilised for remedies and compensations for victims, as well as for activities on preventing human trafficking in Thailand.

Diagram 5: Remedies and Compensations for Victims (January – March 2021)



Source: Anti-Human Trafficking Fund as of 31 March 2021

The Royal Thai Government allocated 786,221 THB (25,361.97 USD) from the Anti-Human Trafficking Fund for remedies for victims of human trafficking as well as victims of forced labour or services. This was equivalent to 12.30 percent of the total sum of 6,393,915 THB (205,255.32 USD). Additionally, 4,144,003 THB (133,667.52 USD) or 64.80 percent was allocated for activities on prevention and suppression of human trafficking; 775,000 THB (25,000 USD) or 12.12 percent was allocated as rewards for those involved in arresting of suspects; and 688,691 THB (22,215.84 USD) or only 10.78 percent was used for the cost of fund management.

As for the remedies for victims, 745,234 THB (24,039.81 USD) or 94.79 percent was distributed to victims of human trafficking while 40,987 THB (1,322.16 USD) or 5.21 percent was distributed to victims of forced labour or services. In terms of residences, 610,151 THB (19,682.29 USD) or 78 percent was accounted for victims living inside the shelters and 176,070 THB (5,679.68 USD) or 22 percent for those living outside the shelters. The largest portion of the remedies was for remuneration for victims working inside the shelters, which amounted to 320,870 THB (10,350.65 USD) or 40.81 percent. This was due to the fact that during the COVID-19 pandemic, the victims were unable to return to their hometowns or work outside. The shelters, therefore, tried to offer more job opportunities for the victims. This was followed by 285,000 THB (9,193.55 USD) or 36.24 percent in living expenses for victims, 89,670 THB

(2,892.58 USD) or 11.41 percent in education and training, 41,419 THB (1,336.10 USD) or 5.26 percent in medical expenses, 25,252 THB (814.58 USD) or 3.21 percent in funds for starting a new life, and 23,960 THB (772.90 USD) or 3.07 percent in repatriation costs.

Also, MSDHS attached great importance to promote an “Individual Development Plan (IDP)” for sustainable reintegration of victims into the society. For instance, during January – March 2021, MSDHS carried out an IDP for a case involving a male victim of pornography, which occurred at the end of 2019. Given the fact that the victim was a student at a well-known school and was selected to be the school’s musician, he was extremely traumatised by this human trafficking experience. MSDHS worked very closely with the victim and his family and formulated an IDP for the victim, who decided that he would like to improve his English skills for his future career. MSDHS, therefore, granted 60,000 THB (1,937.97 USD) for the victim’s English training course.

An IDP was not simply provided to human trafficking victims of Thai nationality, but also to foreign victims for their reintegration into the society. One instance was a case of a Cambodian victim of forced labour in fisheries. MSDHS developed an IDP for this victim and provided him with a grant of 112,500 THB (3,633.70 USD) from the Anti-Human Trafficking Fund. MSDHS then collaborated with IJM Thailand and IJM Cambodia to follow up with the victim after he was repatriated to Cambodia. IJM Cambodia reported that the victim appreciated the substantive grant from the Anti-Human Trafficking Fund and made good use of the received assistance, including planning to purchase a plot of land for farming in order to earn a living for his family.

3. Promoting Mobile Application “PROTECT-U” to Reach out to Target Groups in High-Risk Areas

MSDHS continued to ensure the monitoring mechanism of human trafficking by promoting the wider use of “PROTECT-U” mobile application to reach out to vulnerable groups and victims of human trafficking in high-risk areas. The mechanism aimed at providing information to the network of civil society so that they were able to monitor human trafficking cases in their areas and request for help via the “PROTECT-U” application. This application focused on the collaboration with the civil society, such as MSDHS volunteers, community leaders, and youth leaders. It was first launched in Bangkok as the pilot area and would subsequently be expanded to other places. Additionally, MSDHS carried out PR campaign of “PROTECT-U” application by distributing stickers and publicising download links to raise awareness and encourage wider

use of this mobile application. Updated statistics on the use of “PROTECT-U” application since its launch in 2019 appear in Table 1.

