



Thailand's Country Report

on Anti-Human Trafficking Response

2020



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Table of Contents

Chapter 1	Executive Summary	5
Chapter 2	Key Achievements in 2020	10
	Prosecution	10
1	Statistics on Human Trafficking Cases, Suspects, and Victims	13
2	Prosecution of Human Trafficking Cases	16
3	Prosecution of Complicit Officials in Human Trafficking Cases	26
4	Asset Restraints and Seizures by the Anti-Money Laundering Office (AMLO)	31
5	Measures to Improve the Efficacy of Human Trafficking Prosecution	33
6	Examples of Human Trafficking Cases in 2020 and Prosecution Progress	40
7	The Work of Thailand Internet Crimes Against Children Task Force (TICAC)	46
	Protection	48
1	Protection and Assistance for Victims of Trafficking	49
2	Enhancing the Use of Trauma-Informed Care Approach	56
3	Facilitating Foreign Victims' Permits to Stay in Thailand and Ensuring Victims' Ability to Move Freely in and out of the Shelters	60
4	Assistance and Protection for Witnesses in Human Trafficking Cases	63
5	Financial Assistance for Victims of Trafficking and Victims of Forced Labour or Services	64
6	Access to Services through Mobile Application "PROTECT-U"	67
7	Promoting Multi-stakeholder Partnership in the Protection Process	68

Prevention	71
1 2020 Budget Allocation for Prevention and Suppression of Trafficking in Persons	72
2 Legal Amendments and Improvements	72
3 Anti-Trafficking in Women and Children	74
4 Prevention of Forced Begging	78
5 Prevention of Trafficking in Thai Labours Seeking Overseas Employment	80
6 Prevention of Trafficking in Migrant Workers to Thailand	85
7 Improving Capacity and Efficacy of Labour Inspections	91
8 Enhancing Complaint Mechanism and Raising Public Awareness	98
9 Development of Inter-Agency Anti-Trafficking Database	100
10 Advancing Business Practices to Prevent Human Trafficking and Labour Exploitations in line with International Standards	101
11 International Cooperation and Multi-stakeholder Partnerships	102
Chapter 3 Future Plan	105
List of Acronyms and Abbreviations	107



Executive Summary

Despite the challenges posed by COVID-19 pandemic, Thailand continued to be resolute in carrying out the national agenda of zero tolerance towards human trafficking. Throughout 2020, the Royal Thai Government redoubled efforts and enhanced the efficacy in preventing and suppressing all forms of human trafficking. At the policy level, more budget continued to be allocated for anti-human trafficking, increasing by 5.85 percent from 3,806.82 million THB (126.89 million USD) in 2019 to 4,029.35 million THB (134.31 million USD) in 2020. None was re-purposed or affected by the COVID-19 situation.

Thailand reported the first case of COVID-19 in the country in January 2020. To control the situation, the Thai Government declared an Emergency Situation in all areas of the Kingdom since March 2020. The declaration involved public health measures related to people movements that aimed at curbing and preventing the spread of the pandemic including temporary curfews and closures of some businesses as well as border control restrictions for both Thai and foreign nationals.

The COVID-19 pandemic and the consequent measures developed to handle it presented both opportunities and challenges to Thailand's continuing efforts in combatting human trafficking in 2020. Curfews and temporary closures of service businesses reduced possible opportunities for sex and labour trafficking – a greater number of migrant workers returned to their home countries awaiting the reopening of workplaces, while border-control restrictions made it more difficult for transnational organised crime groups to commit human trafficking. At the same time, there was a spike in online child sexual exploitations as children spent more time on the internet during school closures. This prompted law enforcement agencies, in particular Thailand Internet Crimes Against Children (TICAC), to intensify the efforts that led to one of the biggest online sting operations in Thailand.

The Government in collaboration with the U.S. Embassy in Bangkok also set up a joint Thailand-U.S. task force as a platform for exchanging information and updates on Thailand's progress in combatting trafficking in persons and discussing ways to further our cooperation. The task force held two productive meetings in late 2020 and would continue the momentum in 2021.

The Government continued to improve relevant laws and regulations and issued directives and measures to comprehensively enhance the prosecution, protection, and prevention process. The efficiency of these efforts was warranted by the single command of a Deputy Prime Minister assigned by the Prime Minister to oversee the three national committees related to anti-human trafficking.

Key outcomes and progress of Thailand's anti-human trafficking efforts in 2020 are as follows:

- **Prosecution:** One of the highlights was the upgrade of the Thailand Internet Crimes Against Children (TICAC) Taskforce to become a permanent agency with so many tangible outcomes. TICAC had cooperated closely with FBI, the U.S. Homeland Security Institute, and other partners in intelligence-sharing that led to rescues of over 43 children and arrests of 97 offenders in 2020. TICAC also launched a nationwide cyber sting operation in response to the upticks in the number of suspected online child exploitation cases, leading to 44 arrests and 9 search operations across 24 provinces and uncovering over 150,000 files of child sexual abuse material involving over 100 children. This was the biggest and most successful operation to crack down on online child exploitations in Thailand to date.

The COVID-19 situation resulted in lower prosecution statistics across the board compared to 2019: the number of human trafficking cases decreased from 288 cases to 132, the number of offenders decreased from 555 to 180, and the number of victims decreased from 1,821 to 230 .

Nevertheless, the prosecution process was improved as a result of enhanced capacity of the law enforcement agencies. In particular, the length of time for inquiry officers, public prosecutors, and the Courts to complete the consideration of cases continued a decreasing trend and 91.46 percent of the submitted cases were adjudicated by the Courts within one year.

Human traffickers were still severely punished with 135 of 199 cases, or more than 67 percent, handed down imprisonment sentences of five years or more, while the victims continued to be awarded greater compensations and restitutions amounting to 26,047,693 THB (868,256 USD) in total.

Continuing efforts were made to address the problems of complicit officials. Additional nine officials suspected of complicity in human trafficking activities were subjected to criminal case investigation and prosecution, while there continued to be progress in cases from the previous years.

The Courts also continued to allow advanced witness hearings/non-confrontational hearings to prevent victims of trafficking from being re-traumatised. Video Conference Courtroom system was made available throughout the country to ensure a victim-centred approach.

Great importance was still attached to capacity-building for the police, public prosecutors, Court personnel, and other officials working on human trafficking cases. These included trainings on victim identification, the use of victim-centred approach, case analysis, and online investigation, some of which were organised in collaboration with the United Nations Office of Drug and Crime (UNODC), the ASEAN-Australia Counter-Trafficking (ASEAN-ACT), and NGOs such as the International Justice Mission (IJM).

- **Protection:** The Government continued to provide assistance and protection for all victims of trafficking in accordance with the Thai laws and in line with the victim-centred and trauma-informed care approach. 148 victims of human trafficking and forced labour were protected in government or NGO-run shelters. 51 witnesses were under protection programmes, which continued to be enhanced through an increased number of protection officers and provision of safe houses. A total of 7.64 million THB (254,591 USD) from the Government's Anti-Trafficking Fund was provided to the victims as initial remedies.

Services at the shelters had been improved with an increasing number of psychiatrists and social workers to provide counsel in line with the victims' individual needs, scheduled interpretation services, a pilot shelter area to provide dedicated services for LGBTIQ victims, and bonding activities organised by the shelters. Victims could use communication devices to contact their family members. Those permitted to work or study outside the shelters could do so unchaperoned, while employment opportunities were also available in the shelters. Collaboration with NGOs, such as Save the Children, A-21 Foundation, Stella Maris, IJM, HUG Project, and the Human Rights and Development Foundation, covered in-shelter service deliveries, assistance for victims' repatriation, and capacity building for shelter staff. Special measures were put in place in the shelters during the COVID-19 situation to ensure the victims' health safety, including temperature checks and screenings of visitors. The average length of stay of a victim decreased from 178 days in 2019 to 158 days in 2020, reflecting a faster return and reintegration of the victims to the society.

- **Prevention:** The Government redoubled efforts to prevent vulnerable groups from human trafficking. Besides nine subordinate laws enacted under the Labour Protection in Fisheries Act B.E. 2562 (2019) last year, two additional subordinate laws were enacted this year, completing the legislation of all subordinate laws of the Act and further enhancing protection of labour in fisheries. The Immigration Act B.E. 2522 (1979) was being amended to include punishments for people smuggling close to those of trafficking in persons in order to create deterrence. Further progress also continued to be made in the revision of the Labour Relations Act and the State Enterprise Labour Relations Act to pave the way for future ratification of the ILO Convention No. 98 on Rights to Organised and Collective Bargaining.

During the COVID-19 pandemic, the Government approved the work permit extension for 240,572 migrant workers from Cambodia, Lao PDR, and Myanmar. The Government also facilitated the voluntary return of over 80,000 migrant workers to Myanmar, thus preventing them from unscrupulous agents.

The MOU system for recruitment of migrant workers from Cambodia, Lao PDR, and Myanmar and of Thai workers seeking jobs overseas continued to be promoted. Efforts continued to be made in finding ways to enhance the efficiency of this system including lowering costs for the workers. A total of 111,429 new migrant workers were recruited through the MOU system and received trainings at the Post-Arrival and Reintegration Centres for Migrant Workers across Thailand, covering also knowledge of human trafficking.

Regular labour inspections were conducted at 92,534 workplaces/vessels covering over 1.9 million workers. 11,177 workplaces/vessels found in violation of the laws were duly punished. Over 1.03 billion THB (34.6 million USD) in benefits was claimed for the employees. Evaluation system of Port in-Port out Control Centres (PIPOs) was introduced, evaluating PIPOs with a rating reflective of their performance in law enforcement.

During the COVID-19 situation, all government hotlines were fully operational with suspected cases referred to relevant authorities. In addition, various awareness-raising campaigns and activities continued to be organised for vulnerable groups such as children and women in collaboration with the private sector and NGOs, and TICAC and the Immigration Bureau maintained a blacklist denying entry into the Kingdom of suspected foreign nationals.

The Government also further developed its inter-agency database on the prosecution, protection and prevention of human trafficking. Improved data collection and analysis would help in policy evaluation and inform future policy changes.

Thailand was the first country in Asia to adopt the National Action Plan (NAP) on Business and Human Rights (2019-2022) to advance the implementation of the UN Guiding Principles on Business and Human Rights. The Government continued to work closely with the private sector in preventing human trafficking in the supply chain, including through the voluntary Guidelines on Good Labour Practices (GLP) and the Thailand Trust Mark (T-Mark), and to work with the United States Department of Labor and other partners on various projects to enhance the protection of migrant workers and other groups from human trafficking.



Prosecution

The COVID-19 pandemic has presented the Royal Thai Government with both opportunities and challenges in their continuing efforts to combat human trafficking. In tackling and preventing the wide spread of the virus whose initial local transmission was detected in Thailand as early as the end of January, the Government issued in March 2020 the Declaration of Emergency Situation in pursuant to the Emergency Decree on Public Administration in Emergency Situations (B.E. 2548) and has ever since renewed the Declaration to put the pandemic under control.

Resulting regulations and related measures under the Declaration (most of which have gradually been lifted or presently relaxed), including curfews, cross-provincial and cross-border movement restrictions, temporary closures of service businesses, have helped reduce possible opportunities for sex and labour trafficking. Notably, a greater number of migrant workers returned to their home countries as many of their workplaces were closed down, while immigration and border-control restrictions made it difficult for transnational organised crime syndicates to commit people smuggling and human trafficking. Other forms of trafficking, however, witnessed an increase, particularly online child sexual exploitations. In response, the concerned Thai authorities have intensified their efforts and successfully cracked down many online child exploitation networks, with multiple arrests and closure of hundreds of child pornography websites.

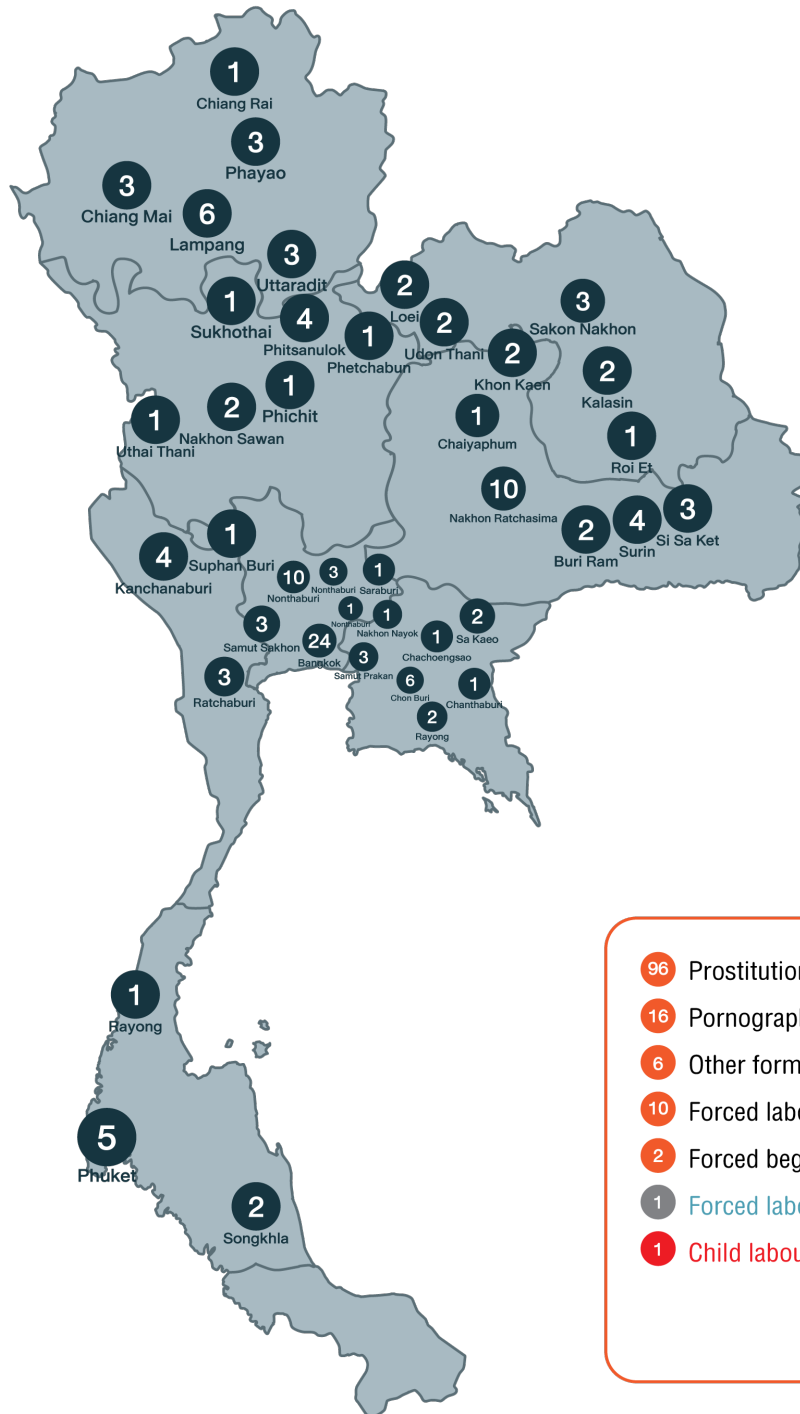
Notwithstanding the COVID-19 situation, Thailand's law enforcement agencies continued the ongoing efforts throughout 2020 to enhance the efficacy of human trafficking prosecution. The efforts included capacity trainings for inquiry officers, public prosecutors, and judges handling human trafficking cases; proposed amendments of relevant law and regulations; and continuing close cooperation with NGOs, the private sector, and international partners. The ultimate goal was to ensure justice and trauma-informed care for all victims of human trafficking. Thailand's progress in all these aspects is presented in the following sections and illustrated by key statistics in this report.

Diagram 1: Statistics on Human Trafficking Cases in 2020



Statistics on human trafficking in 2020

30 December 2020



- 96 Prostitution
- 16 Pornography
- 6 Other forms of sexual exploitation
- 10 Forced labour/Enslavement/Extortion
- 2 Forced begging
- 1 Forced labour (Article 6/1)
- 1 Child labour (Article 56/1)

Total 132 Cases

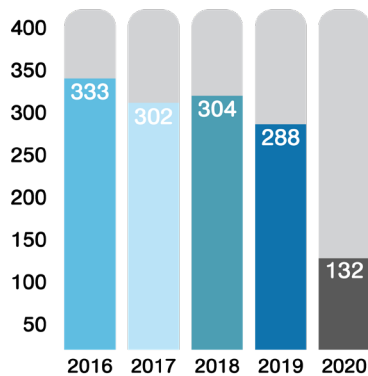
Diagram 2: Summary of Cases, Suspects, and Victims in 2020



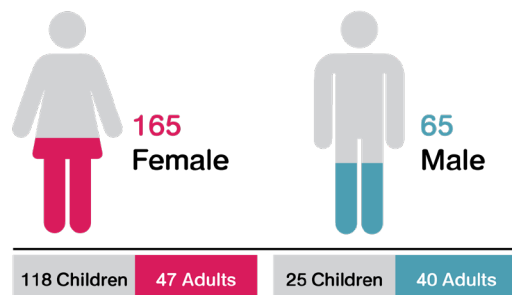
Number of offenders in 2020



Statistics on Human Trafficking Cases in 2014-2020



Number of victims in 2020



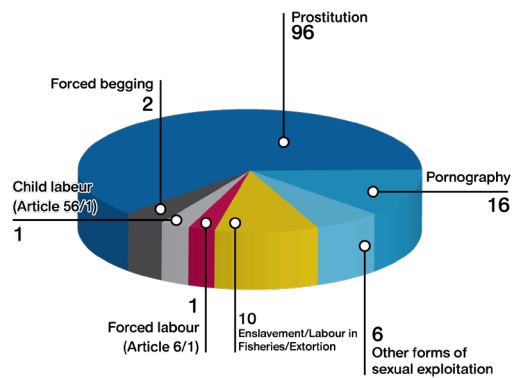
Case in 2020

Total 132 Cases



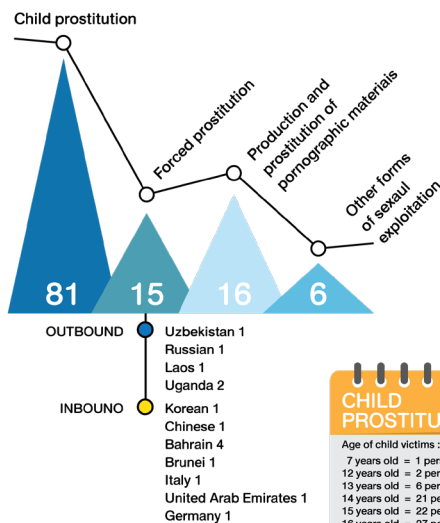
Human Trafficking cases initiated in 2020

Total 132 Cases



Cases of Sex Trafficking in 2020

Total 118 Cases

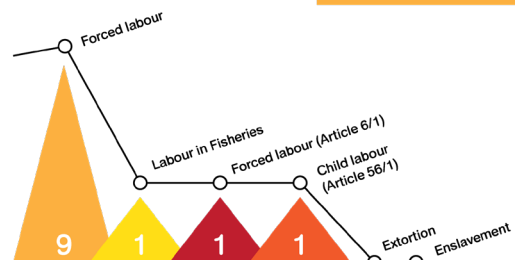


CHILD PROSTITUTION

Age of child victims:
 7 years old = 1 person
 12 years old = 2 persons
 13 years old = 6 persons
 14 years old = 21 persons
 15 years old = 22 persons
 16 years old = 27 persons
 7 years old = 33 persons

Labour Trafficking 2020

Total 12 Cases



1.

Statistics on Human Trafficking Cases, Suspects, and Victims

1.1 Number of Human Trafficking Cases

In 2020, the number of cases in all forms of human trafficking in Thailand decreased significantly from the previous year. A total of 132 human trafficking cases were initiated. Classified by category, 118 were related to sexual exploitation (prostitution, production/distribution of pornographic materials, and other forms of sexual exploitations), decreasing from 2019 by 67 cases (36.22 percent); two were forced begging cases, decreasing from 2019 by seven cases (77.78 percent), and 12 were labour trafficking cases, decreasing from 2019 by 82 cases (87.23 percent) (Table 1).

Table 1 : Number of Human Trafficking Cases Initiated

Year	Total	Types 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

Note : The number in brackets was forced labour or service cases, which is an offence under the Anti-Trafficking in Persons Act

As indicated by the statistics during 2016-2020, the situation of human trafficking in Thailand continued to improve over the years. This was a result of the Thai Government's resolute commitment in combatting all forms of human trafficking and in bringing human traffickers to justice through continuing close collaboration between all branches of law enforcement agencies, the private sector, NGOs, and other stakeholders. The significant decrease in trafficking cases in 2020 was also a result of the government's measures to prevent the spread of COVID-19, including curfews, temporary closures of entertainment and other service venues and workplaces, and tightening of labour screening and cross-measure measures. This, in turn, helped reduce the risk of vulnerable groups to human trafficking.

1.2 Number of Human Trafficking Offenders

In 2020, a total of 180 suspected human trafficking offenders were arrested, comprising 79 males and 101 females. The majority of those arrested were Thais with a total of 153 persons, decreasing from 2019 by 249 persons (61.94 percent). Others were 27 foreign nationals, decreasing from 2019 by 126 persons (82.35 percent). In particular, arrested Myanmar nationals decreased from 2019 by 98.33 percent. Details appear in 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

Compared to 2019, the significantly smaller number of suspects arrested in 2020 could be attributed to the sharp decrease in sex trafficking and labour trafficking cases as a result of the continuing multi-stakeholder collaboration in combatting human trafficking as well as the government's measures related to people movements during COVID-19 situation.

1.3 Number of Victims of Trafficking

A total of 230 victims of trafficking (65 males and 165 females) were rescued, decreasing from 2019 by 1,591 persons (87.36 percent). Of this number, 161 persons were Thais, decreasing from 2019 by 90 persons (35.86 percent), and 69 persons were foreign nationals, decreasing from 2019 by 1,474 persons (93.88 percent) (Table 3).

Table 3: Number of Victims of Trafficking

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	7+(39)	13

Note: The Number in brackets was victims of forced labour or services, an offence under the Anti-Trafficking Act. All of the 39 victims (24 males and 15 females) were from a case at a food-processing plant in Kamthaleso District, Nakorn Ratchasima Province. All were provided protection at government shelters and have completed advance witness hearings. Two victims have changed to work with another employer in Nakorn Ratchasima Province.

The decrease in number of Thai victims could be explained by the fall in number of cases related to prostitution, which was a prevalent form of trafficking among Thais. This was compounded by the government's tightening measures related to cross-border movements during COVID-19 situation, which also reduced the number of Thai victims subjected to sex trafficking overseas as well as foreign victims in Thailand.

2. Prosecution of Human Trafficking Cases

2.1 Human Trafficking Cases Handled by Inquiry Officers

1) Progress of Human Trafficking Cases Handled by Inquiry Officers

In 2020, police inquiry officers received a total of 132 human trafficking cases, decreasing from 2019 by 156 cases (54.17 percent). Of this number, inquiry process has been completed for 116 cases, including 113 cases filed to public prosecutors. At present, 16 cases are under consideration of inquiry officers. (Table 4).

Table 4: 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	7 (2.43%)	279 (96.88%)	2 (0.69%)
2020	132	16 (12.12%)	113 (85.61%)	3 (2.27%)

Note: (1) Two pending cases from 2018 involve extra-territoriality, still awaiting evidence from countries of final destination for inquiry officers' consideration

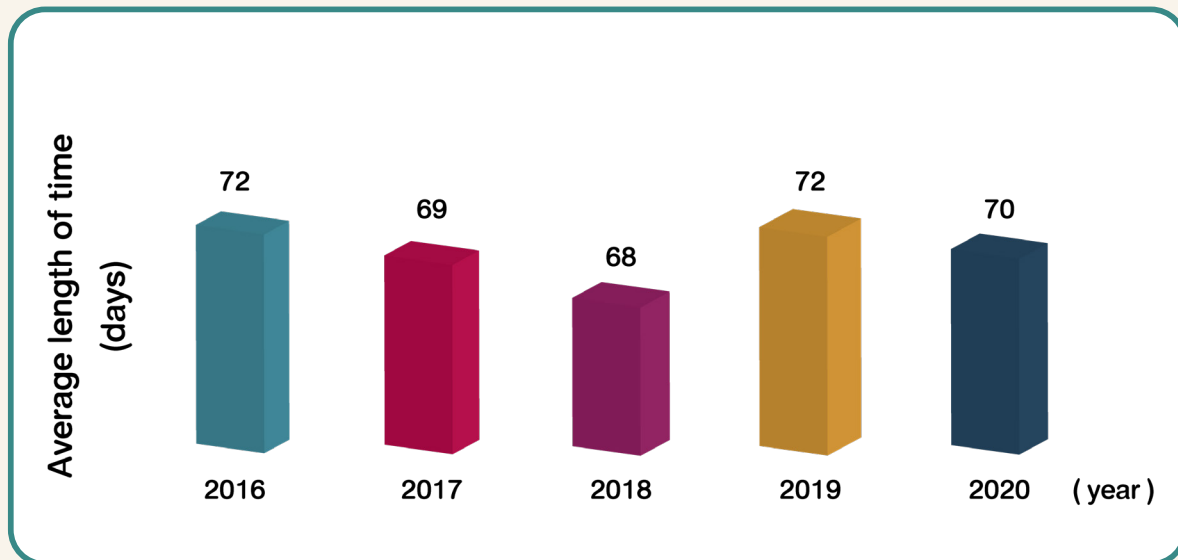
(2) Seven pending cases from 2019 are still under consideration of DSI and RTP.

2) Length of Time for Handling of Human Trafficking Cases by Inquiry Officers

The continuing efforts by the Royal Thai Police (RTP) and the Department of Special Investigations (DSI) in enhancing the efficacy of human trafficking prosecution as well as their cumulative experiences over the years have led to a continually downward trend in the average length of time used by inquiry officers in completing their human trafficking cases.

Despite the challenges to the investigation and collection of witness and evidence in some human trafficking cases posed by COVID-19 situation, the inquiry officers took an average of 70 days to complete their human trafficking cases, compared to 72 days in 2019 (Diagram 3).

Diagram 3: Average Length of Time for Inquiry Officers' Consideration of Human Trafficking Cases



In addition to the increased expertise of the inquiry officers, the shorter length of averaged time of their undertaking could also be attributed to the less number of cases which involved more than one suspect. In 2020, these cases made up 22.73 percent of the total human trafficking cases received by inquiry officers, compared to 35.07 percent in 2019 (Table 5). This decrease in human trafficking cases involving transnational organised crime syndicates and organised crime groups in the country was a result of the continuing efforts by law enforcement agencies in cracking down those criminal networks.

Table 5: Case Classification by Number of Suspects

Year	Total	Case involving one suspect	Case involving two or more suspects
2017	302	228	74 (24.50%)
2018	304	219	85 (27.96%)
2019	288	187	101 (35.07%)
2020	132	102	30 (22.73%)

2.2 Human Trafficking Cases Pursued by Public Prosecutors

In 2020, the Department of Trafficking in Persons Litigation of the Office of the Attorney General (OAG) received a total of 241 human trafficking cases from inquiry officers across Thailand. Of this number, 191 were sex trafficking cases, three were forced begging cases, and 47 were labour trafficking cases (Table 6).

Table 6: Classification of Human Trafficking Cases Pursued by Public Prosecutors

	2016	2017	2018	2019	2020	Total
(1) Prostitution, pornographic material production and distribution, and other forms of sex trafficking	335	325	286	242	191	1,379
(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	422
Total	483	418	357	364	241	1,863

1) Progress of Consideration of Human Trafficking Cases by Public Prosecutors

Of the total 241 human trafficking cases received by OAG in 2020, 225 were cases with arrested suspects and 16 were cases with fleeing suspects. Public prosecutors completed the consideration of 240 cases (99.6 percent), of which 215 cases were submitted to the Courts of Justice. At present, two cases including one case from 2019 are under public prosecutors' consideration. Details appear in Table 7 and Table 8.

Table 7: 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 (98.21%)	7 (1.57%)	-	1 (0.23%)
2017	396	385 (97.22%)	11 (2.78%)	-	-
2018	331	294 (88.82%)	33 (9.97%)	-	4 (1.2%)
2019	343	273 (79.59%)	65 (18.95%)	-	5 (1.46%)
2020	225	202 (89.78%)	16 (7.11%)	1 (0.45%)	6 (2.66%)

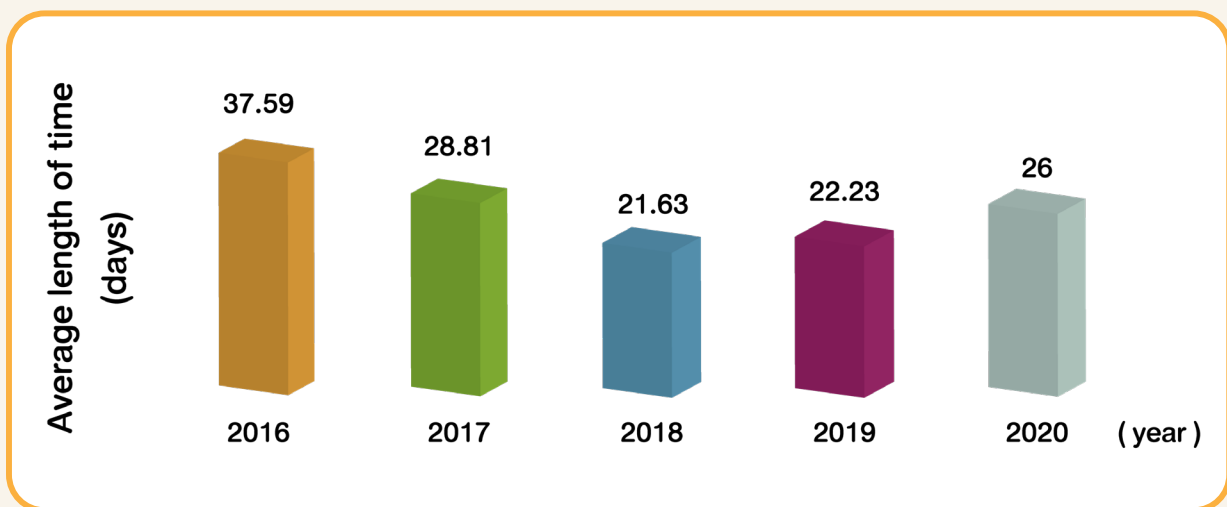
Table 8: Progress of Human Trafficking Cases with Fleeing Suspects

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	17 (77.27%)	4 (18.18%)	-	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%)

2) Length of Time in Processing Human Trafficking Cases by Public Prosecutors

In 2020, public prosecutors completed the consideration of a human trafficking case within 26 days on average. The slight increase in the length of time taken to process trafficking cases in 2020 was attributable to the temporary disruptions caused by the COVID-19 pandemic. Nevertheless, on a longer time horizon, there had been a downward trend in the length of time in processing human trafficking cases by public prosecutors since 2016 (Diagram 4).

Diagram 4: Average Length of Time for Public Prosecutors' Consideration of Human Trafficking Cases



2.3 Human Trafficking Cases Pursued by the Courts of Justice

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

In 2020, a total of 304 human trafficking cases were brought before the Courts of Justice across Thailand. Of this number, 191 were initiated in 2020 and 113 were pending cases from previous years. The Courts of First Instance have adjudicated on 199 cases (65.46 percent) and are in the process of considering 105 cases (34.54 percent). Of the cases that the Courts adjudicated, 157 cases (78.89 percent) were convicted, 22 cases (11.06 percent) were acquitted, and 20 cases (10.05 percent) were disposed of by the Courts (Table 9).

Table 9: 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

2) Length of Time for Consideration of Human Trafficking Cases by the Courts of Justice

Despite the challenges posed by COVID-19 situation, the Courts of Justice continued to complete most human trafficking cases within one year, accounting for 91.46 percent of the adjudicated cases in 2020 (Table 10). Specifically, about a quarter (26.63 percent) of these cases were completed within three months. This could be explained by the Courts' continuing efforts in enhancing the consideration of human trafficking cases. These included use of advance/non-confrontational witness hearings and comprehensive case preparations by public prosecutors which facilitated the Courts' expeditious case consideration.

Table 10: Length of Time for Consideration of Human Trafficking Cases by the Courts

Year	Number of completed cases	Completed within 3 months	Completed between 3-6 months	Completed between 6-12 months	Completed in more than 12 months
2016	377	88 (23.34%)	105 (27.85%)	146 (38.73%)	38 (10.08%)
2017	391	96 (24.55%)	99 (25.32%)	152 (38.87%)	44 (11.25%)
2018	305	86 (28.20%)	80 (26.23%)	128 (41.97%)	11 (3.61%)
2019	283	105 (37.10%)	69 (24.38%)	95 (33.57%)	14 (4.95%)
2020	199	53 (26.63%)	50 (25.13%)	79 (39.70%)	17 (8.54%)

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

In 2020, a total of 302 defendants (166 males and 136 females) in human trafficking cases were brought before the Courts across Thailand. In terms of nationality, 254 were Thais and 48 were foreigners. Of this number, 233 persons (77.15 percent) were convicted, 41 persons (13.58 percent) were acquitted, and 28 persons (9.27 percent) were disposed by the Courts in their cases (Table 11). As of 31 December 2020, a total of 162 defendants are awaiting trials.

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%)

4) 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. This was evident in the high number (67.84 percent) of imprisonment sentences with a duration of five years or above. In particular, the largest majority of convicted defendants were sentenced to imprisonment for over 10 years (Table 12).

Table 12: Imprisonment Sentences of Defendants 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%)

5) Restitutions and Punitive Damages for Victims of Trafficking

The Human Trafficking Criminal Procedure Act, B.E. 2559 (2016) allows public prosecutors to file restitution claims for victims of trafficking in the criminal charge or during the Court of First Instance’s consideration. The law also allows the victims to submit additional claims before the Courts adjudicate on their cases. In the absence of claims, the Courts can order restitutions as well as punitive damages for the victims, taking into consideration their trauma as reflected in victim impact statements that inquiry officers must prepare and submit to the Courts.

In 2020, the Courts of Justice ordered restitutions for victims of trafficking in criminal cases in a total of 26,047,693 THB (868,256 USD). Details appear in Table 13. In addition, victims of trafficking may file for compensation claims in civil cases, subject to the Courts’ consideration.

Table 13: Restitutions Ordered by the Courts of Justice in Human Trafficking Cases

Year	Amount of Restitution (THB)
2018	32,782,788
2019	54,180,366
2020	26,047,693

6) Use of Advance Witness Hearings/Non-Confrontational Hearings in Human Trafficking Cases

The Office of the Judiciary continued to make available Video Conference Courtroom System in all Courts of Justice throughout the country to allow non-confrontational hearings in human trafficking cases. Judges have been advised to allow, when requested or appropriate, advance or non-confrontational hearings. In case of necessity or force majeure, victims of trafficking may submit testimonies subject to the discretion of the Courts. These efforts were part of the policy to promote a greater use of the victim-centred approach in the prosecution process of human trafficking cases and have helped ensure that the victims would not be re-traumatised during participation in trial proceedings.

Details of advance witness hearings allowed by the Courts in human trafficking cases since 2018 appear in Table 14. The decrease in the number of appointments for advance hearings in 2020 could be attributed to the COVID-19 situation and the decrease in the number of cases filed compared to the previous years.

Table 14: Advance Witness Hearings by the Courts on Human Trafficking Cases

Year	Case files	Number of advance hearing appointments	Number of witnesses
2018	283	33	75
2019	249	36	131
2020	190	11	67

In addition, in cases that did not require advance hearings or that the victims did not wish to request them, the Courts would consider these cases using normal Court procedure, which continued to be enhanced in the efficacy as previously reflected in Table 9 and Table 10. In 2020, hearings in human trafficking cases were held in a total of 248 times, including 144 times for witnesses of the victims, 88 times for witnesses of the defendants, and 16 times for witnesses of the victims and the defendants (Table 15).

Table 15: Witness Hearings by the Courts of Justice in Human Trafficking Cases

Year	Case files	Witness Hearings	Types of witnesses		
			Witnesses of the Victims	Witnesses of the Defendants	Witness of the Victims and the Defendants
2018	283	447	295	126	26
2019	247	402	253	116	33
2020	190	248	144	88	16



3.

Prosecution of Complicit Officials in Human Trafficking Cases ¹

The Thai Government continued to attach importance to suppressing and preventing official complicity in human trafficking as an integral part of Thailand's anti-human trafficking efforts. Public officials found to have involved in human trafficking activities, demanding or receiving benefits from those activities, or neglecting duties in preventing and suppressing human trafficking would be subjected to criminal prosecution and/or disciplinary actions.

In 2020, the National Committee on Prevention of Official Complicity in Human Trafficking chaired by Deputy Prime Minister General Prawit Wongsuwan continued to play a leading role in the inter-agency efforts law enforcement against official complicity in human trafficking. The National Committee continued to direct all concerned agencies to prepare action plans in accordance with the Committee's measures. These included arranging a centre for receiving leads/complaints of officials complicit in human trafficking from various channels; promoting the roles of the media and the public in monitoring or reporting actions related to official complicity in human trafficking; supporting the merit-based reward for public officials who provide information or leads related to human trafficking; and requesting cooperation from the media in reporting news of outstanding public officials working on preventing and suppressing human trafficking. The relevant agencies are required to report the outcomes of their action plans every quarter of the fiscal year, and they were evaluated twice yearly including by questionnaires filled by concerned stakeholders.

Key outcomes and progress in handling complicit officials are as follows:

3.1 Prosecution of Officials Accused of Involving in Human Trafficking Cases

In 2020, eight additional officials were accused of complicity in human trafficking crimes. They comprised six police officers and two civil servants (teachers), adding to a total of 73 suspected public officials since 2012 (Table 16).

¹ US' recommendation: Proactively investigate and prosecute officials allegedly complicit in facilitating trafficking, and convict and punish those found guilty with adequate prison sentences.

Table 16: Public Officials Suspected of Complicity in Human Trafficking Cases Classified by Types

Year	Number of public officials	Types of Public Officials				
		Police officers	Military officers	Civil servants/ Teachers	Local administrative officers	Public prosecutors
2012-16	45	23	8	2	12	-
2017	11	8	-	1	2	-
2018	2	2	-	-	-	-
2019	7	7	-	-	-	-
2020	8	6	-	2	-	-
Total	73	46	8	5	14	-

From 2012 to 2020, a total of 72 suspected public officials were subjected to criminal prosecution. Of the eight suspected public officials in 2020, RTP and DSI has completed the investigation of all the officials. These included two officials whom inquiry officers and public prosecutors found grounds to prosecute for involvement in human trafficking. Their cases are now under the Court of First Instance's consideration. Other six officials were found to be negligent of their superiors' order to prevent and suppress human trafficking, but were not found to be involved in human trafficking. They were subjected to disciplinary actions. One remaining official is currently under investigation. Details appear in Table 17.

Table 17: Criminal Prosecution of Suspected Public Officials in Human Trafficking Cases

Year	Number of public officials	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	-	5*	2	-	26	5	8	2
2017	12	-	-	4	3	3	2	-	-
2018	2	1	-	-	1	-	-	-	-
2019	7	6	-	-	1	-	-	-	-
2020	3	1	-	2	-	-	-	-	-
Total	72	8	5*	8	5	29	7	8	2

***Note:** The public prosecutor completed the consideration of the five suspected public officials and found grounds for prosecution in all cases. The cases are being submitted to the Court of the First Instance during January – February 2021. These included one official in Khong Chiam case and four officials in Nataree Case, both initiated in 2016. Progress of the cases is detailed in Section 3.2

3.2 Progress of Criminal Prosecution of Complicit Officials

Further progress continued to be made in the prosecution of complicit officials from previous years. Details of the relevant cases are as follows:

1) Khong Chiam case (initiated in 2016) – two police officers were sentenced to imprisonment, while the public prosecutor had completed the consideration of the case of another officer and decided to submit the case to the Court.

2) Nataree case (initiated in 2016) – four police officers were expelled and public prosecutors had completed the consideration of their criminal cases and decided to submit the cases to the Court.

3) Phu Ruea case (initiated in 2017) – one police officer was expelled. The case is now under the consideration of the Court of First Instance.

4) Chom Dao case (initiated in 2017) – public prosecutors found ground to charge three inquiry officers under the Anti-Trafficking in Persons Act B.E. 2551 (2008). The case is now under the consideration of the Court of First Instance.

5) Nok Hook case (initiated in 2017) – the Courts of First Instance sentenced two additional officials to imprisonment for soliciting child prostitution. In total, 10 complicit officials in this case have been convicted and sentenced to imprisonment.

6) Prachuap Kirikhan case (initiated in 2019) – one police officer was expelled and sentenced to five years of imprisonment for involvement in the forced labour of Myanmar migrant workers.

3.3 Progress of Disciplinary Actions against Complicit Officials

In 2020, additional eight public officials were subjected to disciplinary actions related to human trafficking. One person was expelled, three persons' cases were terminated and four persons are under disciplinary inquiries. Since 2012, a total of 73 public officials were subjected to disciplinary actions related to human trafficking (Table 18).

Table 18: Complicit Public Officials Subjected to Disciplinary Actions

Year	Number of public officials	Disciplinary actions and other measures						
		Under disciplinary inquiry	Expelled	Suspended	Withdrawn by Administrative Court	Case terminated	Resigned	Retired
2012-16	45	-	36	2	1	3	3	-
2017	11	3	6	-	-	-	1	1
2018	2	-	1	-	-	1	-	-
2019	7	3	1	-	-	1	-	2
2020	8	4	1	-	-	3	-	-
Total	73	10	45	2	1	8	4	3

3.4 Assets Seized from Public Officials Involved in Human Trafficking

In addition to criminal case prosecution, two officials involved in human trafficking activities were issued orders for assets seizure by the Anti-Money Laundering Office (AMLO). The total amount was 1,164,992.87 THB (38,833 USD), comprising 1,148,417.60 THB (38,281 USD) in assets seized from one official involved in trafficking of Rohingya migrants and 16,575.27 THB (552 USD) in assets seized from one official involved in Chom Dao case (Section 3.2). Since 2012, the total assets of 45,027,656.59 THB (1.5 million USD) were seized from officials involved in human trafficking.