Table 1: Statistics on the Use of “PROTECT-U” Application Used by Users

Number of Downloads and Functions Used by Users	2019	2020	2021 (Jan-Mar)	Total
Number of Application Downloads	783	720	65	1,568
Reporting Human Trafficking Cases	7	32	0	39
Checking Victim’s Legal Rights Form	1,201	1,022	152	2,375
Requesting an Interpreter	143	53	21	217
Evaluating the Application	40	11	0	51
Viewing Products Made by Victims	904	1,047	69	2,020
Total	3,078	2,885	307	6,270

Source: National Database on Human Trafficking Prevention and Suppression



4. Enhancing Cooperation between a Country of Origin and a Country of Destination for the Protection of Human Trafficking Victims (Cambodia)

The Royal Thai Government (MSDHS, the Office of the Judiciary, OAG, RTP, MOJ, MFA, and other related agencies) was resolute in enhancing the protection of human trafficking victims. Realising that the cooperation between the country of origin and the country of destination was essential in ensuring that the victims received protection and assistance according to their rights during the legal proceedings, Thailand and Cambodia collaborated on drafting the Standard Operating Procedure (SOP) for Assistance for Victims of Trafficking in Persons during the Criminal Procedure between Thailand and Cambodia. A virtual meeting on this SOP was held on 18 January 2021 with the IOM’s support. Subsequently, Thailand and Cambodia would circulate this SOP to the concerned agencies on both sides to improve the efficacy of their protection services for victims of trafficking in persons (Diagram 6).

Diagram 6: Thailand – Cambodia Bilateral Meeting to discuss the Final Draft of SOP Law Enforcement Cooperation



5. Engaging with Relevant Stakeholders through “Open Heart Seminar”

MSDHS was tasked with convening regular public hearings on the prevention and suppression of human trafficking through “Open Heart Seminar.” The main purpose was to exchange opinions and best practices between government agencies and NGOs on the current policy implementation and to collectively address challenges in Thailand’s anti-human trafficking efforts. Due to the COVID-19 pandemic, the seminar was postponed. MSDHS will reschedule the next round of seminar once the COVID-19 situation improves.

Prevention

The Thai Government continued to carry out preventive policies and other necessary measures in order to ensure that the vulnerable groups would not fall victim to human trafficking, particularly during the difficult situation under the COVID-19 pandemic, the second wave of which broke out in Samut Sakhon Province in December 2020. In handling the new challenges, proactive and practical approaches, such as the registration of migrant workers regardless of their employment status and assistance to detained migrants, were implemented to legalise their stay and employment and provide necessary protection, thus preventing these migrants from the risk of human trafficking.

1. Preventive Measures against Trafficking in Persons during the COVID-19 Pandemic

1.1 Prevention of and Screening for COVID-19 Cases

Since the COVID-19 outbreak, the Thai Government imposed a number of policies and measures to curb the spread of the pandemic. As part of the Government's measures to limit the importation of COVID-19 cases into the country, borders were closed, additional checkpoints were set up and patrol units proactively monitored along the roads and other transportation routes. The Government also took harsh legal action against those found guilty of people smuggling. With strict measures and restrictions on movement of people in place, illegal border crossing activities declined. The risk of illegal migrants falling victim to human trafficking decreased accordingly.

In response to the challenges posed by the new wave of COVID-19 pandemic in December 2020, the Government designated the COVID-19 zoning areas, tightened disease control measures and strengthened medical capacity and preparedness. Active case finding was conducted among Thai and migrant workers in Samut Sakhon and other areas at risk. Furthermore, as Samut Sakhon was designated the maximum and strict control zone (dark red zone), MOPH implemented the stricter "Seal and Bubble Measures" in February 2021. The goal was to curb the spread of COVID-19 infections among migrant workers by temporarily regulating the travel and movement of workers.