4.

Asset Restraints and Seizures by the Anti-Money Laundering Office (AMLO)

4.1 Amount of Asset Restraints and Seizures

In 2020, AMLO issued orders for asset restraints and seizures in 20 cases related to predicate offence of human trafficking. The initial value of the assets subjected to these orders was 51,201,949.60 THB (1.71 million USD), increasing significantly from 8,587,166.78 THB in 2019 as a result of one case that involved seizure of land and property. Subsequently, AMLO referred 77,000,754.52 THB (2.57 million USD) worth of these assets to public prosecutors. The increase in value of assets referred to the public prosecutors was because of additional appraisals after the restraint and seizure orders were issued. Of cases that reached the final verdicts, the Courts ordered a total of 10,626,474.08 THB (354,216 USD) in value of assets forfeited for the benefits of the State. Details appear in Table 19 and Table 20.

Table 19: Value of Assets Subjected to Restraint and Seizure Orders

Year	Numbers of Cases	Total Value of Assets Subjected to Restraint/Seizure Orders (THB)
2017	21	33,823,745.90
2018	15	477,058,488.94
2019	15	8,587,166.78
2020	20	51,201,949.60
Total	71	570,671,351.22

Table 20: Value of Assets Filed to Public Prosecutors and Value of Assets Ordered by the Courts to be Forfeited for the Benefits of the State

Year	Value of Assets Filed to Public Prosecutors	Value of Assets Ordered by the Courts to be Forfeited for the Benefits of the State (THB)
2017	98,927,271.96	49,312,072.36
2018	526,124,240.44	55,865,721.56
2019	11,681,474.08	401,014.26
2020	77,000,754.52	10,626,474.08
Total	713,733,741	116,205,282.26

4.2 Amendments of Relevant Laws

Further progress continued to be made in amending the Anti-Money Laundering Act, B.E. 2542 (1999) to allow greater compensation for victims of trafficking from assets related to the predicate offense. Specifically, the amended Act seeks to extend the claims to cover more damages or harms to the victims including those to life, body, and individual freedom, in addition to claims related to damages to property.

On 12 May 2020, the Thai Cabinet approved in principle the draft Anti-Money Laundering Act, B.E. ... Since then, the draft law has passed readings by the Council of State. It is being prepared for consideration of the Cabinet before being put forward to the Parliament.

5.

Measures to Improve the Efficacy of Human Trafficking Prosecution

In 2020, law enforcement agencies continued the efforts to enhance the efficacy of human trafficking prosecution. Various activities were organised by each agency to increase the expertise and capacity in pursuing human trafficking cases in line with victim-centred and trauma-informed care approach. They also included collaborations with the private sector, NGOs, international partners, and other stakeholders. Key examples are as follows:

5.1 International Cooperation Development

- Thailand continued to work closely with other countries and regional as well as international organisations in combatting human trafficking. Efforts in this regard in 2020 included collaboration with Australia under the ASEAN-Australia Counter-Trafficking (ASEAN-ACT) (examples in Section 5.2). The 21st Bilateral Meeting was also held between DSI and Myanmar Police on Anti-Trafficking in Persons in virtual format on 20 October 2020. Both sides shared updates on human trafficking cases and exchanged information on anti-trafficking in persons to enhance the efficiency in suppressing and preventing prostitution, forced begging, forced labour in fisheries, and other forms of trafficking; and in working with the victims to prosecute human traffickers. Both sides also discussed ways to improve the protection of the victims, including providing an opportunity to earn income during the prosecution process and ensuring a safe return of Myanmar victims through cooperation between government agencies in order to prevent them from being re-victimised.

- With the United States, the Thai agencies continued to work closely with FBI, the Homeland Security Investigations (HSI) of the Department of Homeland Security, the Bureau of International Narcotics and Law Enforcement Affairs (INL) of the Department of State, the Department of Labour, the U.S. Agency for International Development (USAID), and the U.S. Embassy in Bangkok in combatting human trafficking. Cooperation in 2020 included information and intelligence sharing on human trafficking cases and other forms of exploitation, particularly sharing of tiplines on online child exploitation between Thailand Internet Crimes Against Children Taskforce (TICAC) and the U.S. National Center for Missing and Exploited Children (NCMEC); capacity building activities for law enforcement officers of Thailand and regional countries including trainings at the International Law Enforcement Academy (ILEA) Bangkok; and cooperation between RTP, DSI, FBI and HSI on case investigation, digital forensics, and other evidence collection. These cooperation have contributed to the anti-trafficking in persons efforts not only in Thailand but also countries in the region.

In addition, the Thai-U.S. Taskforce on Anti-Trafficking in Persons was established in November 2020 to share updates on Thailand's efforts in combatting human trafficking and deepen cooperation with the United States in this regard. The Taskforce comprised representatives of Thai agencies including RTP, DSI, the Ministry of Social Development and Human Security (MSDHS), the Ministry of Labour (MOL), the Ministry of Foreign Affairs, and those of U.S. agencies in Thailand including FBI, HSI, INL, Department of Justice, Department of State, and USAID. The Taskforce held two meetings since November 2020 and have identified four areas of cooperation which are technology cooperation (e.g. use of blockchain in tracking payments for workers, advanced undercover online cooperative, and digital forensics), victim identification, prevention of human trafficking, and capacity trainings/seminars (e.g. use of victim-centred approach and trauma-informed care for law enforcement officers, court personnel and social workers, asset forfeiture, and crypto currency).

5.2 Improving the Expertise and Capacity of Law Enforcement Agencies in Identifying Victims of Trafficking, Collecting Evidence and Investigating in Human Trafficking Cases, and Considering Trafficking Cases^{2,3}

1) Strengthening multi-stakeholder collaboration – Various law enforcement agencies including DSI, RTP, OAG, and the Office of the Judiciary continued to organise meetings and trainings with government agencies, NGOs, local community networks, and other stakeholders to exchange information and leads on trafficking cases, share experiences and best practices in combatting and preventing human trafficking, and promote a greater collaboration in enhancing the efficacy of human trafficking prosecution. Examples of the efforts in this regard included:

- Meeting between law enforcement agencies and civil society networks to exchange information and deepen cooperation in preventing and suppressing labour trafficking and in providing assistance to the victims and vulnerable group organised by DSI during 8-9 August 2020 and attended by 77 representatives from government agencies, ethnic groups vulnerable to human trafficking, the Labour Protection Network, and Rajabhat Maha Sarakham University;

2 US' recommendation: Improve the capacity of law enforcement to proactively prosecute and convict labour traffickers and identify labour trafficking victims.

3 US' recommendation: Improve training provided to labour, provincial and local police, immigration, and social welfare officials to increase proactive victim identification among vulnerable populations, including adults and children in commercial sex, children engaged in begging and street vending, migrants working in agriculture, manufacturing, fishing, seafood processing, construction, and domestic service industries, and among North Korean workers.

- Meeting to improve human trafficking case investigation and victim identification through cases studies and discussions with victims of trafficking organised by DSI during 19-21 August 2020 and attended by officers from DSI, MSDHS, government shelters, Siriraj Hospital, and representatives from NGOs namely the Labour Rights Promotion Network (LPN), the Alliance Anti Traffic (AAT), the Foundation for the Better Life of Children, and the Thai Women Network in the United Kingdom;

- Information and Experience Sharing Meeting to Combat Human Trafficking Crime organised by DSI during 2-4 September 2020 and attended by 60 representatives from 13 law enforcement agencies and NGOs; and

- Meeting on increasing the efficacy of the prosecution process including joint efforts in the search, arrest, and investigation of suspected human trafficking cases facilitated by OAG and attended by 56 participants from DSI and other government agencies and NGOs.

2) Strengthening technical expertise – RTP organised the annual technical workshop for three batches of 270 police officers with expertise in investigating human trafficking cases during July-August 2020 and the annual seminar on human trafficking case investigation for 190 police officers during August-September 2020. RTP also organised the seminar on enhancing the efficacy of victim identification and case investigation during July-August 2020 which was attended by 120 police officers from Bangkok and Provincial Police from across Thailand (Region 1-9), the Central Investigation Bureau, the Immigration Bureau, Thailand Anti Trafficking in Persons Task Force (TATIP) as well as representatives from MSDHS provincial offices.

During January-February 2020, OAG in collaboration with Operation Underground Railroad (O.U.R.) organised a pilot training to enhance OAG’s capacity in online investigation of human trafficking cases. The training comprised three sessions and included topics on basic online investigation; various forms of digital evidence and their importance; and advance-level digital evidence identification, collection, and preservation. It was attended by 12 public prosecutors and OAG officers working on human trafficking cases.

3) Promoting greater use of trauma-informed care approach – All of the key law

enforcement agencies (RTP/OAG/Office of the Judiciary) continued to organise trainings and other activities to promote greater use of trauma-informed care approach in the prosecution process of human trafficking cases. Key examples included:

- RTP organised a seminar to promote multi-stakeholder participation in assisting victims of trafficking in line with trauma-informed care approach and to share experiences in suppressing and preventing human trafficking during 24-26 August 2020 in Bangkok. The seminar was attended by 100 participants comprising 40 police commanders and deputy commanders across Thailand who work on human trafficking investigations and police officers from TICAC and TATIP, 20 MSDHS and MOL officers, and 40 representatives from NGOs and international organisations;

- OAG in collaboration with the International Justice Mission (IJM) organised two trainings on trauma-informed care for victims of trafficking attended by 40 public prosecutors from the Office of Regional Public Prosecution, Region 8, during 21-22 January 2020 and 23 public prosecutors from the Office of Regional Public Prosecution, Region 7, during 14-15 July 2020. The training included role-plays, small-group discussions, sharing of experiences/views, and analysis of human trafficking cases. After the training, participants were evaluated on the knowledge and understanding of trauma-informed care approach. In addition, during August-September 2020, OAG collaborated with ASEAN-ACT in organising two case review activities that aimed to enhance understanding of trafficking victims' needs, increase the efficiency of the prosecution process, and strengthen cooperation between government agencies, NGOs, and civil society. The trainings were attended by representatives from RTP, DSI, MSDHS, NGOs, and the private sector; and

- The Office of the Judiciary in collaboration with ASEAN-ACT and IJM organised a seminar on use of trauma-informed care approach in examining victims of human trafficking and witnesses for judges during 21-22 January 2020. The seminar aimed to promote prevention of victims of trafficking from being re-traumatised during the judicial process and to support the consideration of human trafficking cases. The Office of the Judiciary also organised a roundtable meeting for judges and public prosecutors to exchange views on enhancing the efficacy in prosecuting human trafficking cases and in treating victims of trafficking during the judicial process in line with trauma-informed care approach. The meeting was co-hosted with OAG and ASEAN-ACT in Phuket on 17 September 2020 and was attended by 49 judges and public prosecutors.

4) Ensuring the standard of prosecution process – In collaboration with ASEAN-ACT, OAG reprinted 2,500 copies of the Public Prosecutor’s Guidelines for Implementation of the Act on Procedures for Human Trafficking Cases 2016 (B.E. 2559) (Second Edition) in Thai and English and organised trainings on human trafficking prosecution for two batches of 178 newly recruited public prosecutors on 12 and 16 March 2020. OAG also collaborated with Operation Underground Railroad (O.U.R.) in organising three rounds of three-day seminar for 36 participants from 7 law enforcement agencies and 21 related agencies during August – September 2020. The said seminars aimed to promote an understanding on the process and inter-agency coordination and cooperation in the prosecution of human trafficking and online child sexual exploitations. They also resulted in a handbook for law enforcement officers working on those cases and a Standard Operating Procedure (SOP) that would form a basis for MOUs between agencies related to anti-human trafficking agencies. Furthermore, DSI and OAG organised seminars to review and draw lessons from past cases in order to further improve the standard of human trafficking prosecution and to promote multi-stakeholder collaboration. Participants at these seminars included officers of DSI, RTP, OAG, representatives of NGOs, and the private sector.

5) Trainings on suppressing and preventing labour trafficking in fisheries – in August 2020, RTP organised two workshops on suppressing and preventing labour trafficking in fisheries on fishing vessels and promoting multi-stakeholder cooperation in these areas. The workshops were attended by over 200 participants comprising police officers from the Children, Women, Families Protection and Anti-Human Trafficking Centres in all regions of Thailand; immigration officers; labour officers; officers from the Department of Fisheries and the Department of Marine and Coastal Resources; and representatives from NGOs.

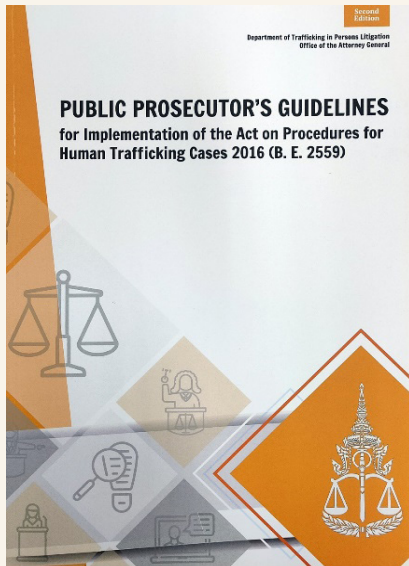
6) Enhancing the capacity of Court Personnel⁴ – The Office of Judiciary continued to take initiatives to further enhance the capacity of judges and other court personnel across Thailand in the consideration of human trafficking cases. In addition to the trainings/meetings to promote greater use of trauma-informed care during the judicial process as detailed above, the Office of Judiciary organised other activities to enhance the capacity of court personnel including:

⁴ US’ recommendation: Continue to support the development of victim-centric and trauma-informed approaches among judges overseeing trafficking cases.

- Seminars for judges of the Courts of First Instance on the practice of the Court of Appeal in considering human trafficking cases. The seminars were co-hosted with ASEAN-ACT in different regions of Thailand for five times during September – December 2020. The aim was to share information on the approach and practice by the Court of Appeal in considering human trafficking cases and to provide an opportunity for Court of First Instance judges to exchange views on issues related to labour trafficking, forms of sexual exploitation, and remedies for the victims' mental health. The seminars also promoted the use of trauma-informed care approach by judges at all levels in their consideration of human trafficking cases to the maximum extent possible. A total of 150 judges attended the seminars;

- Cooperation with United Nations Office on Drugs and Crime (UNODC) in developing and publishing 1,900 copies of the Thai Version of UNODC Case Digest: Evidential Issues in Trafficking in Persons (TIP) Cases to enhance the judges' analysis of evidence in human trafficking cases. The launching ceremony was held on 30 October 2020 in Bangkok. Furthermore, the Office of Judiciary in collaboration with UNODC planned to organise five seminars on evidential issues in TIP cases for judges across Thailand during December 2020 – March 2021. The first seminar was held during 17 – 18 December 2020 in Bangkok; and

- Printing of handbooks and reference materials for use by court personnel in order to ensure the standard of the judicial process across human trafficking cases. These included 5,300 sets of the three-volume Compilation of Law and Regulations Concerning Human Trafficking Cases for all judges across Thailand and 1,000 sets of manuals for court interpreters working on human trafficking cases to promote an understanding of the court system and procedure and to provide a guideline on providing assistance to victims of human trafficking, plaintiffs, and defendants in line with the trauma-informed care approach and the International Covenant on Civil and Political Rights. The printing of both handbooks was completed on 31 March 2020. In addition, the Office of Judiciary hosted meetings with different courts to promote cooperation on the management of court interpreters in human trafficking cases.



Public Prosecutor's Guidelines for Implementation of the Act on Procedures for Human Trafficking Cases 2016 (B.E. 2559) (2nd Edition)



Manuals for court interpreters working on human trafficking cases

7) Enhancing the capacity in preventing child sexual exploitations – DSI and the Department of Provincial Administration of the Ministry of Interior (MOI) implemented a training project on investigation of new forms of crime by organising workshops to enhance the capacity and build networks of government officers in suppressing and preventing child sexual exploitations and online human trafficking. Speakers at the workshops were experts from government agencies of Thailand and other countries including Thailand's Central Institute of Forensic Science, FBI, HSI, and the United Kingdom's National Crime Agency. In addition, RTP implemented the Care Abuse Resistance Education (C.A.R.E.) project that aimed to prevent students from falling prey to child prostitution and other forms of exploitation. Further details of C.A.R.E. are provided on page 76.

6.

Examples of Human Trafficking Cases in 2020 and Prosecution Progress

Thailand's continued progress in the prosecution of human trafficking cases in 2020 was a result of collaboration among law enforcement agencies, civil society, NGOs, and other partners. Case studies in this endeavour are as follows:

6.1 Cases Related to Sexual Exploitation of Children

1) Kanchanaburi and Ratchaburi Case – in May 2020, ATPD cracked down on an online child sexual exploitation network in Kanchanaburi Province and Ratchaburi Province and rescued two female victims of trafficking aged 14 years old and 17 years old. A total of 18 suspects were arrested. Of this number, three persons were involved in facilitating the crime and 10 persons were involved in the sexual exploitation, including one former local politician, one civil servant/teacher, four local politicians, and four civilians. At present, seven suspects are in the judicial process and 11 suspects are in the investigation process. The two victims have been provided assistance under the government witness protection programme as well as mental health rehabilitation for victims of trafficking in line with the trauma-informed care. They have also been accorded advance hearings by the Courts to enable expeditious consideration of their case.

2) Payao Case – in May 2020, RTP Children, Women, Families Protection and Anti-Human Trafficking Centre, Police Regional Office 5; Payao Province Police; and ATPD arrested and initiated a case against a sexual exploitation gang that lured two girls aged 14 years old and 15 years old into prostitution in Payao Province. This followed investigation by TICAC and other law enforcement agencies of a video clip of a girl being sexually exploited that was posted on social media. A total of 12 suspects were arrested, including three girls aged 13-17 years were involved in facilitating the crime, seven persons were involved in the sexual exploitation, and two persons were found to possess child pornographic materials. The police are investigating all of the suspects and are trying to identify other possible accomplices. The witnesses are being looked after by Rafa House and Zoe International. They have been provided witness protection and other assistance in line with the trauma-informed care approach.

3) Hua Lamphong Case (initiated in 2019) – Further progress was made in the prosecution of this human trafficking case that involved 13 suspects and five child victims of trafficking. On 16 July 2020, the Criminal Court convicted all the 13 suspects of human trafficking and sentenced them to severe prison terms ranging from 9-84 years. They were also ordered by the Court to pay a compensation of 144,000 THB to the victims.

4) Phang-Nga Case (initiated in 2018) – From December 2019 to November 2020, Department of Rights and Civil Liberties Protection, Ministry of Justice, provided witness protection to two girls aged 13 years old and 15 years old who were sexually exploited and their family members including provision of a safe house and new identities for the witnesses to ensure their safety. Further investigation led to the prosecution of two human traffickers; in August 2020, one person close to the witnesses was convicted and sentenced to 55 years of imprisonment for various counts of human trafficking and, in December 2020, a former local administrative officer was convicted and sentenced to 324 years and three months of imprisonment. In addition, the Courts ordered a compensation of 2,500,000 THB for the victims with an interest rate of 7.5 per annum beginning from 21 April 2020 until fully paid by the perpetrators. The severity of the punishment in this case reflected Thailand’s resolute determination in rid of human trafficking.

5) Victoria Secret Case (initiated in 2018) – This human trafficking case at Victoria Secret, a massage parlour in Bangkok, involved nine identified victims aged below and above 18 years, 45 suspects for human trafficking in Thailand, of whom nine had been arrested; and 17 suspects for human trafficking in Malaysia, of whom five had been arrested. Two arrested suspects confessed to committing human trafficking in Thailand. In 2018, they were convicted by the Court of First Instance for human trafficking, organising prostitution, and facilitating children under the age of 18 years old for prostitution. Their charge of conspiring with others in committing human trafficking was dismissed. During 2019-2020, further progress in this case was made as follows:

- In November 2019, the Court of Appeal overturned the Court of First Instance’s verdict on the two convicted traffickers by ruling that they conspired with others in committing human trafficking by exploiting from prostitution of victims aged below and above 18 years and facilitating the prostitution of those victims, with or without the latter’s consent. The two traffickers were sentenced to 62 and 68 years of imprisonment and ordered to pay a total restitution of 160,000 THB to two victims aged below 18 years old forced into prostitution. In September 2020, the Supreme Court did not allow a permission to appeal.

- In April 2020, the Court of Appeal overturned the Court of First Instance’s verdict on the case of victims aged below 15 years sent to prostitution in Malaysia. The Court ruled that the five suspects conspired by at least three persons in committing human trafficking by facilitating prostitution of those children, organising prostitution, and involving in transnational crimes. All the suspects were sentenced to imprisonment from 8-16 years and the juristic person of Victoria Secret was ordered a total fine of 866,666 THB. The case is pending the Supreme Court’s consideration of a permission to appeal.

- In December 2020, the Court of Appeal overturned the Court of First Instance's verdict on the seven arrested suspects who refused to confess. The Court ruled that they conspired by more than three persons to human trafficking and facilitated prostitution of persons aged below and above 18 years. They were sentenced to 62-68 years of imprisonment per person and were ordered to pay a compensation to two victims forced into prostitution for 160,000 THB. In addition, the juristic person that owns Victoria Secret's business license was ordered to pay a fine of 3,798,666 THB and the juristic person that rents out the premise was ordered to pay a fine of 3,970,666 THB.

6.2 Cases Related to Labour Trafficking (General Labour and Fisheries) and Forced Labour or Services

1) Sichon Case – in March 2020, DSI received information from IJM on five migrant workers from Myanmar in Sichon District, Nakhon Si Thammarat Province, who were potential victims of human trafficking in fisheries. In April 2020, DSI started investigating the case and later established that it is a case of human trafficking. In December 2020, DSI requested the Courts for an arrest warrant of seven suspects as well as a search warrant and subsequently launched a search operation jointly with TATIP, RTP, and the Thai Maritime Enforcement Command Centre (Thai-MECC). This led to the arrest of all seven suspects, including one local administrative officer. The authorities also found evidence at the scene including bookbanks, ATM cards, and guns. At present, the suspects have been released on bail and further evidence related to the case is being collected.

2) Rui Sheng Shipping Vessel Case – in July 2020, the Children, Women, Families Protection and Anti Human Trafficking Centre, RTP, received a request by the Embassy of India, the Embassy of Indonesia, and the Embassy of Bangladesh in Thailand to assist their nationals being forced to work on Rui Sheng shipping vessel. Accordingly, the Centre together with TATIP, MSDHS, and Stella Maris rescued and identified nine victims of trafficking from India, Indonesia, Bangladesh, and Myanmar. Three suspects were arrested. TATIP and OAG investigated the case and charged the three suspects for committing human trafficking by conspiring to exploit from forced labour. At present, the case is in the judicial process. Advanced witness hearings of all the nine victims were completed during 15-16 October 2020, and three Indonesian victims have been repatriated to their home country. The three suspects were denied bail by the Criminal Courts and are currently under custody at the Bangkok Remand Prison.

3) Thammakaset Case⁵ – Pursuant to the criminal defamation case filed in 2019 by Thammakaset poultry farm in Lopburi Province against a reporter of Voice TV for reporting on the case between the farm and 14 former Myanmar employees that it was an “enslavement”, on 27 October 2020 the Court of Appeals accepted the appeal by the defendant in overturning the Court of First Instance’s verdict to convict and sentence the defendant to two years of imprisonment without suspension of punishment. The Court of Appeals viewed that the comment made by the defendant was believed to be based on honest understanding and interpretation which was allowed by the defamation law. In addition, the case was reported by other media outlets in the similar manner. As such, it was decided that the comment by the defendant was lawful under Section 321(3) of Thailand’s Criminal Code.

Other cases related to Thailand’s protection of labour and prevention of labour trafficking are listed in Prevention Chapter.

6.3 Cases of Production/Commercial Exploitation of Child Pornographic Materials

1) Operation Black Wrist – in May 2020, DSI together with Chokchai Police Station, Ministry of Justice’s Central Institute of Forensic Science, MOI’s Department of Provincial Administration, Ministry of Digital Economy and Society, Immigration Bureau, Metropolitan Police Division 3, Metropolitan Police Detective Department, Office of Police Forensic Science, and NGOs working on child and youth protection launched a search operation in suspected cases of child sexual exploitation and possession of child pornographic materials. This followed information from the Australian Federal Police (AFP) under Operation Black Wrist.

The operation led to an arrest of one suspect in Bangkok and another suspect in Pathumthani Province. The suspect arrested in Bangkok confessed to have sexually exploited several children while the search operation in Pathumthani Province found a great number of child pornographic materials that the other suspect was likely to have produced and saved in a computer system. The authorities also found that the suspect arrested in Pathumthani Province might be linked to a network that involves suspects in other countries. Accordingly, DSI sent to the AFP information on a “friend” of the suspects who lives in Australia, leading to the subsequent arrest of the said person by the Australian police for child sexual exploitation.

5 US’ recommendation: Foster an environment conducive to victims and advocates reporting human trafficking crimes without fear of facing spurious retributive charges pursued by employers, including by utilising new amendments to dismiss cases filed with dishonest intent or to intimidate defendants.

In addition, the Thai authorities were able to identify six children in the materials recovered during the search operation. They have been referred to NGOs for assistance and mental health rehabilitation.

2) Nakhon Ratchasima case – in May 2020, DSI, the Department of Provincial Administration, local law enforcement agencies, and NGOs working on children and youth protection conducted a search operation in Lam Thamenchai District, Nakhon Ratchasima Province, and arrested a German national suspected of child sexual exploitation. The authorities inspected the suspect's computer and mobile phone and found many pictures of children under 15 years old being sexually exploited. The suspect confessed to have downloaded those pictures from a website and that they were of children under 15 years old.

DSI confiscated the said computer and mobile phone as exhibits in the case and charged the suspect for sexual exploitation of children under 15 years old regardless of the children's consent and for violation of the Child Protection Act B.E. 2546 (2003). DSI also coordinated with Immigration Bureau Division 4 in revoking the suspect's permit to stay in the Kingdom.

3) Yasothon case – in May 2020, DSI together with MSDHS, MOI's Department of Provincial Administration, Central Institute of Forensic Science, and NGOs working on children's and women's rights investigated and collected evidence for an online child sexual exploitation case, and subsequently arrested a Thai national suspected of possessing and exporting child pornographic materials. The arrested suspect was sent to Loeng Nok Tha District Police for further investigation. Investigation of this case was concurrently conducted in Sweden (where the child pornographic materials were exported to) and DSI are working closely with the Swedish authorities in sending related evidence for the prosecution process of the suspects in Sweden.

6.4 Cases of Forced Begging, Forced Labour, and Extortion

ATPD in collaboration with RTP Children, Women, Families Protection and Anti-Human Trafficking Centre, TICAC, TATIP, Police Regional Office 8, Immigration Bureau, MSDHS Phuket Office, and Phuket Children and Family Shelter launched an operation to crack down a transnational organised crime group that was involved in labour trafficking and forced labour of Cambodian and Vietnamese children. Specifically, the children were forced to sell glasses and garlands to tourists on Patong Beach in Phuket and those who failed to meet targets would be physically harmed as a punishment.

The authorities rescued 17 children and arrested two suspects from Cambodia. All the children were identified as victims of labour trafficking. They have been provided government witness protection, mental health rehabilitation, and other assistance in line with the trauma-informed care. The two suspects were charged in four cases; two cases initiated by Patong Police are in the judicial process and two cases initiated by TATIP are under public prosecutors' consideration.

6.5 Cases of Official Complicity

1) Tor Yai Karaoke Case – in May 2020, DSI investigated an official for possible involvement in a human trafficking case in which his wife was a defendant. Subsequently, the Court handed down an imprisonment sentence of eight years and seven months and ordered a fine of 17,000 THB as well as restitutions for four victims of trafficking in a total of 200,000 THB. The case was admitted as a special case under DSI and further investigation is being conducted to find other possible official complicity. The case was an example of the prosecution of complicit officials for conspiring to human trafficking by two persons or more in accordance with the Anti-Trafficking in Persons Act B.E. 2551 (2008).

2) Miss B-Haven Case – Following an arrest by DSI in a human trafficking case which led to two owners of Miss B-Haven Bar in Pattaya (one Thai and one British) being convicted in February 2018 by the Court of Justice for organising prostitution, sentenced to imprisonment of 14 years and 6 months, and ordered to pay a fine of 20,000 THB per person, in December 2018, DSI further investigated the case related to officials receiving bribery from the two owners. Subsequently, on 5 March 2020, DSI found that two police officers were involved in the bribery and reported their cases to the National Anti-Corruption Commission (NACC). The case is now in the process of evidence and witness collection for further legal actions. With regard to the owners of the bar, their appeals were rejected by the Court of Appeals without suspension of punishment.

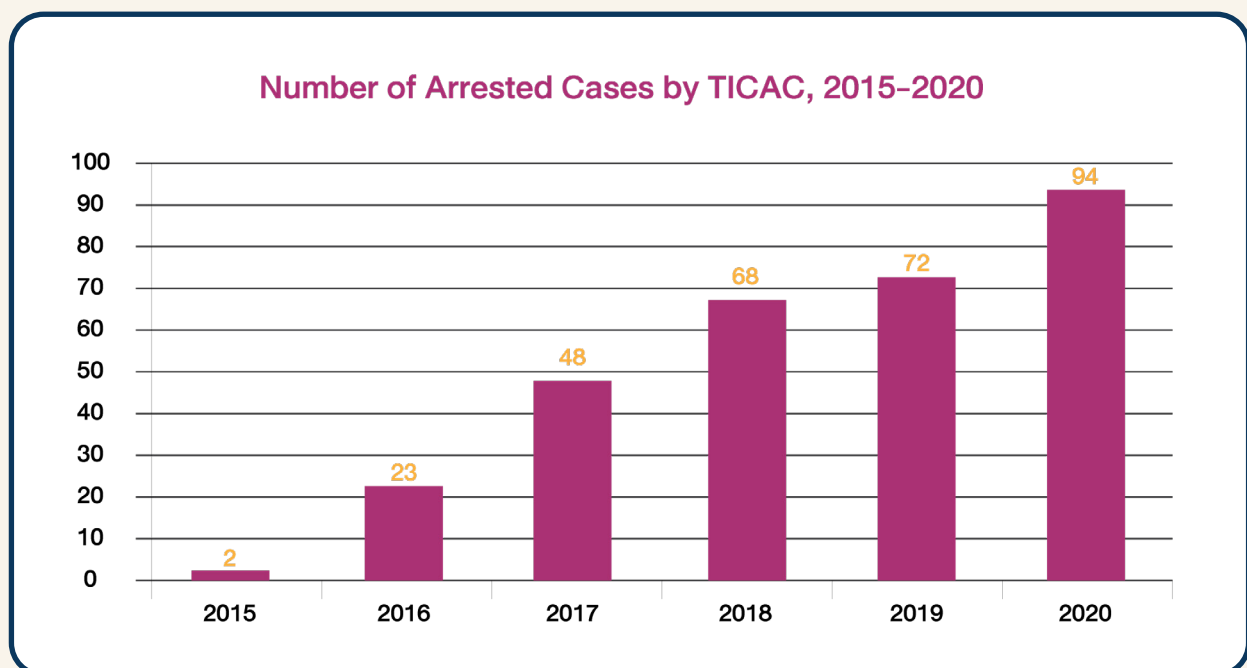
7.

The Work of Thailand Internet Crimes against Children Task Force (TICAC)

The COVID-19 situation has placed children at a higher risk of online exploitation due to the increase in time spent online during school closures. This was evident in the drastic increase in number of tips provided to responsible authorities about online child sexual exploitations. In 2020, TICAC received over 260,000 tips on suspicious cases from the U.S. National Centre for Missing and Exploited Children (NCMEC) compared to 117,232 tips in 2019 – an increase of over 121 percent. In addition, TICAC received some 200 tips and complaints through its social media channel.

Consequently, TICAC had undertaken an investigation and was able to arrest a total of 94 suspected cases in 2020. Of this number, 22 were human trafficking cases. Others included 65 cases of child exploitation, 39 cases of child pornography possession, two cases of violation of the Computer Crime Act B.E. 2560, and four cases of other criminal offences. Accordingly, 97 suspects (81 males and 16 females) were arrested with Thais as the majority (90 persons/ 92.78 percent). In addition, 51 victims (16 males and 35 females) were rescued including 43 children aged below 18 years. Since 2015, TICAC has arrested a total of 307 suspects and rescued 215 victims. Details appear in Diagram 5.

Diagram 5: Arrest Cases by TICAC, 2015 – 2020



Sting operation during the COVID-19 situation

Following upticks in the number of suspected online child exploitation cases, TICAC launched a nationwide cyber sting operation from 15 April-9 June 2020, leading to initiation of 53 cases in 56 days. A total of 44 arrests and 9 search operations were made in 24 provinces, and over 150,000 files of child sexual abuse material involving at least 100 children were uncovered. This operation was the biggest and most successful operation on online child exploitations in Thailand to date.

Of the 47 arrested perpetrators, 45 persons were Thais and two were foreign nationals (one American and one Australian). Many of these perpetrators were “contact offenders” and some have abused more than one victim. Nine cases have been charged under Thailand’s Anti Trafficking in Persons Act, B.E. 2551 (2008). Since then, 40 child victims have been identified and their cases are being processed by the authorities. TICAC in collaboration with MSDHS and NGOs continues to ensure that all the victims are accorded protection and can gain access to essential services in line with the victim-centred approach and trauma-informed care.

To further enhance Thailand’s capacity in combatting online child sexual exploitation, TICAC was officially upgraded from a status of a task force to a permanent organisation of the Royal Thai Police in September 2020. TICAC also established an additional partnership with NGO (One Sky) in Kanchanaburi Province.



Protection

Throughout 2020, Thailand remained committed to providing protection and assistance to victims of all forms of human trafficking based on a victim-centred approach and trauma-informed care. In particular, victims were allowed to take part in deciding on protection services of their choice, whether or not they cooperated in the prosecution process. They were entitled to receive the same services and assistance whether they opted to stay in government or private-run shelters or return to their homes and families. In addition, victims were assisted in filing claims and enforcing Courts' order for their compensations, and in requesting a temporary stay in the Kingdom for foreign victims awaiting the completion of their cases or a safe repatriation. The Royal Thai Government also continued to ensure that victims of forced labour or service were accorded the same protection and assistance rights as victims of human trafficking.

Despite operation challenges in the midst of the COVID-19 pandemic, key progress was made in various aspects of the protection process. For instance, victims' duration of stay at the shelters decreased significantly to 158 days on average as a result of enhanced efficacy in the prosecution process. Foreign victims who could not return to their countries of origin continued to be assisted with resettlement in a third country including the U.S. In addition, psychologists were employed at all shelters and victims were able to use communication devices in shelters. Furthermore, initial financial remedies provided to victims per person increased 412.27 percent (from 6,520 THB to 33,400 THB). NGOs were also granted greater access to provide services at shelters, increasing from 69 times in 2019 to 115 times in 2020 or 66.67 percent. Details of the progress in the protection process are further provided in this Chapter.



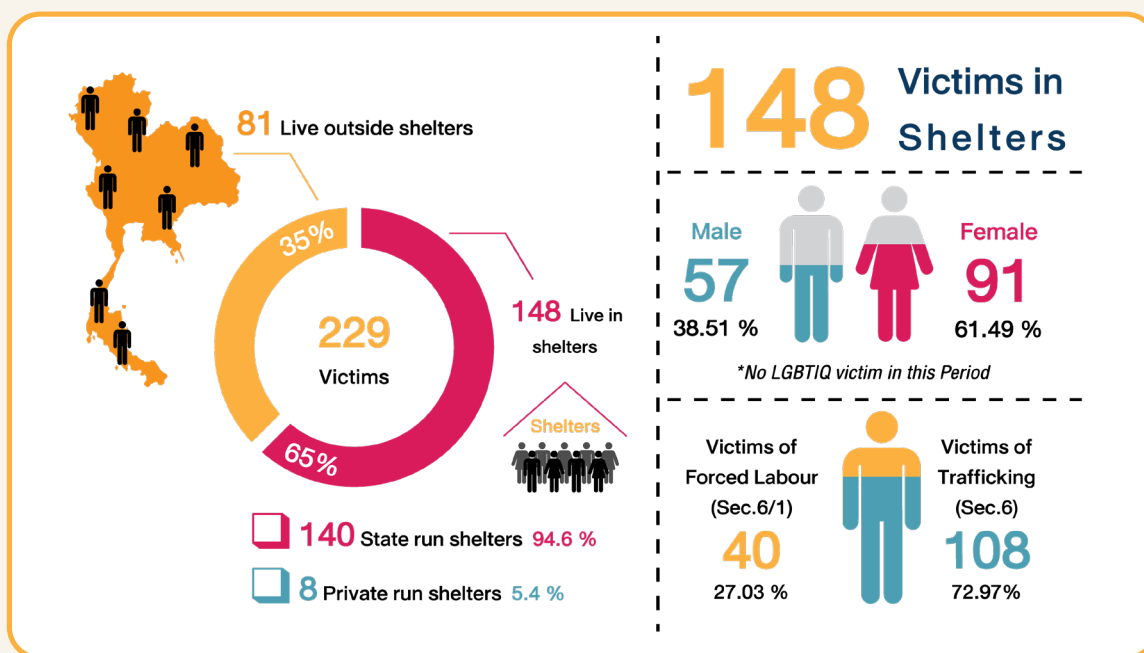
1. Protection and Assistance for Victims of Trafficking

1.1 Protection and Assistance for Victims of Trafficking in State-run and Private-run Shelters

As the main government agency responsible for providing protection and assistance to victims of trafficking, the Ministry of Social Development and Human Security (MSDHS) continued to provide protection and assistance for victims of human trafficking and victims of forced labour or services. This was in accordance with Article 6 and Article 6/1 of the Anti-Trafficking in Persons Act, B.E. 2551 (2008) and the B.E. 2562 (2018) amendments, which entitle both groups of victims to the same protection and assistance rights.⁶

In 2020, MSDHS provided protection and assistance to 229 additional victims of trafficking and victims of forced labour or services. Of this number, 148 persons (64.63 percent) were looked after at the shelters including 140 persons at nine government shelters and eight persons at three registered private-run shelters. They comprised 108 victims of trafficking and 40 victims of forced labour or services. Other 81 persons (35.37 percent), all of whom were victims of trafficking, opted to stay outside the shelters. Most of these victims returned to live with their families. MSDHS continued to ensure that they received the same rights to government protection and assistance as those staying at the shelters in accordance with the law. Details appear in Diagram 6.

Diagram 6: Victims of Human Trafficking under the Care of MSDHS

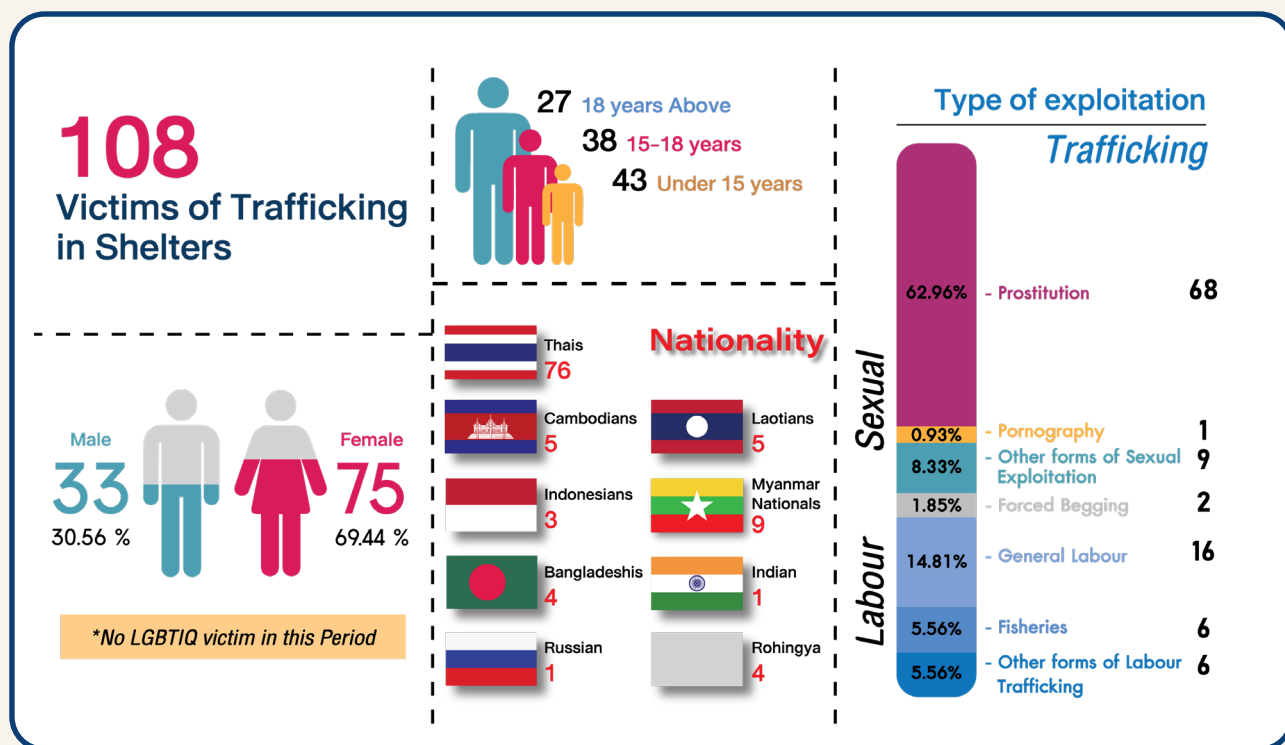


⁶ US' recommendation: Ensure victims of trafficking identified under the definitions set forth in Sections 6 and 6/1 of the trafficking law, as amended, are afforded the same rights and access to services.