The Thai Government's inclusive measures to tackle the new wave of COVID-19 in Samut Sakhon not only enabled migrant workers to receive COVID-19 test and proper treatment, but also helped regulate the employment of migrant workers, reducing the risk of human trafficking or forced labour activities.

1.2 Permission for Migrant Workers to Stay in the Kingdom during the COVID-19 Situation

During the new wave of COVID-19 pandemic with a rising number of infections of COVID-19 among illegal migrant workers, the Government took a proactive and practical approach in registering migrant workers in the system, regardless of their employment status, which enabled them to receive necessary assistance. This measure helped prevent migrant workers from going unrecorded and staying illegally in Thailand, which could put them at a higher risk of human trafficking through illegal employment. With more migrant workers being registered, the database and surveillance provided under the registration system were useful for the authorities in monitoring and providing necessary protection for these workers.

1) Assistance for Migrant Workers with or without Employers

On 29 December 2020, the Cabinet approved the special exceptions for migrants of three nationalities (Cambodia, Lao PDR, and Myanmar) to stay in the Kingdom and work legally as a special case until 13 February 2021, as proposed by MOL. Migrant workers could register online with the Department of Employment during 15 January – 13 February 2021 to regularize their stay. They were not required to have a valid identity document issued by their country of origin to complete the registration. Those unemployed were allowed to register in the Department of Employment system, however, they are required to find employers by 13 September 2021 in order to obtain valid work permits.

Moreover, as the COVID-19 pandemic might cause difficulties for migrant workers to undertake the required medical and COVID-19 tests and biometric data procedure, on 26 January 2021 the Cabinet approved the deadline extension to facilitate these workers. Migrant workers are allowed to submit a COVID-19 test by 16 April 2021 and a medical check-up result as well as a health insurance by 18 October 2021. They are also permitted to complete the biometrics data collection with the Immigration Bureau by 16 April 2021.

As of 13 February 2021, the total number of migrant workers registered with the Department of Employment was 654,864, comprising 596,478 employed workers and 58,386 unemployed migrants. In terms of nationalities, there were 203,679 Cambodians, 67,108 Laotians, and 384,077 Myanmar nationals.

As for migrant workers in Thai fishing vessels, the Department of Fisheries also facilitated the issuance and extension of seabooks in accordance with the additional subordinate legislations under the Royal Ordinance on

Fisheries B.E. 2558 (2015), which were enacted in April 2020. The seabook registration and issuance was an important measure in reducing the risks of labour abuse and human trafficking in the fisheries sector as migrant workers could be registered in the system and their data shared with all the agencies involved.