Of 108 victims of trafficking staying at the shelters, 75 were females (69.44 percent) and 33 were males (30.56 percent). In terms of age, 27 victims (25 percent) were 18 years old or above while 81 victims (75 percent) were below 18 years old. In terms of nationality, 76 victims were Thais (70.37 percent) and 32 victims were foreign nationals (29.63 percent). Compared to last year, the number of foreign victims decreased as a result of cross-border travel restrictions during the COVID-19 situation. Most of the foreign victims came from Thailand's neighbouring countries. They comprised nine Myanmar nationals (8.33 percent), five Laotians (4.63 percent), and five Cambodians (4.63 percent). Other nationalities (8.33 percent) included four Bangladeshis, three Indonesians, one Indian, and one Russian. In addition, there were four Rohingya irregular migrants (3.70 percent) at the shelters. They were entitled to the same protection and assistance rights as other victims of trafficking.

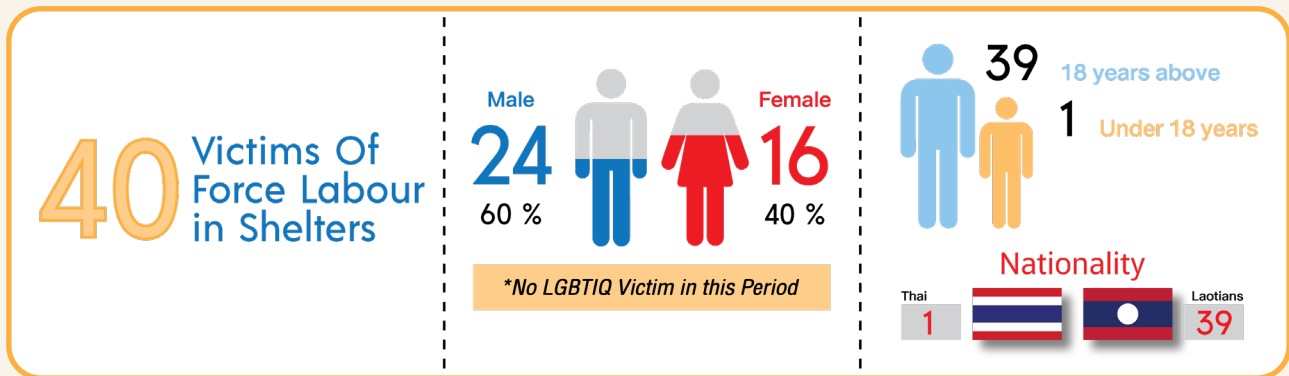
In terms of forms of exploitation, most of the victims were victims of sex trafficking, with a total of 78 persons (72.22 percent). They included 68 persons subjected to prostitution: one person subjected to production/distribution of pornographic materials, and nine persons subjected to other forms of sexual exploitation. In addition, 28 persons were victims of labour trafficking (25.93 percent): comprising 16 victims in general labour, six victims in fisheries, and six victims in other forms of labour trafficking. Two persons were victims in forced begging (1.85 percent). Details appear in Diagram 7.

Diagram 7: Victims of Trafficking Staying in Shelters in 2020



With regard to victims of forced labour or services under Article 6/1 of the Anti-Trafficking in Persons Act, a total of 40 persons were looked after at government shelters in 2020. Of this number, 39 were Laotians (97.5 percent), all of whom were 18 years old or older, and one was Thai aged below 18 years. In terms of gender, 24 persons were males (60 percent) and 16 were females (40 percent). All the victims of forced labour or services received the same rights to government protection and assistance as victims of trafficking (Diagram 8).⁷

Diagram 8: Victims of Forced Labour or Services Staying at the Shelters in 2020

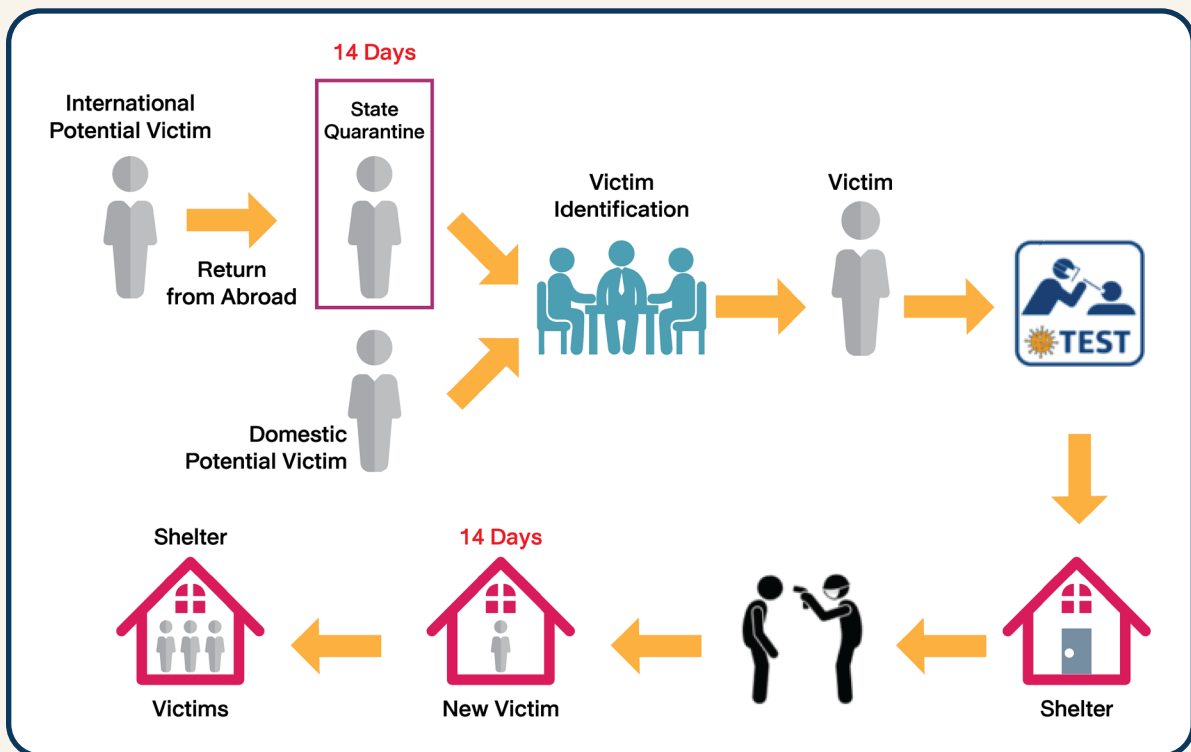


1.2 Prevention Measures during the COVID-19 Situation

MSDHS implemented measures to ensure health safety for all victims of trafficking and victims of forced labour or services during the COVID-19 situation. All potential victims arriving from overseas must complete a 14-day quarantine upon their entry into Thailand in compliance with the Thai Government’s measures. In addition, MSDHS instructed all the shelters to implement strict measures to prevent the spread of COVID-19; namely COVID-19 testing for all identified victims before they were admitted to the shelters, regular temperature checks for the victims and shelter staff members and temperature screening of all visitors to the shelters, and face mask wearing in all public areas (Diagram 9).

⁷ US’ recommendation: Ensure victims of trafficking identified under the definitions set forth in Sections 6 and 6/1 of the trafficking law, as amended, are afforded the same rights and access to services.

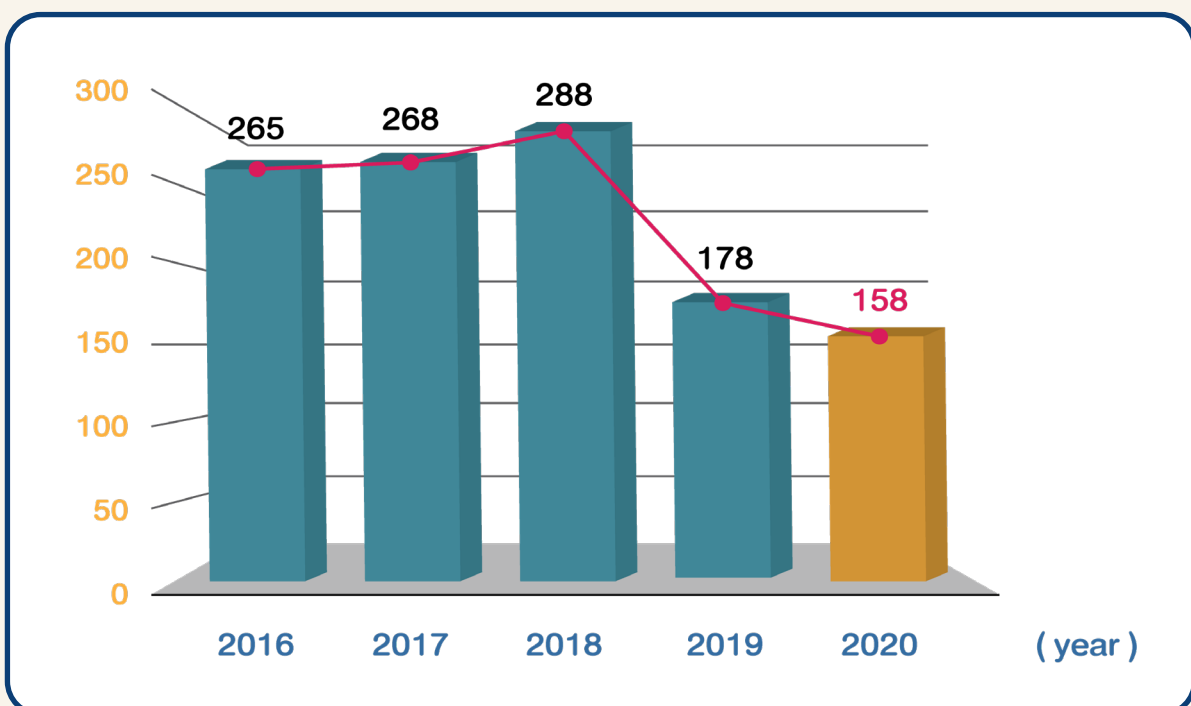
Diagram 9: Process in Preventing the Spread of COVID-19 in the Shelters



1.3 Length of Stay of the Victims at the Shelters

In 2020, victims stayed at the shelters for 158 days on average. This was a significantly shorter length of stay compared to the previous years. Details appear in Diagram 10.

Diagram 10: Victims' Average Length of Stay at the Shelters, 2016-2020



To ensure that victims were not required to stay in shelters longer than necessary, MSDHS continued to regularly assess their needs in remaining at the shelters.⁸ Other measures were also implemented including collaboration with inquiry officers in organising additional inquiries when the victims are ready and with the Courts in expediting advance witness hearings. In addition, MSDHS prepared bio-data and related information for foreign victims to be sent to their home countries for nationality verification. The goal was to facilitate their early safe return and reintegration into the society.

1.4 Protection and Assistance for Victims Staying Outside the Shelters

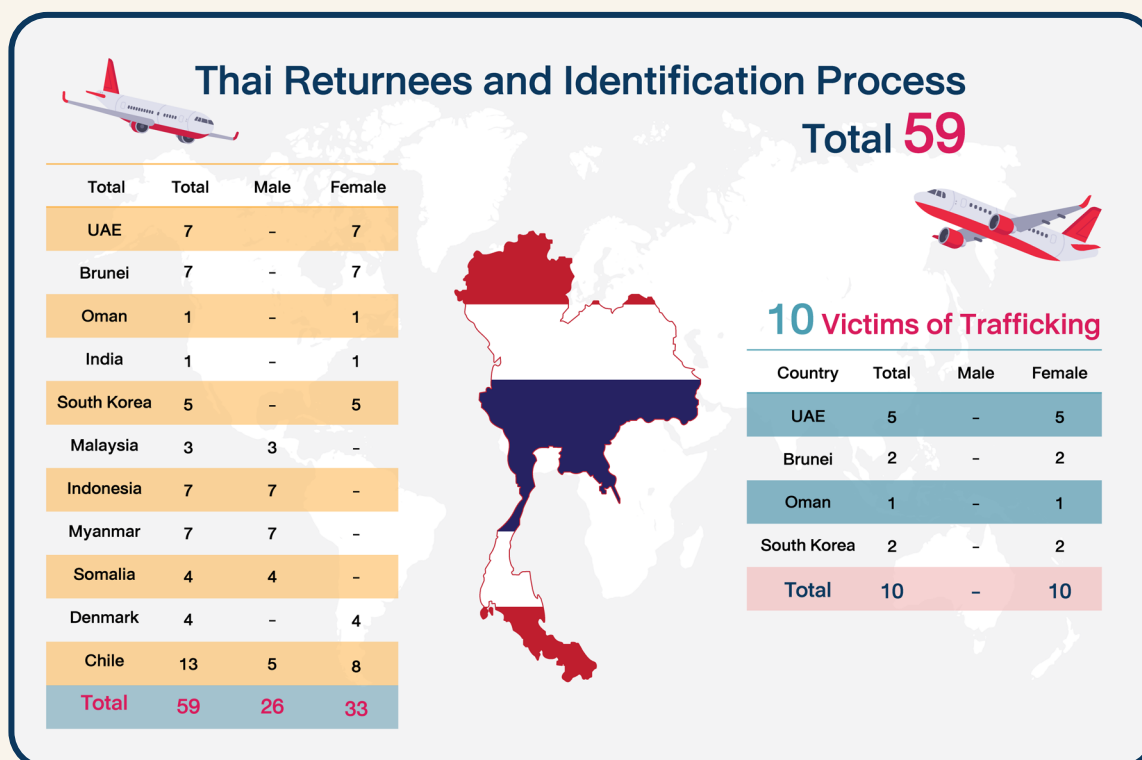
MSDHS continued to make sure that victims of trafficking and victims of forced labour or services who opted to stay outside the shelters were accorded the same protection and assistance as those staying at the shelters. This included ensuring their standard of living. For example, in April 2020, MSDHS in collaboration with Thailand Anti Trafficking in Persons Task Force (TATIP) and other agencies helped build a new house for a 15-year-old male victim of trafficking in Hua Lamphong Case (2019) to replace the old one that was dilapidated and lacked safety for the victim. Donations were also made to the victim's family and others living nearby including staple food, bedding and household appliances as well as facemasks and alcohol gel during the COVID-19 situation. In addition, A21 Foundation assisted the victim in receiving educational opportunity.

1.5 Victims' Repatriation and Reintegration into the Society

In 2020, the Thai Government, through collaboration between MSDHS, the Ministry of Foreign Affairs (MFA), the Ministry of Labour (MOL), the Royal Thai Police (RTP), and NGOs coordinated rescues and repatriations of 59 Thai nationals (26 males and 33 females) who were potential victims of trafficking or were vulnerable to human trafficking. All of them were interviewed by the multi-disciplinary team upon arrival in Thailand. Of this number, 10 persons (16.95 percent) were identified as victims of sex trafficking and accordingly provided government protection and assistance, whether or not they were willing to cooperate with the authorities in the prosecution process of their cases. MSDHS also provided relevant assistance to the 49 non-victims in order to prevent them from falling prey to human traffickers (Diagram 11).

8 US' recommendation: Increase the ability of victims, especially adults, to move freely in and out of shelters and access communication devices, and reassesses shelter placements periodically to ensure victims are not required to remain in shelters longer than necessary.

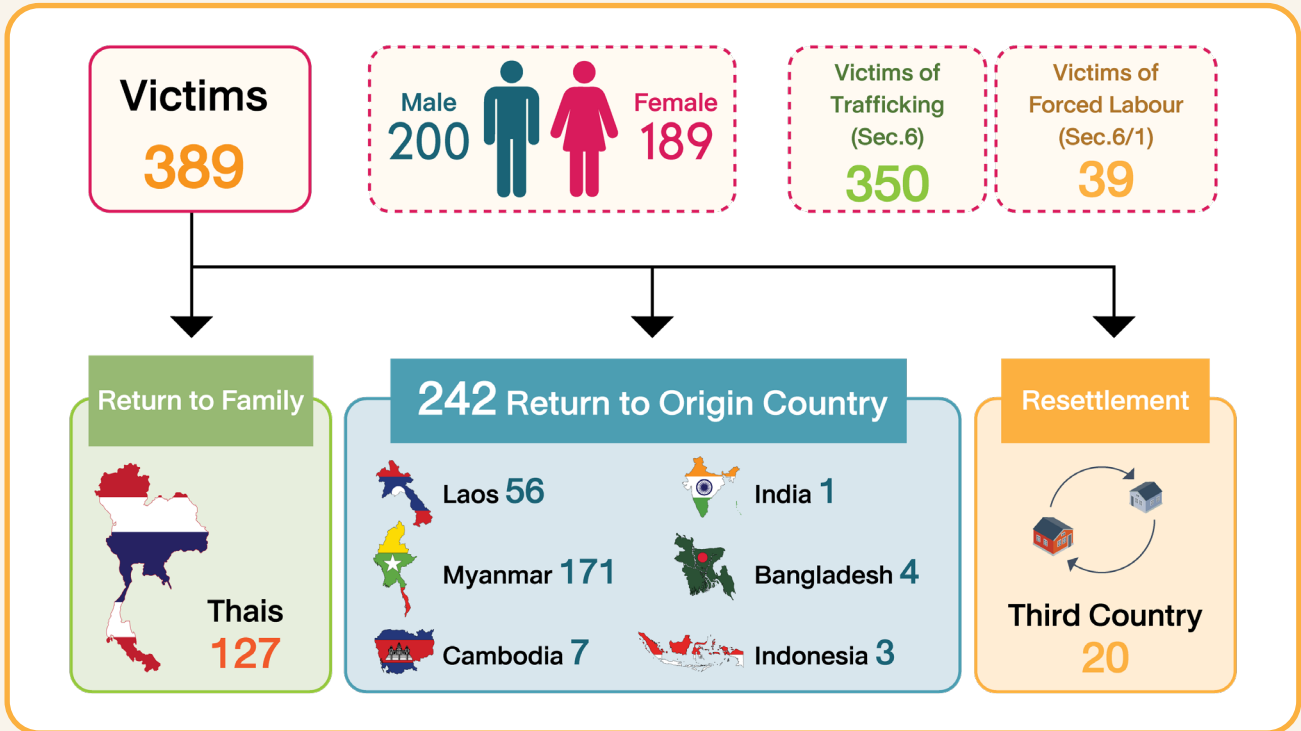
Diagram 11: Number of Thai Returnees and Identified Victims of Trafficking in 2020



In 2020, the Thai Government in collaboration with NGOs and other partners assisted a total of 389 victims who completed the protection process to reintegrate into the society with safety and support from local authorities in order to protect them from re-victimisation. Of this number, 350 persons were victims of trafficking and 39 persons were victims of forced labour from the Kamthaleso Case (p.15). In terms of nationality, 262 persons (67.35 percent) were foreign nationals. They comprised 171 Myanmar nationals, 56 Laotians, seven Cambodians as well as four Bangladeshis, three Indonesians, and one Indian from the Rui Sheng Shipping Vessel Case (p.42). Despite some challenges in arranging pre-return medical check-ups for these victims during the COVID-19 situation, the repatriations were made possible by the good cooperation between Thailand and the countries of origin. The goal was to ensure that all the victims could return home safely and would continue to receive support in their home countries and that, ultimately, they would not become victims of trafficking again. In addition, Thailand assisted 20 foreign victims who could not return to their areas of origin to resettle in the United States. Details appear in Diagram 12.

For Thai victims, MSDHS assisted a total of 127 persons who completed the protection process and were ready to return to the society. All of them were victims of trafficking. The shelters would continue to do follow-ups with all the victims after one month, three months, six months, and one year.

Diagram 12: Number of Victims of Trafficking and Victims of Forced Labour Assisted with Return and Reintegration into the Society in 2020



1.6 Assistance for Vulnerable Groups in Shelters for Children and Families

In addition to providing protection for victims of trafficking and victims of forced labour or services at the designated shelters, MSDHS also provided protection and assistance for persons who may be vulnerable to human trafficking including children who may be exploited in different forms. In 2020, MSDHS shelters for children and families provided protection and assistance 91 persons in those groups.



2. Enhancing the Use of Trauma-Informed Care Approach⁹

In 2020, the nine government-run and three registered private-run shelters continued to attach importance to trauma-informed care for victims of trafficking during both the protection process and the prosecution process. Key examples were as follows:

2.1 Improving Services in the Shelters

- Use of communication devices¹⁰ – victims at the shelters continued to be able to connect with their family members and other contacts. Those whose cases have completed the prosecution process are permitted to use communication devices without supervision. During 31 December 2020–1 January 2021, MSDHS organised the “Line Smile” activity at all the shelters to provide an opportunity for victims who did not have personal communication devices to contact and convey new year’s greetings to their families. In addition, victims continued to have access to computers with the internet which, during the COVID-19 situation, enabled them to follow the news in their countries of origin which helped allay their concerns/anxieties.

“Line Smile” Activity, 31 December 2020 – 1 January 2021



⁹ US’ recommendation: Ensure government and NGO-operated shelters provide victims with adequate trauma-informed care, such as legal assistance and psychological care, including by increasing the number of full-time interpreters and psychologists employed in shelters.

¹⁰ US’ recommendation: Increase the ability of victims, especially adults, to move freely in and out of shelters and access communication devices, and reassesses shelter placements periodically to ensure victims are not required to remain in shelters longer than necessary.

- Language interpretation – Importance continued to be given to enhancing the ability of the victims in communicating with shelter officers in order to ensure appropriate assistance in line with their needs. Weekly schedules were organised for interpreters to provide interpretation service for the victims at the shelters, with language availability depending on the nationalities of victims. Language services in 2020 included Bengali, Burmese, Cambodian, English and Rohingya.

- Counselling – MSDHS continued to increase the number of social workers and psychologists to ensure that victims staying at all the shelters could receive counselling services. At present, there are more than 40 social workers and psychiatrists who could provide counselling and mental rehabilitation for the victims at the shelters.

2.2 Legal Assistance in Shelters

All the shelters continued to use Victim Impact Statements (VIS) as part of the trauma-informed approach in providing protection and assistance for victims of trafficking under the care. Specifically, the shelters together with the multi-disciplinary team comprising representatives from government agencies and NGO partners would make assessments of the victims in all aspects. Those with psychological trauma caused by human trafficking would be avoided legal proceedings that would require them to recount their stories. VIS would be used in the judicial process of their cases instead.

2.3 Capacity-building for Shelter Staff Members

Since 2018, MSDHS continued to collaborate with the International Justice Mission (IJM) in organising capacity-building trainings for staff members of all the shelters to enhance their capacity in providing trauma-informed care to victims of trafficking and victims of labour or services. In 2020, this collaboration also covered encouraging the staff members to come up with innovative ideas on how to implement effectively trauma-informed care for victims under the care of the shelters. Examples included “Life of Song” music therapy activity and trainings on positive self-talks. In addition, MSDHS organised the 3rd Bonding Camp between the victims and staff members during 1-3 December 2020 in Nakhon Nayok Province. This excursion aimed to reduce the stress of the victims caused by their trauma, enhance their life skills, and allow them to relax during the prosecution of their cases or their nationality verification process. The activity was attended by 80 victims of trafficking and 40 shelter staff members.

3rd Bonding Camp between Victims of Trafficking/Victims of Forced Labour or Services and Staff Members of MSDHS Shelters, 1-3 December 2020, Nakhon Nayok Province



In addition, MSDHS partnered with Save the Children in organising trainings for shelter staff members to become case managers who are able to manage the assistance for the victims from their admission into the shelters until their repatriation/reintegration into the society are completed. This collaboration was conducted by sending experts in social work, child and adolescent psychology, legal affairs, and case management to provide skills trainings and coaching in the shelters for 12 months during January-December 2020. During the COVID-19 situation, virtual format was used to ensure the continuity of these important capacity-building trainings. Approximately 200 shelter staff members attended the trainings.

2.4 Protection and Assistance for LGBTIQ Victims of Trafficking

Thailand accorded equal protection and assistance rights to all victims of trafficking. As part of the efforts to enhance the protection process, the Thai Government continued the efforts in improving the provision of services that would meet specific needs of the victims.

With regard to LGBTIQ victims of trafficking, the shelters continued to develop measures in providing protection and assistance, taking into account the gender that the victims identified themselves to among the first priorities. In August 2020, MSDHS designated the Chiang Rai Province Government Shelter as the first shelter that provides alternative care for LGBTIQ victims. Other measures included providing designated areas/buildings for LGBTIQ victims in addition to the common areas shared with other victims as well as collaboration with an NGO, Winrock International, in conducting a study on further enhancing the provision of protection and assistance for LGBTIQ victims.



3.

Facilitating Foreign Victims' Permits to Stay in Thailand and Ensuring Victims' Ability to Move Freely in and out of the Shelters

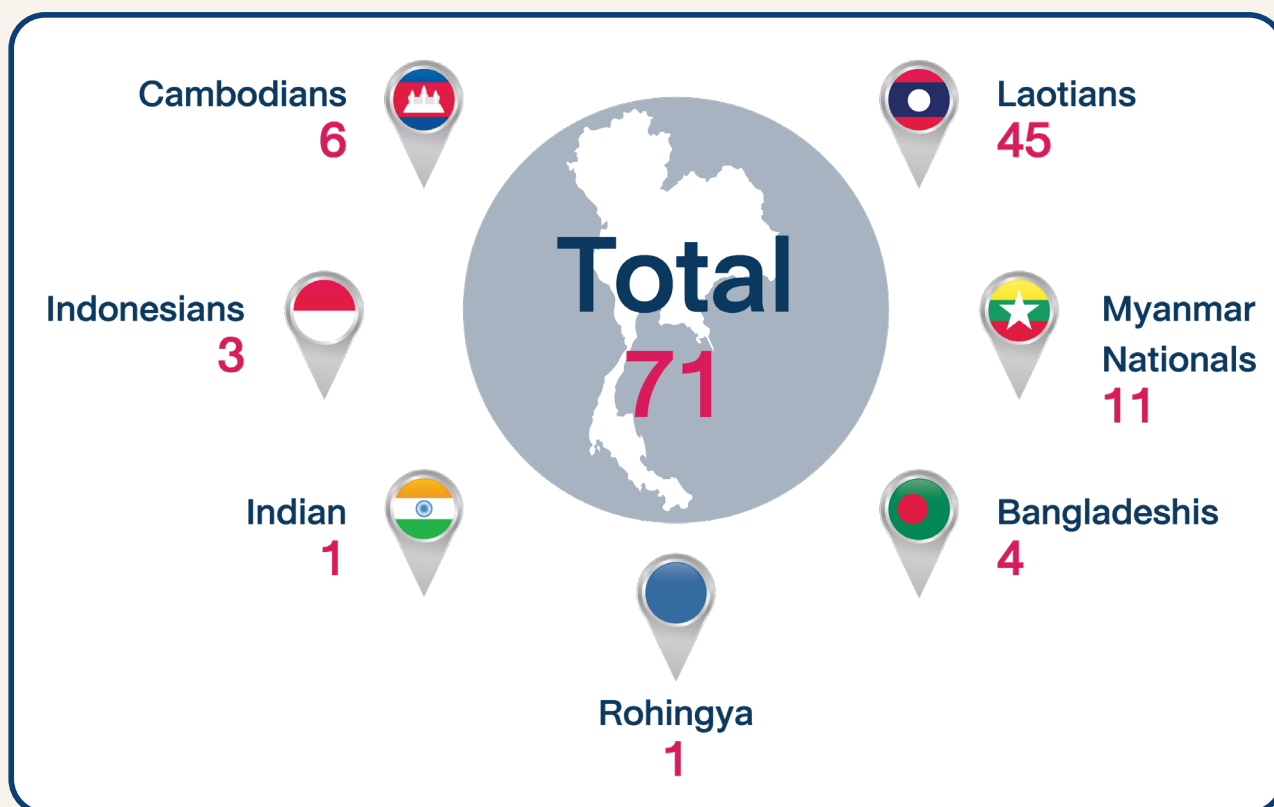
3.1 Facilitating Foreign Victims' Permits to Stay in Thailand

Some of the foreign victims of trafficking and victims of forced labour or services voluntarily opted to stay at the shelters in order to access protection and seek legal permits to stay in Thailand. In 2020, the Thai Government continued to assist identified foreign victims of trafficking who stayed in Thailand illegally to remain in the Kingdom in order for them to receive government protection and assistance for victims of trafficking and to complete the prosecution process of their cases. This was in accordance with Article 37 of the Anti-Trafficking in Persons Act. During the first two weeks after the victims entered the care of the shelters, MSDHS officials would request an exemption for their temporary stay in the Kingdom. This exemption would also allow the victims to work, study, receive healthcare services, or engage in activities beneficial for the public, as stipulated by the law.

In 2020, the Thai Government through cooperation between MSDHS and the Ministry of Interior granted temporary stay permissions for 71 foreign victims of trafficking and victims of forced labour or services. They accounted for 47.97 percent of the total victims at the shelters and comprised 45 Laotians, 11 Myanmar nationals, six Cambodians, four Bangladeshis, three Indonesians, one Indian, and one Rohingya irregular migrant (Diagram 13). These permissions were aimed at enabling the victims to move in and out of the shelters freely. Other foreign victims either already possessed legal permits, did not need to leave the shelters during the prosecution process of their cases, or did not wish to stay in Thailand.



Diagram 13: Foreign Victims Granted Temporary Stay Permissions in 2020



In addition, MSDHS facilitated the requests for extension of temporary stay by six victims of trafficking who completed the prosecution process of their cases and wished to remain in Thailand to work. They included four victims (three Myanmar nationals and one Cambodian) staying at government shelters and two victims (one Ugandan and one Tanzanian) staying at registered private-run shelters. The extension of temporary stay permits would enable these victims to work in Thailand for a period of two years.

3.2 Ensuring Victims' Ability to Move Freely in and out of the Shelters¹¹

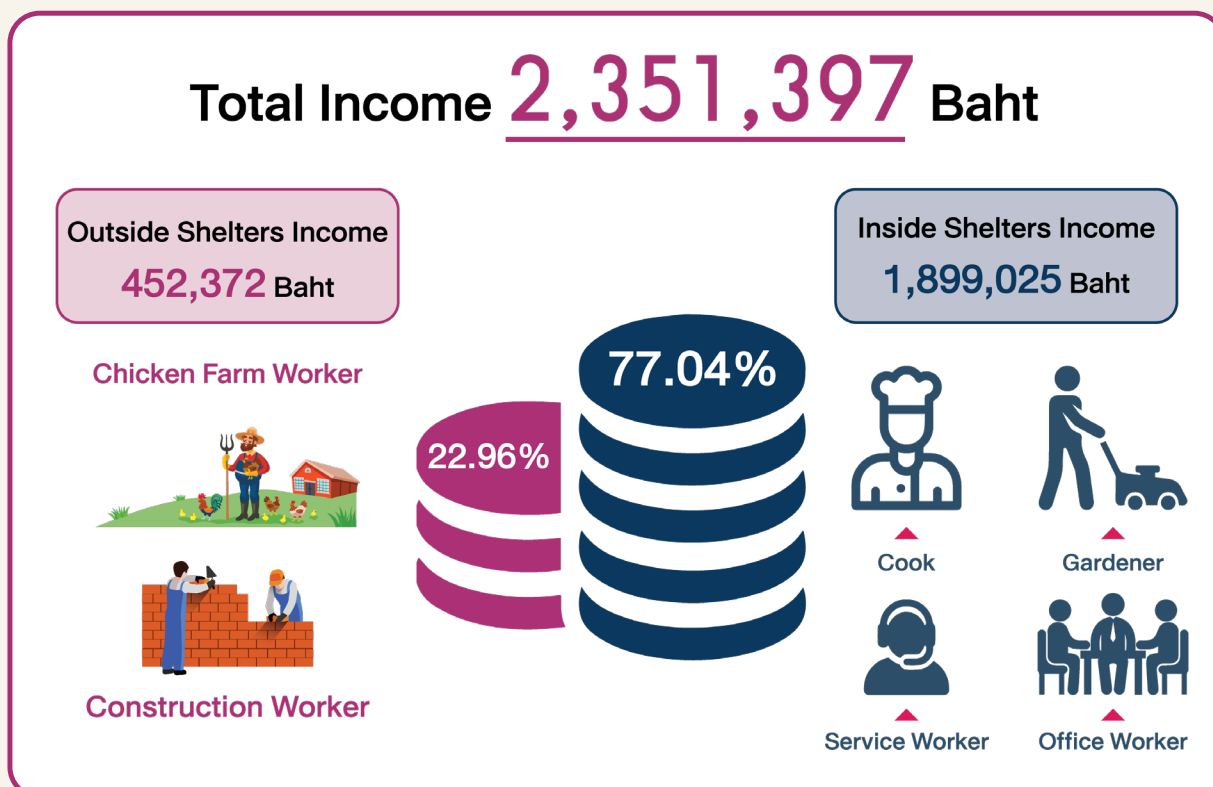
In providing protection to the victims, the Thai Government continued to place highest importance to their safety. The ultimate objective was to prevent them from being re-victimised and re-traumatised. Based on this rationale, all shelters continued to evaluate the level of safety of victims of trafficking and victims of forced labour or services under their care for access outside the shelters.

¹¹ US' recommendation: Increase the ability of victims, especially adults, to move freely in and out of shelters and access communication devices, and reassesses shelter placements periodically to ensure victims are not required to remain in shelters longer than necessary.

At present, 427 victims of trafficking and 39 victims of forced labour or services could move in and out of the shelters to study, work, and conduct public service activities without chaperone. With regard to working outside the shelters, consideration was given to the victims' safety as well as their employability. Those deemed ready would be assisted by the shelters in registering with the Department of Employment to enable them to work outside the shelters. For others whose safety remained a concern or who did not have sufficient skills, they were provided opportunities to work inside the shelters. In addition, they were provided vocation trainings and could sell their products through PROTECT-U Mobile Application (details in Section 6).

In 2020, 180 victims earned income during the protection process in a total of 2,351,397 THB (78,379.90 USD). Of this amount, 452,372 THB (15,079.07 USD) was earned from work outside the shelters (19.24 percent) by 52 victims and 1,899,025 THB (63,300.83 USD) was earned inside the shelters (80.76 percent) by 128 victims including from products sold through MSDHS' PROTECT-U mobile application (Diagram 14).

Diagram 14: Income Earned by Victims of Trafficking and Victims of Forced Labour or Services in 2020



4.

Assistance and Protection for Witnesses in Human Trafficking Cases

In 2020, the Rights and Liberties Protection Department, Ministry of Justice, provided assistance and protection in accordance with the Witness Protection Act, B.E. 2546 (2003) to 51 witnesses in human trafficking cases, decreasing from 2019 by 143 persons. This was in correlation to the overall decreasing number of human trafficking cases.

At the same time, the budget spent on witness assistance and protection increased from 2019 by 98.35 percent, amounting to 4,842,068.04 THB (161,402 USD). This equaled to an average budget of 94,942.51 THB (3,165 USD) per witness compared to 12,648.21 THB (422 USD) in 2019. The increased budget was used to enhance the efficacy and standard of the witness assistance and protection. This included an increasing number of witness protection personnel, providing protection to persons close to the witnesses who may be in danger for appearing as witnesses, finding safe houses with a high level of security, and increasing related allowances for the witnesses (Table 21).

Table 21: Assistance and Protection for Witnesses in Human Trafficking Cases

Year	Number of Witnesses under Protection	Budget (THB)
2019	193	2,441,104.10
2020	51	4,842,068.04

Third-country resettlement for a witness in Victoria's Secret case (2018)

In 2018, the Department of Special Investigation (DSI) initiated a human trafficking case of Victoria's Secret massage parlour in Bangkok. During the prosecution process, DSI provided witness protection and assistance to one witness including assistance with third-country resettlement. Approximately 800,000 THB of budget was spent for this purpose. The witness was granted resettlement in Australia on humanitarian basis in August 2020 and departed Thailand in September 2020. This was the first third-country resettlement for witnesses in human trafficking cases in Thailand. Its success was a result of the close collaboration between DSI, the United Nations High Commissioner for Refugees (UNHCR), the Australian authorities, and other relevant agencies.

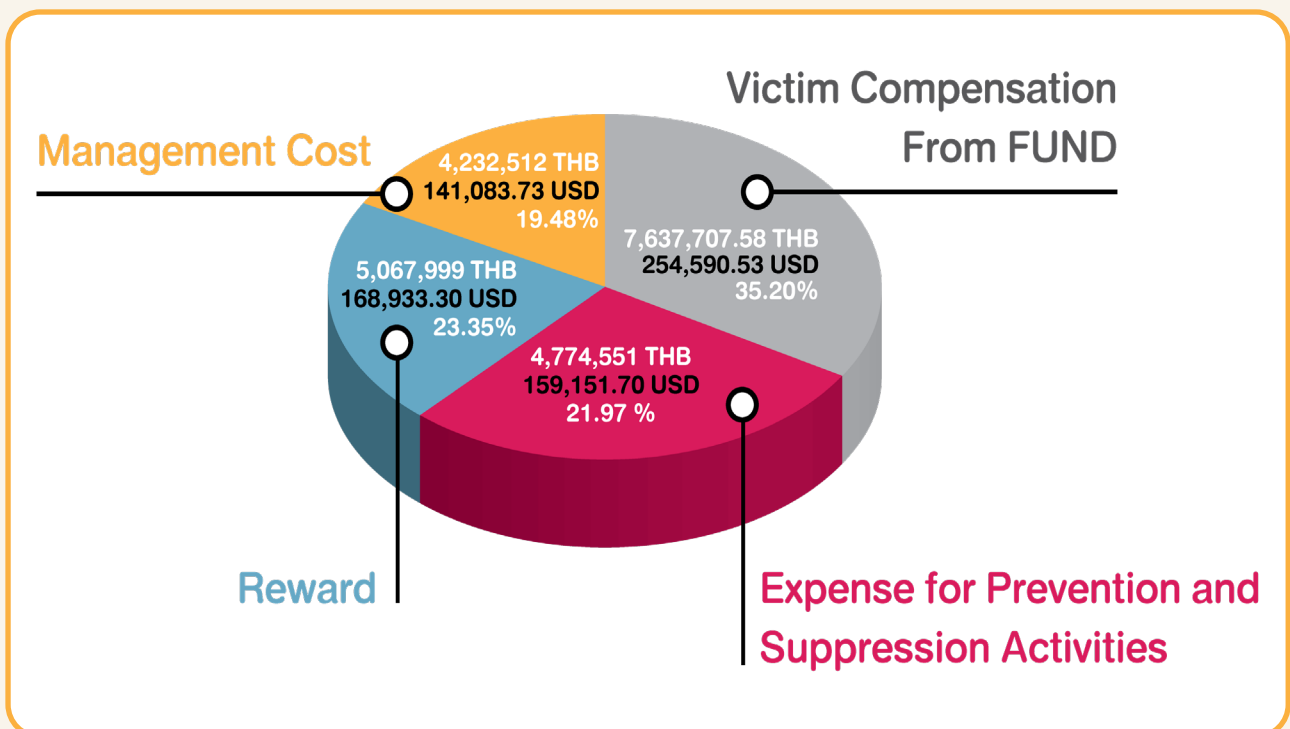
5.

Financial Assistance for Victims of Trafficking and Victims of Forced Labour or Services

5.1 Use of the Anti-Human Trafficking Fund

As part of the protection process, the Thai Government continued to provide financial assistance to victims in human trafficking as well as forced labour cases through the Government’s Anti-Human Trafficking Fund. In 2020, the Fund expensed a total of 21,712,769.60 THB (723,759 USD). Of this amount, 7,637,707.58 THB (254,591 USD) or 35.20 percent was used as initial remedies for victims, 5,067,999 THB (168,933 USD) or 23.35 percent was used as rewards in arresting suspects, and 4,777,551 THB (159,152 USD) or 21.97 percent was for awareness-raising campaigns on prevention and suppression of trafficking. In addition, the Fund expensed 4,232,512 THB (141,083 USD) or 19.48 percent was used to enhance the efficiency in combatting human trafficking, including a central database on cases, suspects, and rescued victims. (Diagram 15).

Diagram 15: Detailed Expenses of the Anti-Human Trafficking Fund in 2020

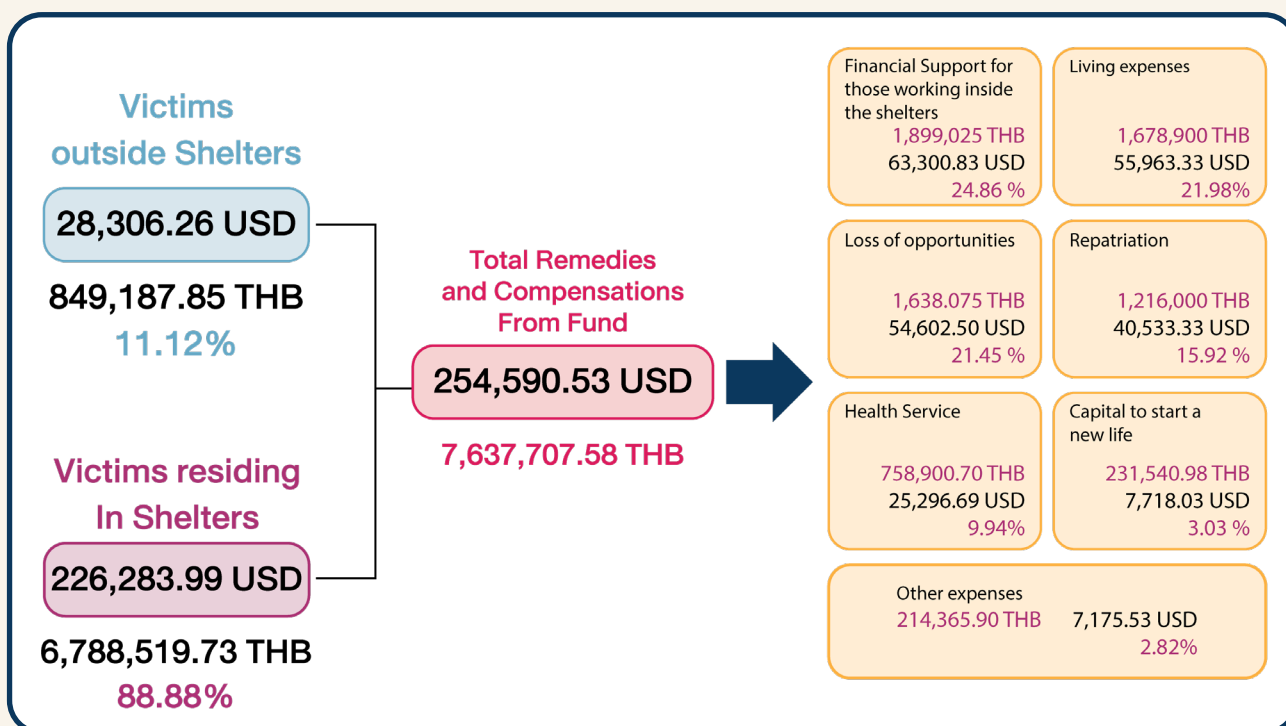


5.2 Initial Financial Remedies for Victims of Trafficking and Victims of Forced Labour or Services

Of the 7,637,707.58 THB initial financial remedies provided to victims of trafficking and victims of forced labour through the Anti-Human Trafficking Fund, 1,899,025 THB (63,301 USD) was used for providing financial support to victims working inside the shelters. In addition, 1,678,900 THB (55,963 USD) or 21.98 was for victims' living expenses, 1,638,075 THB (54,603 USD) or 21.45 percent was used as compensations for loss of opportunities, 1,216,000 THB (40,533 USD) or 15.92 percent was for repatriations of victims to their countries of origin, 758,900.70 THB (25,297 USD) was for health services, and 231,540.98 THB (7,718 USD) was used as capital to start a new life. Financial support for victims' other expenses such as utilities and supplies totaled 214,365.90 THB (7,176 USD) or 2.82 percent. Details appear in Diagram 16.