Diagram 1: Operational Guidelines for Migrant Workers in Thailand with Employers

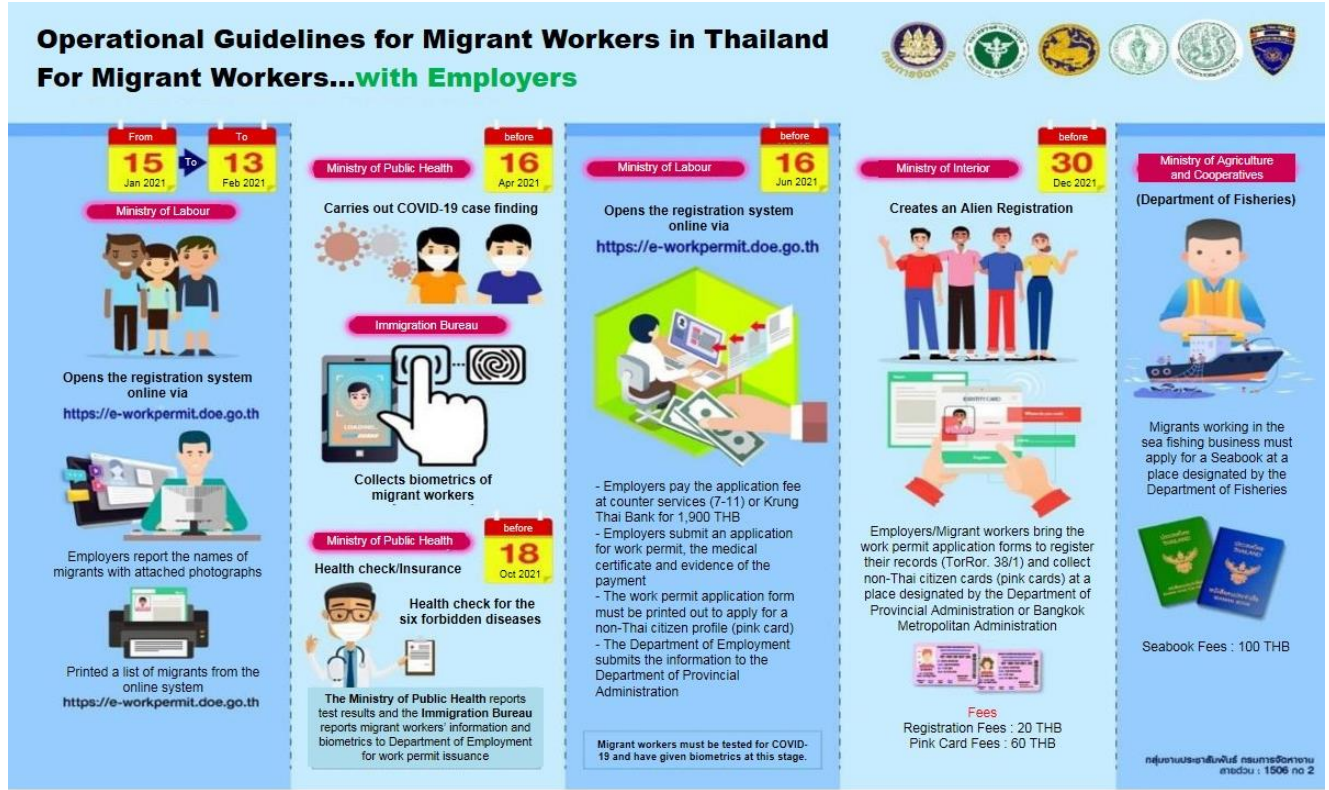
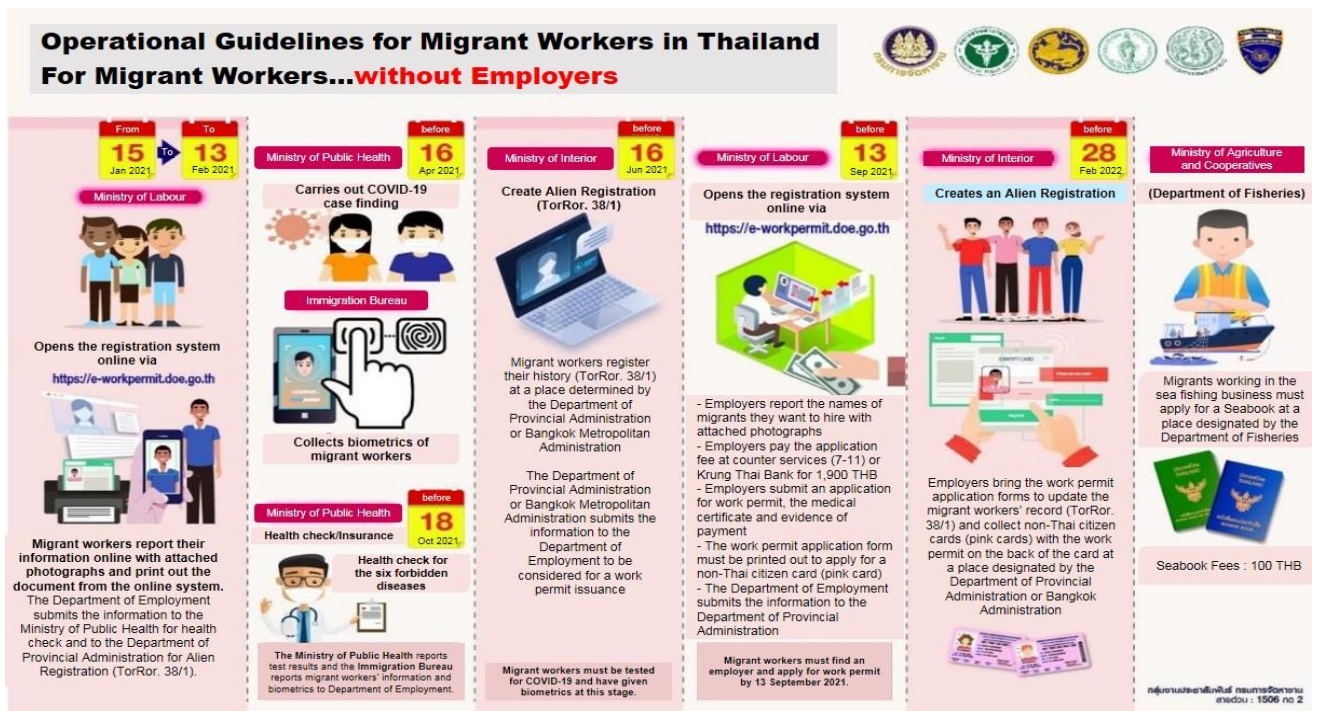