In addition, 849,187.85 THB (28,306 USD) or 11.12 percent of the above-mentioned initial financial remedies was provided to victims staying outside the shelters. This demonstrated that all victims were accorded the same protection and assistance rights including remedies from the Government, whether or not they opted to reside in the shelters.

Diagram 16: Remedies for Victims of Trafficking and Victims of Forced Labour or Services Disbursed from the Anti-Human Trafficking Fund in 2020



In 2020, the Rights and Liberties Protection Department of the Ministry of Justice also provided compensations in accordance with the Damages for the Injured Person and Compensation and Expenses for the Accused in Criminal Case Act, B.E. 2544 (2001) and the additional amendment, B.E. 2559 (2016) for 24 victims of trafficking. The total amount of compensations was 267,900 THB (8,562 USD) or 11,162.50 THB (256 USD) per person on average. Details appear in Table 22.

Table 22: Assistance and Protection for Victims of Trafficking

Year	Number of Victims Receiving Assistance	Budget (THB)
2019	35	532,035
2020	24	267,900

5.3 Enforcing the Courts’ Orders for Restitutions and Compensations¹²

To ensure that victims of trafficking receive restitutions and compensations from their perpetrators, MSDHS continued to provide legal assistance to victims in order to enforce the Courts’ orders through collaboration with relevant government agencies such as Office of the Judiciary, Department of Provincial Administration, Legal Execution Department, and Department of Land Transport. A sub-committee was also established to provide assistance to human trafficking victims and ensure enforcement of the Courts’ orders.



¹² US’ recommendation: Continue to increase efforts to ensure victims receive court-order restitution from their traffickers.

6. Access to Services through Mobile Application “PROTECT-U”

Following its official launch in 2019, “PROTECT-U” continued to serve as an online channel for victims of human trafficking to request for access to protection and assistance. The application enabled the victims and witnesses to notify MSDHS of trafficking activities and request assistance from anywhere by providing detailed information or sending location coordinates through mobile phones. MSDHS officials would then coordinate with nearest local authorities to expedite assistance.

In addition, the application continued to provide information on rights of victims of trafficking, available in seven languages. Its online market feature also continued to help the victims earn income by selling the products that they made. MSDHS and partner agencies continued to promote the application to vulnerable groups.

In 2020, the application was downloaded 720 times. A total of 32 suspected human trafficking cases were reported through the application, increasing from seven cases (357.14 percent) in 2019. All of these cases were referred to agencies concerned for investigation. Other popular usage of the application included browsing products made by victims of trafficking and victims of force labour or services (1,047 times), referencing victims’ rights (1,022 times), and requesting interpretation service (53 times). Details appear in Table 23.

Table 23: Statistics of PROTECT-U usage

Number of Downloads and Types of Usage	Number (Times) 2019	Number (Times) 2020	Total
Download from IOS platform	250	246	496
Download from Android platform	533	474	1,007
Total downloads	783	720	1,503
Reporting human trafficking	7	32	39
Referencing victim’s rights	1,201	1,022	2,223
Requesting interpretation service	143	53	196
Evaluating of intepretation service	40	11	51
Browsing products made by the victims	904	1,047	1,951

7.

Promoting Multi-stakeholder Partnership in the Protection Process

The Thai Government continued to collaborate with NGOs/civil society organisations, private sector, regional countries, and various international organisation partners in ensuring comprehensive protection and assistance for all victims and enhancing the standard and efficacy of the protection process.

7.1 Inter-agency cooperation

7.1.1 Cooperation to establish National Referral Mechanism (NRM) – MSDHS collaborated with the International Organisation for Migration (IOM) and the United Nations Development Programme in Thailand in developing an NRM for victims of trafficking. Specifically, IOM supported the hiring of a team of advisors from the United Kingdom in analysing the current situation and preparing a national strategy in developing an NRM that would be suitable for Thailand’s context. Since March 2020, the team have presented an initial academic research and literature review of NRMs in various countries to concerned Thai agencies for preliminary information and inputs. During April-July 2020, field studies were conducted to collect information and interview officers on the ground. A draft paper on Thailand’s national strategy in developing the NRM has been prepared and presented at inter-agency meetings for comments. The paper as well as an action plan are being reviewed by the concerned agencies, with a plan to establish a working group to develop the NRM as the next step.

7.1.2 Cooperation to develop Reflection Period for victims of trafficking – in August 2020, MSDHS appointed a working group to consider the use of reflection period to enhance the protection and assistance for victims of trafficking. The working group comprised representatives from concerned government agencies and civil society organisations including OAG, RTP, DSI, Ministry of Labour, Ministry of Interior, Human Rights and Development Foundation (HRDF), ASEAN-Australia Counter Trafficking Initiative (ASEAN-ACT). The working group has met to consider possible formats of reflection period and surveyed a pilot implementing agency, which would be reviewed and concluded as the next step.

7.2 International Cooperation

The Thai Government continued the efforts to strengthen cooperation with countries of origin in assisting and protecting victims of trafficking. In addition to the Memorandum of Understanding (MOU) on bilateral cooperation in combatting human trafficking, MFA and MSDHS also provided financial and technical development assistance to relevant partner countries. This included the establishment of the Transit and Reception Centre for Victims of Trafficking and other Vulnerable Groups in Poi Pet, Banteay Meanchey Province, Cambodia initiated in 2019. Progress of this cooperation project continued to be made in 2020 including consideration of the tentative personnel structure for the Centre's management. The construction of the Centre was expected to commence in due course. Thailand also continued to work closely with the Government of Lao PDR in establishing the Lao PDR-Thai Friendship Social Development Centre at Saitani District, Vientiane. These projects would further enhance the close cooperation between Thailand and countries of origin in combatting human trafficking in the future.

7.3 Cooperation with International Organisations and Civil Society Organisations¹³

Collaborations in 2020 included facilitating access to shelters by IOM and UNHCR in order to support the provision of assistance for Rohingya victims of trafficking such as medical check-ups, food and other daily necessities, and coordination for their early resettlement. MSDHS also worked with ASEAN-ACT in organising a library for victims staying at the Phitsanulok Province Shelter. This enabled the victims to spend time during the COVID-19 situation by making use of reading.

MSDHS' collaboration with ASEAN-ACT in organising a library at Phitsanulok Province Shelter

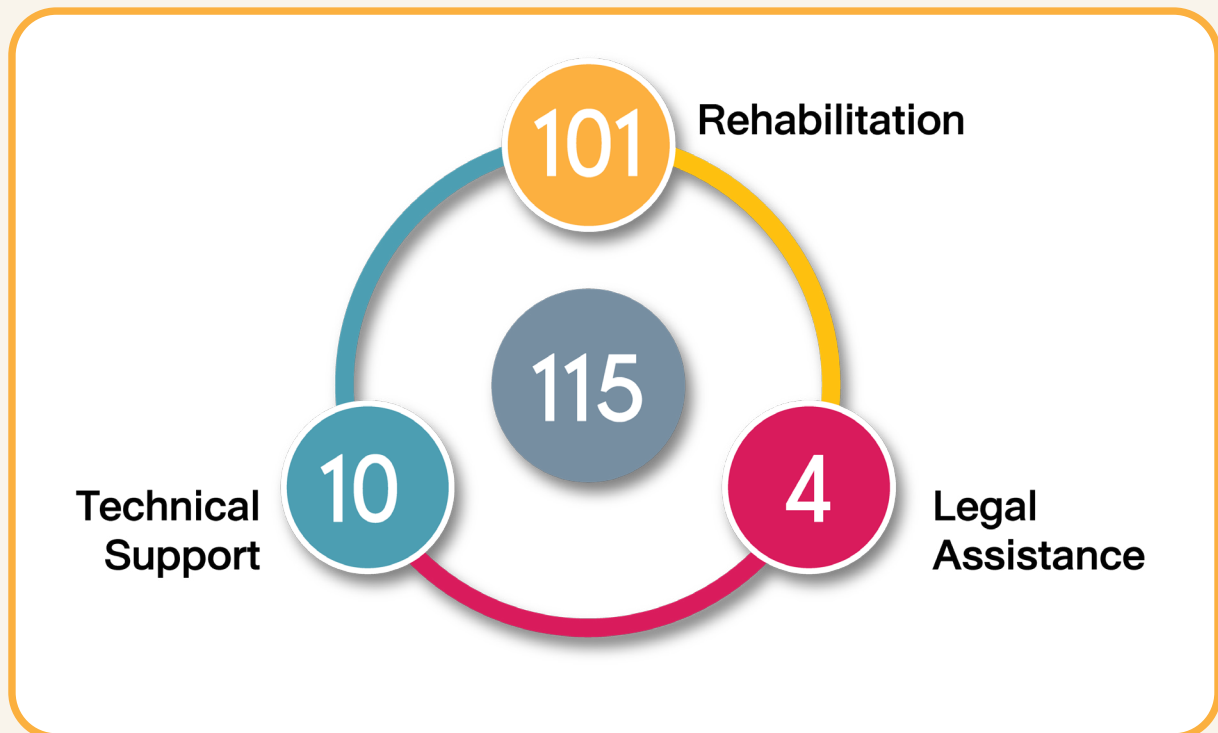


13 US' recommendation: Increase collaboration with local civil society organisations in migrant worker assistance centres, post-arrival centres, and government shelters, including in the provision of services to victims.

In addition, NGOs continued to help provide support for the victims in legal procedures, food provisions in accordance with their religious beliefs, de-stressing activities, and social work. Key NGOs included Human Rights and Development Foundation (HRDF), Save the Children, IJM, HUG Project, A-21 Foundation, Alliance Anti Trafic (AAT), Lift International, and Stella Maris.

In 2020, NGO partners were granted access to provide assistance to the victims in all the shelters in a total of 115 times, increasing from 69 times in 2019. Of this number, 101 times were for victims' rehabilitation; 10 times were for technical support for shelter staff members such as capacity-building trainings, sharing of innovation to enhance services at the shelters, and knowledge on trauma-informed care; and four times were for legal assistance to the victims. Details appear in Diagram 17. During the COVID-19 situation, NGOs wishing to access the shelters were required to comply with the Thai Government's public health measures.

Diagram 17: Services Provided by NGOs at the Shelters in 2020 (times).



Prevention

The adverse social and economic consequences of COVID-19 have caused changes in nature and methods of human trafficking. In handling these challenges, prevention does play an increasingly significant role. In 2020, the Royal Thai Government was able to carry out more concrete and result-oriented preventive policies and measures against human trafficking in line with the Anti-Trafficking Action Plan under Thailand's National Strategy 2018-2037. The overall policy implementation continued to be supported by high-level political commitment and increased budget. The work of key national mechanisms, chaired by Deputy Prime Minister General Prawit Wongsuwan, also helped ensure policy continuity, coherence, and coordination among concerned government agencies and other stakeholders in the civil society.

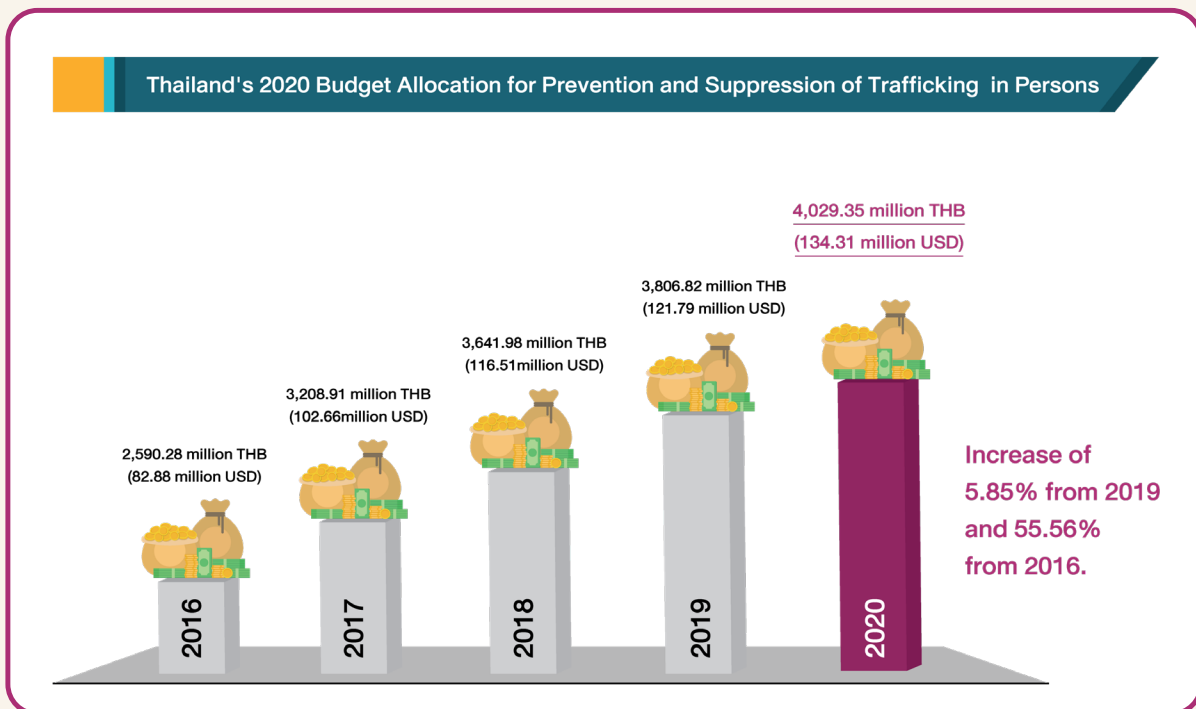
A number of achievements were made in 2020 in the area of prevention. First, the anti-trafficking government budget was raised by 5.85 percent. Several new subordinate laws and regulations were enacted to ensure the effective enforcement of labour laws and the protection of workers, especially those in the fisheries sector. Training and capacity-building programmes were conducted to further enhance the capacities of law enforcement and relevant agencies. Concerned authorities also strengthened the inspection of business establishments and recruitment agencies for both migrant workers seeking jobs in Thailand and Thai workers seeking overseas employment. The effectiveness of labour and vessel inspections, both at the Port in-Port out Control Centres and at sea, were further enhanced. Awareness campaigns, many of which were implemented at the local level involving local stakeholders, were implemented. Last but not least, the Royal Thai Government continued to deepen international cooperation and solidify multi-stakeholder partnerships to enhance the application of international labour standards and responsible business practices.

1.

2020 Budget Allocation for Prevention and Suppression of Trafficking in Persons

Preventing and combatting trafficking in persons remained a national agenda with top priority of the Royal Thai Government, matched by the continued upward trend of budget allocation for related government agencies since 2016. In 2020, the Thai Government allocated a total of 4,029.35 million THB (134.31 million USD) for prevention and suppression of trafficking in persons, an increase of 5.85 percent from the previous year and a significant increase of 55.56 percent from the 2016 annual budget. Details appear in Diagram 18.

Diagram 18: Government budget for combatting trafficking in persons continued to increase



2.

Legal Amendments and Improvements¹⁴

In 2020, Thailand further amended and legislated several additional laws and regulations to strengthen the prevention and suppression of all forms of human trafficking, in conformity with relevant international laws and standards.

¹⁴ US' recommendation: Improve the capacity of law enforcement to proactively prosecute and convict labour traffickers and identify labour trafficking victims.

2.1 Draft amendments to the Immigration Act to prevent and suppress smuggling of migrants

Amendments to the Immigration Act (No.24), B.E. 2522 (1979) were drafted with the goal of preventing and suppressing the smuggling of migrants, in line with the Protocol against the Smuggling of Migrants by Land, Sea, and Air, supplementing the UN Convention against Transnational Organized Crime. The draft amendments stipulated penalty terms for migrant smuggling close to those of trafficking in persons. The draft amendments are currently under the consideration of the Council of State and concerned agencies.

2.2 Enactment of subordinate laws under the Labour Protection in Fisheries Act B.E. 2562 (2019)

Following the enactment of the Labour Protection in Fisheries Act B.E. 2562 (2019), nine subordinate laws were passed in 2019 to support the implementation of the Act. In 2020, two additional subordinate laws were enacted by the relevant agencies. Therefore, all 11 subordinate laws under the Act have been passed. Developed in close consultation with ILO and tripartite constituents, these legislations would ensure the effective implementation of ILO Convention No.188 on Work in Fishing.

The laws covered a number of issues, including improved effectiveness and coordination of labour inspection onboard fishing vessels and at business establishments, provision of health and welfare benefits for fisheries workers by the owners of fishing vessels, regular reporting and analysis on violations of the Act, work in fishing certificate requirement for all fishing vessels at least 26.5 metres long and operating at sea for more than three days or vessels operating for more than three days outside of Thai waters, and standards on accommodation, facilities, safety equipment, and the maximum number of workers onboard fishing vessels.

2.3 Enactment of subordinate laws under the Royal Ordinance on Fisheries B.E. 2558 (2015)

In April 2020, nine additional subordinate legislations under the Royal Ordinance on Fisheries B.E. 2558 (2015) were enacted with a goal to facilitate the issuance and extension of seabooks for migrant workers, thus ensuring effective implementation of the Ordinance. Under these subordinate laws, migrant workers of three nationalities (Cambodia, Lao PDR, and Myanmar) were also permitted to file requests for seabooks for temporary stay in Thailand and work in the marine fisheries sector.

2.4 Revisions of the Labour Relations Act B.E. ... (...) and the State Enterprise Labour Relations Act B.E. ... (....)

Further progress continued to be made in the revision of related legislations to further strengthen labour protection and pave the way for ratifying the ILO Convention No. 98 on Right to Organised and Collective Bargaining Convention. Specifically, the revised draft Labour Relations Act B.E. ..., which were approved by the Cabinet in February 2019, is currently being reviewed by the Council of State. The revised draft law is expected to be resubmitted to the Cabinet in early 2021, and subsequently to the national assembly for deliberation. The enactment of the revised law is expected by the end of 2021. Meanwhile, the revised draft State Enterprise Labour Relations Act B.E. is in the process of public hearing in accordance with Thailand's Constitution prior to submission to the Cabinet.

3. Anti-Trafficking in Women and Children

The Government remained proactive in implementing preventive measures against trafficking in women and children. These measures were carried out in a coherent and coordinated manner and in close collaboration with relevant stakeholders. A particular emphasis was given to supporting career development for women at risk of trafficking, preventing prostitution, raising awareness, and building capacities of relevant officers. Concerned agencies also introduced new measures or made adjustments to existing measures in light of the COVID-19 situation. Key achievements in 2020 included the following:

3.1 Career development programmes were organised for women and girls at risk of trafficking, including those without formal education, unemployed, employed in the informal sector, or facing economic and social challenges. A total of 8,115 women and girls participated in the programmes in the 2020 fiscal year, representing a significant increase of 54 percent from 2019. This positive development was achieved as the program organisers, namely the eight Women and Family Development Learning Centres under MSDHS, took steps to improve the course curriculum, shorten the course duration, and offer some courses online in light of the COVID-19 situation. The participants were equipped with essential vocational skills, which would empower them to earn a living independently, thus reducing their risks to human trafficking and prostitution.

3.2 Community groups for career development were organised to support women and others with economic and social difficulties, those who lack access to government services or career alternatives, as well as disaster victims. The level of participation in the community groups remained high and even increased by 4 percent from last year. Of 7,332 women who participated in the programmes in 2020, 5,184 (70.7 percent) attended New Life for Women and Families Programme, 1,737 (23.7 percent) attended Occupational Group Activities, and 411 (5.6%) attended Women Entrepreneurship Opportunity Programme. These programmes reduced their risk of being trafficked by enabling them to work in their communities and have sufficient income to support themselves and their families, without having to migrate to other areas.