Diagram 2: Operational Guidelines for Migrant Workers in Thailand without Employers



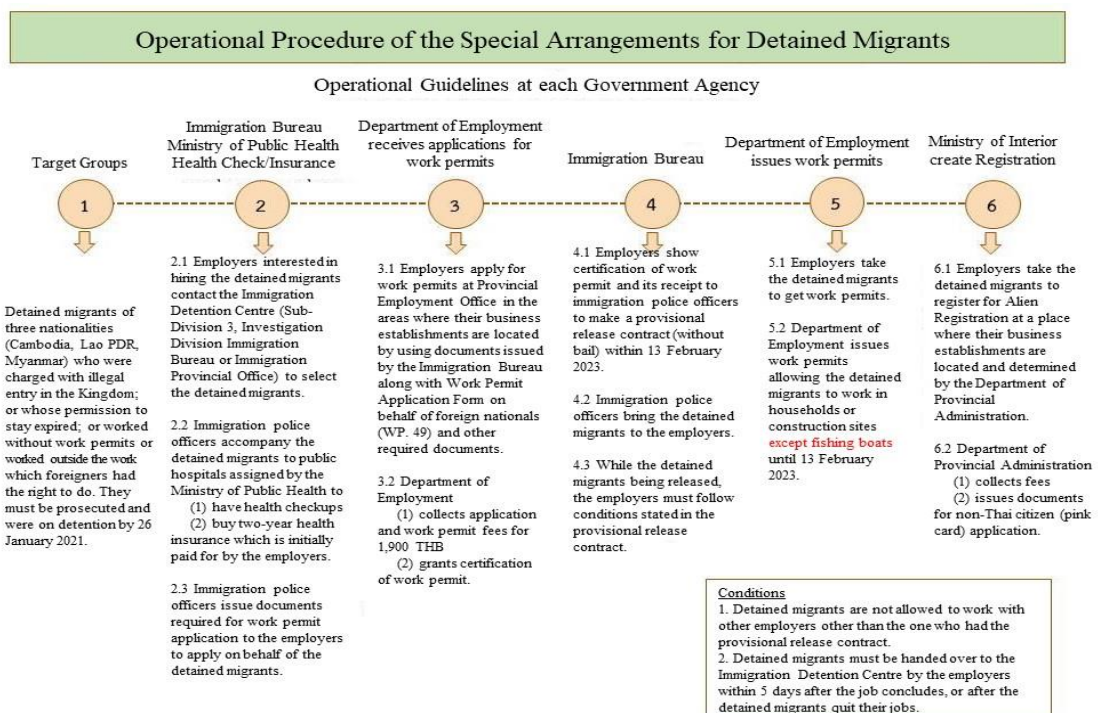
2) Assistance for Detained Migrants

Under the COVID-19 situation, Thailand took a progressive approach on the management and assistance programme for migrants of three nationalities (Cambodia, Lao PDR, Myanmar) who were detained and already completed the prosecution process, awaiting repatriation. The COVID-19 travel restrictions caused difficulties in the repatriation of detainees to their home countries. To address this problem and ease the hardships faced by detained migrants, on 29 December 2020 the Cabinet approved special arrangements allowing employers who were interested in hiring detained migrants of the three nationalities to do so by applying for a provisional release contract (without bail) at the Immigration Bureau. These special arrangements not only helped make the migrants less vulnerable to human smuggling and trafficking, but also allowed them to earn a livelihood to support themselves and their families.

Detained migrants eligible for these arrangements must be those who were charged with illegal entry into the Kingdom; or whose permission to stay in the Kingdom expired; or who worked without work permits or worked outside the permitted employment. Also, they must already be in detention by 26 January 2021.

Detained migrants under these provisional release contracts were allowed to work until 13 February 2023. While on the provisional release contract, the employers are required to accompany the migrants to report themselves at the Immigration Detention Centre or Immigration Provincial Office every 90 days.

Diagram 3: Operational Procedure of the Special Arrangements for Detained Migrants



3) Public Relations Campaigns and Facilitation for Migrant Workers

Thai agencies conducted campaigns to provide information and raise awareness on special arrangements and procedures under the COVID-19 situation among migrant workers. Videos on Facebook and television and print media were available in three languages (Cambodian, Laotian and Myanmar). Also, in accordance with the Cabinet’s special arrangements for migrant workers’ registration on 29 December 2020, the Department of Employment set up the online registration website at <https://e-workpermit.doe.go.th> to facilitate both employers and workers as well as to prevent the spread of COVID-19. The website is available in Cambodian, Laotian and Myanmar languages to reduce migrant workers’ language barriers.

4) Migrant Workers Assistance Centres

During the COVID-19 pandemic, the migrant workers assistance centres across Thailand remained open and continued to provide consultations and services to migrant workers, including pertaining to the Cabinet’s approval of the special arrangements on 29 December 2020. Statistics on the centres’ services provided appear in Table 1.

Table 1: Services Provided by Migrant Workers Assistance Centres

No.	Type of Services	Number of Migrant Workers Receiving Services
1.	Providing consultation, advice and assistance:	49,297
	1) Compensation benefits from work-related injuries	-
	2) Expenses for migrant workers’ return to home countries	279
	3) Severance compensation	5
	4) Overdue wage payments by employers	118
	5) Advice on related laws	-
	6) Travelling outside migrant workers’ area of residence	239
	7) Changing / adding employers	17,862
	8) Changing / adding workplaces and changing job description	4,483
	9) Replacing damaged or lost work permits	3,606
	10) Updating registry and copying evidence documents	9,801
	11) Migrant workers’ rights, e.g. Social Security Fund	1,915
	12) Providing necessary information for migrant workers, e.g. COVID-19 situation	10,756
	13) Migrant workers recruitment fees	233
2.	Assisting migrant workers to receive unpaid wages	102
3.	Mediating disputes	399
4.	Coordinating with relevant agencies to provide assistance	171
5.	Transferring migrant workers to relevant agencies for their return to home countries	65
6.	Providing temporary shelters for migrant workers	36
	Total	50,070

2. Legal Amendments and Improvements

1) **Amendments to the Ministerial Regulations on the Protection of Labour in the Marine Fisheries, B.E....** were drafted to provide additional protection related to wages, safety, and other benefits for labours working in the high seas. These amendments would help preventing forced labour in fisheries sector and ensure the effective implementation of ILO Convention No. 188 on Work in Fishing (2007). The amendments are currently under the consideration of the Sub-committee on Fisheries Sector and Fisheries Labour Laws.

2) **The Draft Emergency Decree Amending the Anti-Human Trafficking Act B.E. 2551 (2008) (No... B.E....)** is under the consideration of the working group, which has so far held 5 public hearings to set guidelines on transferring the assets seized from human trafficking offenders to the Anti-Human Trafficking Fund. The amendments will focus on the procedure of asset seizure, the setting up of a committee to investigate assets seized from offenders, the use of fund to compensate human trafficking victims and carry out anti-human trafficking measures, and punishment guidelines on asset seizure. Currently, each article is being reviewed.

3. Capacity-Building and Training Programmes

The Thai Government continued to enhance the capacity of labour inspectors, law enforcement officers and officers of other government agencies involved in combatting human trafficking. In the first three months of 2021, several capacity-building and training programmes were held as follows:

- Workshop on enhancing the efficiency in prevention and suppression of forced labour and labour trafficking was organised by MOL's Department of Labour Protection and Welfare during 23 – 24 February 2021. This hybrid-styled workshop was attended by 15 central labour inspectors and joined by 90 provincial and BMA labour inspectors via video conference;

- Trainings on enhancing the capacity of labour inspectors in investigating and inspecting forced labour and labour trafficking cases for 3 batches (a total of 60 officers) were organised by MOL in March 2021;

- Trainings on labour inspection, suppression and prosecution of employers/business establishments hiring illegal migrant workers are scheduled from March – September 2021 with the target number of 100 officials from the Department of Employment and its provincial offices. The goal is to strengthen the enforcement of the Royal Ordinance Concerning the Management of Employment of Foreign Workers B.E. 2560 (2017) and its Amendments B.E. 2561 (2018).

- Capacity building activities under ASEAN-ACT including a training programme on basic prosecution of human trafficking cases for 3 batches of public prosecutors between February – March 2021; a bilateral meeting between the RTP/DSI and the Cambodian National Police on transnational crime investigation on 25 February 2021; a bilateral meeting between the RTP and the Royal Malaysia Police to cooperate on cross-border human trafficking cases on 24 March 2021; a training programme on human trafficking cases relating to the United Nations Office on Drugs and Crime (UNODC) in March and April 2021; and a seminar on the trauma-informed care approach for judges, supported by the IJM, to be held on 20 – 21 May 2021 whereby judges and experts from the Philippines will be invited to be guest speakers.

4. International Cooperation and Multi-Stakeholder Partnerships

The Royal Thai Government continued to strengthen the existing partnership and explore new cooperation with various stakeholders in order to enhance efficiency in prosecution, improve protection services for human trafficking victims and prevent risk groups from falling preys to human trafficking.

4.1 Joint Collaboration between the International Organisation for Migration (IOM) and the Department of Employment: on 24 December 2020 representatives from both agencies had a discussion on cooperation to further improve the video clips used for migrant worker trainings at the Post-Arrival and Reintegration Centres for Migrant Workers across Thailand. Providing necessary trainings would allow newly arrived migrant workers to learn about their rights, responsibilities, and ways to reach out for help, thus reducing their vulnerabilities to labour abuse and human trafficking. Training contents are currently being reviewed for further production.

4.2 South East Asia Regional Programme on Labour Migration in the Fishing Sector or Ship to Shore Rights South East Asia Programme is the phase II of the ILO' Ship to Shore Rights Programme in Thailand with MOL. The EU provided a funding of 10 million EUR for the programme. Phase I project was officially completed in March 2020. Phase II is currently being implemented as a 5-year project (2020 – 2025) and is expanded to cover 7 Southeast Asian countries, i.e. Cambodia, Indonesia, Lao PDR, Myanmar, Philippines, Thailand, and Vietnam. The purpose is to strengthen the legal frameworks and policies, to protect labour rights, and to promote job safety and security, especially for migrant workers.

4.3 Thailand – US Cooperation: Within the framework of the newly established joint Thailand – US task force, the Thai side has proposed to cooperate with the US Agency for International Development (USAID) on

capacity building efforts in all 3Ps. In prosecution, Thailand has requested for the US anti-human trafficking experts/ specialists to train Thai police officers, OAG officials and MOJ officials. On protection, MSDHS has sought the US assistance on services for LGBTIQ victims at the shelters. As for prevention, MOL has requested the US support in (1) the use of blockchain technology in the importing system of migrant workers and the development of a mobile application called “Verifik8 (V8)” to enhance the efficacy in the protection of migrant workers; (2) capacity building on in-depth labour inspection for effective victim identification; and (3) trainings on Cambodian and Myanmar languages for officials from concerned agencies.

Moreover, the Thai side has cooperated with Homeland Security Investigation (HSI) and International Law Enforcement Academy Bangkok (ILEA Bangkok) on a “Training the Trainers” programme to prevent and suppress human trafficking. ILEA Bangkok will also organise an “Instructor Development Course” for 24 Thai law enforcement officers to enhance their training skills and help them create a systematic course design and training kits. The programme will run for 2 weeks.

4.4 ASEAN-ACT: The ASEAN-ACT Sub-Committee chaired by the Permanent Secretary of the Ministry of Justice held a meeting on 8 December 2020 to approve the 2021 action plan. The action plan was based on the expected outcome of ASEAN-ACT and member states’ national policies, sustainability principle, and consideration of victims’ sensitive issues, gender and human rights standard. Activities under this action plan include:

1) 7 capacity building activities to enhance the capacity of ASEAN in order to uphold the ASEAN Convention against Trafficking in Persons, Especially Women and Children (ACTIP) by working with ASEAN member states and Senior Officials Meeting on Transnational Crime (SOMTC) to support the Bohol Work Plan and exchange information on the handling of COVID-19 situation via online communication;

2) 39 capacity building programmes for officers and organisations in ASEAN member states to comply with the ACTIP;

3) 4 projects for working-level officials on public policies to promote the compliance with the ACTIP.

List of Acronyms and Abbreviations

ACTIP	ASEAN Convention against Trafficking in Persons, Especially Women and Children
AFP	Australian Federal Police
AMLO	Anti-Money Laundering Office
ASEAN	Association of Southeast Asian Nations
ASEAN-ACT	ASEAN-Australia Counter-Trafficking
ATPD	Anti-Trafficking in Persons Division
BMA	Bangkok Metropolitan Administration
C.A.R.E.	Care Abuse Resistance Education
COVID-19	Coronavirus Disease 2019
DSI	Department of Special Investigation
EU	European Union
HSI	Homeland Security Investigations
IDP	The Individual Development Plan
IJM	The International Justice Mission
ILO	International Labour Organisation
ILEA	International Law Enforcement Academy
IOM	International Organisation for Migration
Lao PDR	Lao People's Democratic Republic
LGBTIQ	Lesbian, Gay, Bisexual, Transgender, Intersex and Queer
MDT	The multi-disciplinary team

MFA	Ministry of Foreign Affairs
MOI	Ministry of Interior
MOJ	Ministry of Justice
MOL	Ministry of Labour
MOPH	Ministry of Public Health
MOU	Memorandum of Understanding
MSDHS	Ministry of Social Development and Human Security
NGOs	Non-Governmental Organisations
OAG	Office of the Attorney General
O.U.R	Operation Underground Railroad
PMDU	The Prime Minister's Delivery Unit
RTP	Royal Thai Police
SOMTC	Senior Officials Meeting on Transnational Crime
SOP	The Standard Operating Procedure
THB	Thai Baht
TIP	Trafficking in Persons
UAE	United Arab Emirates
USAID	U.S. Agency for International Development
UNODC	United Nations Office on Drugs and Crime
USD	US Dollar
V8	Veridik 8
WPCVOTs	Welfare Protection Centres for Victims of Trafficking in Persons