3.3 Proactive, local-level actions to prevent prostitution were taken. MSDHS offices in all provinces carried out activities to prevent prostitution in collaboration with local stakeholders including the private sector, NGOs, and students. These local-level actions included development of safe and creative media including online media, working with youth leaders, local communities and schools to raise awareness of human trafficking, and inspection of nightclubs, entertainment, and gaming centres. These activities were guided by action plans developed by the Provincial Protection and Career Development Committees, taking into account specific local contexts, and were supported by adequate budget allocation.

3.4 Capacity-building and training programmes were held to enhance the efficiency and effectiveness of preventive measures for women at risk. Key examples included:

- Workshop on prostitution victims identification for 36 officers of MSDHS' Department of Women's Affairs and Family Development and the Women and Family Development Learning Centre,¹⁵ 5-6 August 2020, Bangkok;

- Workshop on 2021-2022 workplan to prevent and combat prostitution attended by 41 officers of the Department of Women's Affairs and Family Development, 22-23 September 2020, Nakhon Nayok;

- Workshop on 'New Career, New Life after COVID-19', a collaborative effort among several government agencies and other partners aimed at enhancing vocational training for women, workers, and other vulnerable groups affected by the COVID-19, 7 June 2020, Phitsanulok;

- MOU signed between the Department of Women's Affairs and Family Development and Naresuan University, Phitsanulok, to advance technical cooperation in vocational training and career development for women and their families, 7 June 2020.

15 US' recommendation: Improve training provided to labour, provincial and local police, immigration and social welfare officials to increase proactive victim identification among vulnerable populations.

3.5 Pre-departure support programmes for Thai women moving to work

overseas prepared them for working and living abroad safely. These included a training held in July 2020 for 54 Thai women in Chonburi on prevention from falling victim to trafficking, prostitution, and drug smuggling. Foreign language trainings and advices on working overseas and adapting to foreign culture were also provided as part of these pre-departure programmes.

3.6 Evidence-based awareness campaigns¹⁶

were actively carried out by relevant agencies in partnership with NGOs and the private sector to raise awareness among youths who were most vulnerable to online child exploitation and sex trafficking, and educate them on how to report cases of trafficking. The authorities identified the target groups of these awareness campaigns through a rigorous analysis of data on victims of online child exploitation and sex trafficking.

These campaigns included awareness campaigns for over 5,000 students in schools, including a school for persons with hearing disabilities, and universities by ATPD and TICAC Operation Team in collaboration with the private sector, and the “Young Producer Award 2020” campaign by the Office of the Attorney General in cooperation with a leading telecommunication company, in which student participants created and presented short films about preventing online sexual exploitation.

Booklets were distributed to parents, teachers, and students to inform them about the risks of different forms of online child pornography and trafficking in children, as well as the channels through which they could report cases and seek assistance from government agencies. In addition, in-person and online counselling provided trauma-informed psychological support and advice for children.

The ATPD and relevant partners carried out the Child Abuse Resistance Education (C.A.R.E) campaign for school and university students in order to prevent them from becoming involved in child prostitution. Students were given practical knowledge about the risk of falling victim to prostitution and how to avoid it. Selected teachers became an important part of the campaign, helping to promote awareness among students across Thailand. A workshop was also organised during 20-23 December 2020 to train 43 C.A.R.E. trainers.

TICAC also collaborated with Children’s Advocacy Centres (CACs) located in six provinces, several NGOs, and the Office of Attorney General to organise awareness-raising talks on online sexual exploitation threats for primary, secondary and university students, teachers, and executives. 18 talks were held in 2020, helping to enhance the understanding of educators and students on the emerging online threats and how to prevent and report them.

16 US’ recommendation: Foster an environment conducive to victims and advocates reporting human trafficking crimes.

Moreover, TICAC in collaboration with the Safeguard Kids foundation, the Thai Media Fund, a commercial bank, and a private entertainment company initiated a project to produce “The Leaked”, a series of three short films, in order to raise awareness among youth and young adults on the threats of online sexual exploitation against children. The mini TV series was broadcast on YouTube and Facebook, and received positive and overwhelming response. As of 5 January 2021, the series had had over 1,500,000 views and 73,000 subscribers on YouTube. TICAC also analysed the disaggregated data of viewers and found that over 85 percent of the total viewers were from the target groups (those aged 13-34), and about 75 percent of the viewers were females. A Facebook page was also created to facilitate social media discussion on the series.

Furthermore, the Department of the Trafficking in Persons Litigation under the Office of Attorney General established a coordination centre for victims and civil society organisations to assist and protect the victims, including legal advice during all stages of the prosecution and after the completion of the case.

Collaboration between public prosecutors and civil society organisations in protecting the rights of victims of trafficking and ensuring success in prosecution of cases organised by OAG and IJM



The concerted effort between relevant agencies, NGOs, and businesses in awareness campaigns resulted in suspected trafficking cases being reported, especially through TICAC Operation Team and ATPD Facebook pages. The continued collaboration and resource mobilization across the networks of government, private, and civil society partners also contributed to better results in reporting and investigation of cases.

3.7 Watch List and Black List of people with history of child sexual abuse continued to be updated regularly by the Immigration Bureau to prevent their entry into the Kingdom. Thailand’s close coordination and information sharing with foreign law enforcement agencies resulted in hundreds of child sexual offenders being denied entry into the Kingdom and permission to stay. Details appear in Table 24 :

Table 24: Actions against aliens who have committed sexual abuse or harassment, are issued foreign arrest warrants, or have committed human trafficking, 2017-2020

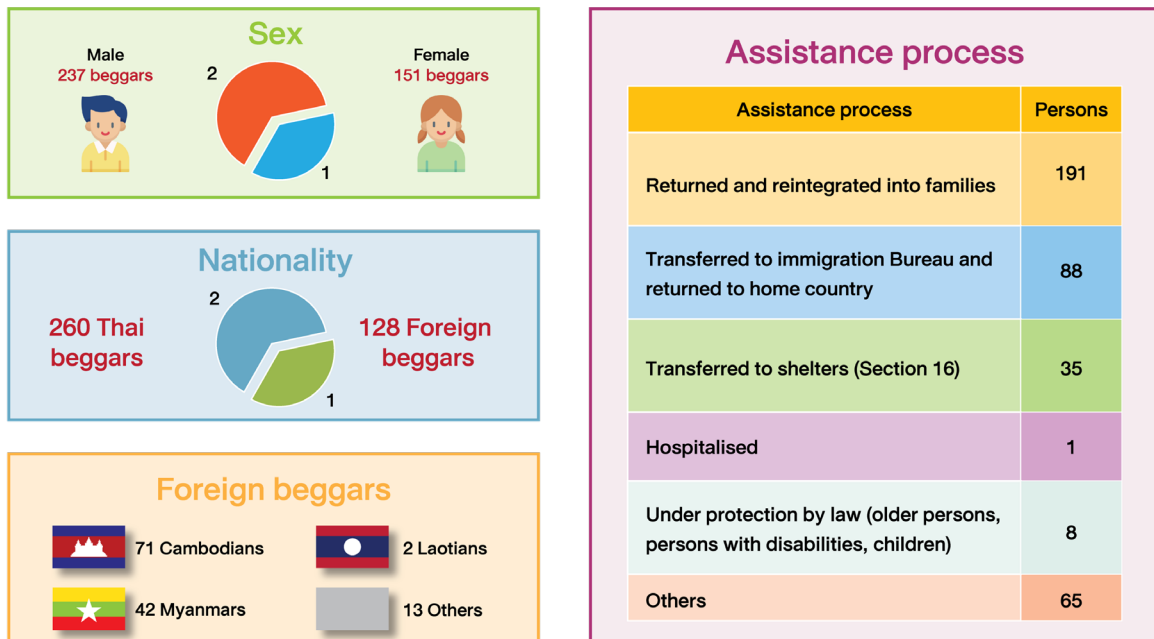
Year	Denied entry into the Kingdom	Permission to stay in the Kingdom cancelled	Information on persons involved with sexual offences received from different agencies
2017	1,264	29	16
2018	414	151	69
2019	648	21	43
2020	35	91	2
Total	2,361	292	130

4. Prevention of Forced Begging¹⁷

MSDHS continued to actively regulate begging in efforts to prevent human trafficking and related forms of exploitation. In 2020, 388 beggars were identified, decreasing from 474 in 2019 (18.14 percent). Details appear in Diagram 19.

¹⁷ US’ recommendation: Improve training provided to labour, provincial and local police, immigration, and social welfare officials to increase proactive victim identification among vulnerable populations (including children engaged in begging).

Diagram 19: Trafficking in Beggars in 2020



4.1 Legal, policy and regulatory measures were implemented to prevent forced begging. These measures included beggars’ registration and screening, and identification of beggars from street talent performers. Guided by the Beggar Control Act B.E. 2559 (2016) and its six ordinances and the first Action Plan for Beggar Control 2019-2021, these proactive regulatory actions and collaborative efforts with NGOs helped minimise the risk of forced begging. Specifically, 1,044 talent performers were issued identification cards in 2020 to prevent them from being criminalised. DNA testing was also used to prove relations between adult beggars and their accompanying children. The process resulted in 16 Cambodian children being repatriated to their home country.

4.2 Awareness campaigns, capacity-building programmes, and partnership-building activities continued to be carried out to prevent illegal and forced begging. Several of these activities were undertaken at the local level to ensure effective prevention. Examples included implementation of MOUs with over 30 municipalities to improve protective measures for homeless people and beggars, including children, and advancing related partnerships at the provincial, sub-district and community levels; awareness campaigns on illegal begging, the downsides of giving money to beggars, related penalties, and available reporting channels; cooperation with Cambodia to regulate begging along the border areas through the “1 Border 1 Workshop” project; and 30-hour training programmes on regulation of begging for 175 law enforcement officers and the development of operational manual on beggar control for related agencies.

5.








Prevention of Trafficking in Thai Labours Seeking Overseas Employment

5.1 Government Supporting Programmes for Thai Labours Seeking Overseas Employment

The Thai Government continued to promote government-to-government cooperation in dispatching Thai labours to work overseas. The objectives were to promote safe and orderly migration and address the issues of human trafficking, illegal brokers, overcharge of job placement and agent fees, and labour exploitation.

In 2020, however, the number of Thai workers dispatched for overseas employment through the government-supporting programmes declined from that in 2019, owing to international travel restrictions and economic disruptions caused by the COVID-19 pandemic. Specifically, in 2020 a total of 2,978 Thai workers were dispatched by MOL to work overseas, decreasing from 11,886 workers from 2019. Nevertheless, the government supporting programmes also helped those workers save a total of 622,715,104 THB (20.76 million USD) in private agent fees and other costs (Details in Table 25). These financial savings reduced the vulnerability to labour trafficking by way of debt bondage and the Thai Government continued to look for ways to strengthen the efforts in this regard.

Table 25: Overseas Employment through Government-Supporting Programme

Result of Overseas Employment through Government-Supporting Program						
No.	Destination	Persons	Expenses by Government per person (THB)	Expenses by Private Sector per person (THB)	Saving per person (THB)	Total Decreased Expenses (THB)
1	 Israel	2,092	79,328	300,000	220,672	461,645,824
2	 Republic of Korea	630	20,244	180,000	159,756	100,646,280
3	 Japan	189	15,000	300,000	285,000	53,865,000
4	 Taiwan	62	15,000	120,000	105,000	6,510,000
5	 Malaysia	2	7,000	25,000	18,000	36,000
6	 Singapore	3	5,000	9,000	4,000	12,000
7	 United Arab Emirates	-	4,000	25,000	21,000	-
Total		2,978				622,715,104

In addition, Thailand Overseas Employment Administration (TOEA) Offices in 10 provinces continued to act as the official one-stop service channel to facilitate Thai workers' search for overseas employment. This included assistance with job placements, medical check-ups, and bank transfers.

In 2020, a total of 14,514 Thai workers applied for TOEA's services and assistance. Of this number, 6,274 workers (43.2 percent) found suitable jobs and safely traveled to work in destination countries. Going forward, the MOL would further promote the recruitment of Thai workers for overseas employment through the TOEA Offices.

In addition, MOL's 14 Provincial Employment Offices (PEOs) across Thailand continually provided orientation and training courses for Thai workers seeking overseas employment. These included knowledge on risks of human trafficking, welfare benefits, and assistance channels. In 2020, 1,891 persons participated in orientation and training courses at the PEOs. Moreover, the Ministry of Foreign Affairs (MFA) provided passport application services at MOL's Department of Employment to facilitate Thai workers traveling to destination countries. A total of 2,647 persons received this facilitation in 2020.

Training for Job Seekers Prior to Departure for Overseas Employment

Training Courses

- Preparation for overseas employment
- Knowledge about work and destination countries
- Guidelines for Thai overseas workers
- Benefits and protection of Thai workers while working overseas



5.2 Protection of Thai Workers Overseas¹⁸

At the end of 2020, 260,513 Thai workers were employed overseas. The 12 Thai overseas labour offices continued to proactively support, protect, and assist Thai workers in major destination countries. This included assistance and repatriation of victims of trafficking. MOL also held conference calls with the overseas labour offices to provide technical advice and exchange information on the prevention and handling of trafficking cases.

In 2020, the labour offices provided assistance to 7,684 cases of Thai workers overseas. Of this number, 3,978 were cases on claiming unpaid wages, social security and provident funds, other compensations, and welfare benefits, amounting to 107,389,671 THB (3,579,655 USD). The remaining 3,706 cases involved locating workers who lost contact with their families and providing assistance in cases of arrest, sickness, death and other instances. In addition, the overseas labour offices conducted 1,630 labour inspections/visits and held 1,262 meetings with business establishments and concerned local agencies. The labour offices also trained 703 labour volunteers, who assisted with surveillance and reporting of Thai workers subjected to labour malpractices, frauds, and trafficking. These multi-faceted efforts were aimed to prevent Thai workers overseas from being exploited and falling prey to human traffickers including through debt bondage.

MFA's Department of Consular Affairs and Royal Thai Embassies and Consulates also continued to take important steps to protect Thai workers, especially in countries where the Thai overseas labour office was not present. These steps included ensuring that employment conditions were in line with applicable labour standards, visiting workplaces of Thai workers, interviewing the employers, conducting background checks on employers and any disputes they might have had with employees in the past. These measures helped prevent the risk of Thai overseas workers falling victims to human trafficking.

The Department of Consular Affairs continued to undertake awareness campaigns on human trafficking risks for workers, students, and Thai nationals married to foreigners in Khon Kaen, Buriram, and Chonburi. Alerts on human trafficking risks, including those involving massage, fisheries, and restaurant jobs in certain countries, were also published through social media channels. The Department also continued to provided assistance to Thai workers through its mobile application "Thai Consular."

18 US' recommendation: Foster an environment conducive to victims and advocates reporting human trafficking crimes.

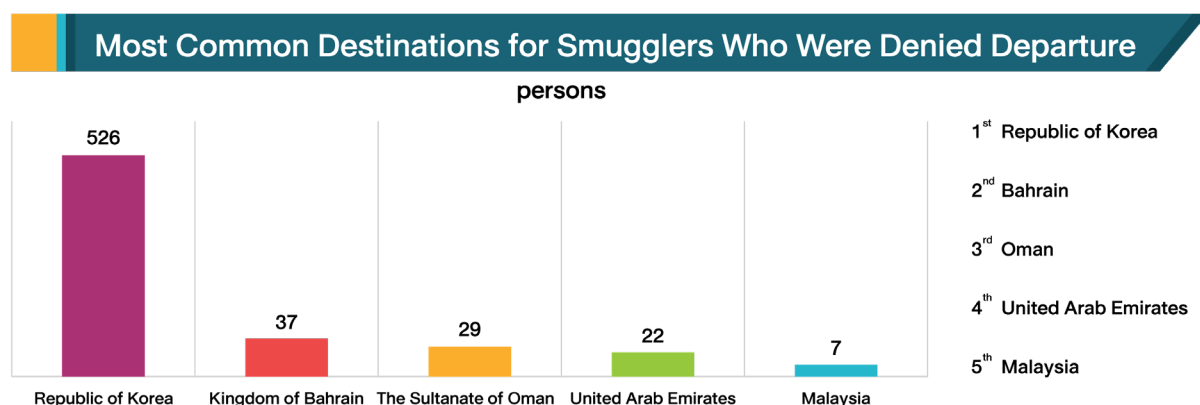
5.3 Surveillance and Prevention of Those Deemed Suspicious to Illegally Travel to Work Overseas

MOL, through the 25 border checkpoints in 19 provinces, continued to implement measures to prevent outgoing Thai workers from falling victims of trafficking or labour fraud overseas. The labour control officers stationed at these checkpoints have authority to deny workers from going overseas if their travel documents and related paperwork are deemed suspicious. Some workers who were potential victims of labour frauds, many of which were found on social media platforms, were denied departure. Support would then be provided for those who were denied departure in order for them to legally find jobs overseas. In 2020, 719 people out of 20,154 inspected were denied departure (Table 26). The rates of deferred travellers of top destination countries are shown in Diagram 20.

Table 26: Inspections of those deemed suspicious to illegally travel to work overseas and those who were denied departure

Inspection of Those Deemed Suspicious to Travel to Work Overseas Illegally			
Year	Inspected job seekers deemed suspicious to illegally travel to work overseas (persons)	Job seekers denied departure to work overseas (persons)	Percentage of job seekers denied departure to those inspected (%)
2560	64,602	729	1.13
2561	74,633	3,668	4.91
2562	74,150	3,978	5.36
2563	20,154	719	3.57

Diagram 20: Five most common destination countries for those deemed suspicious of smuggling to work overseas and denied departure



Moreover, under the terms of the MOU signed in November 2019 between the Department of Employment of Thailand and the Immigration Service of the Republic of Korea, the two agencies took steps to strengthen cooperation and share information in order to prevent Thai workers from labour rights violations and falling victims to forced labour and trafficking.

5.4 Inspections of Recruitment Agencies for Thai Overseas Job Seekers

In 2020, the Department of Employment conducted 133 inspections on authorised recruitment agencies for overseas jobs (there are a total of 127 authorised agencies in Thailand). No unlawful practices were found. The Department also investigated reported cases of recruitment agents operating without licenses and were involved in labour frauds. Accordingly, 65 cases were established and being investigated or prosecuted.

In addition, MOL and RTP stepped up collaboration to clamp down on unauthorized online overseas job advertisements that involved employment fraud, migrant smuggling, human trafficking, and prostitution. 128 cases were established and prosecuted by the authorities. This resulted in a significantly lower number of unauthorized online overseas job advertisements, thereby preventing Thai workers from falling victims to various forms of exploitation.

5.5 Public Awareness Campaigns to Prevent Illegal Recruitment and Advertising Fraud

MOL in collaboration with other government agencies, the private sector, NGOs and local communities continued to conduct public campaigns and activities to prevent illegal recruitment and advertising fraud for overseas jobs. Key outcomes in 2020 included “Knock the Door” project with 6,674 participants from 37 provinces in the Northern and North-Eastern regions, which were home to most workers seeking overseas employment; Knowledge Sharing to Prevent Illegal Recruitment Project with 850,678 participants; Community Network to Prevent Illegal Recruitment and Illegal Work Overseas Project with 34,535 participants; Overseas Employment Seekers’ Preparations Project with 3,149 participants; and Projects to Develop Thai Workers’ Capacities to Work in the Republic of Korea with 530 participants and in Israel with 405 participants.

6.

Prevention of Trafficking in Migrant Workers to Thailand¹⁹

With current 2,526,275 migrant workers, Thailand continued to enhance the efficacy of the migrant workers management system to promote safe and orderly migration and to prevent migrant workers from falling prey to forced labour and other forms of exploitation. Frequent and improved labour inspections and strict law enforcement led to a shift in recruitment agencies and employers' attitudes towards compliance with labour laws. Moreover, in response to the COVID-19 impacts on migrant workers' employment, the Thai Government made the necessary adjustments to ensure the effectiveness of the migrant workers management system and to protect migrant workers. Key efforts and achievements in 2020 included the following:

6.1 Management of Migrant Workers of Three Nationalities (Cambodia, Lao PDR, and Myanmar) under the COVID-19 circumstances

In view of the temporary border closure to prevent the spread of COVID-19, on 4 August 2020, the Thai Cabinet approved new measures on the management of registered migrant workers of three nationalities, namely Cambodia, Lao PDR, and Myanmar. Specifically, extension of work permits would be given to those whose work permits had expired but were unable to return to their home countries. This would allow them to work in Thailand until 31 March 2022.

A total of 240,572 migrant workers (70,994 Cambodians, 13,311 Laotians, and 156,267 Myanmar nationals) applied and were given the work permit extension. They were entitled to important legal benefits and protection that would reduce their vulnerability to human trafficking. First, workers' employment contracts were made available in three languages including Thai, English, and the workers' national language, and both employers and workers were obliged to keep copies of the contracts for labour inspection. Second, workers recruitment fees must be paid for by their employers as the law specifically prohibited employers from collecting recruitment fees from migrant workers. Third, workers had the rights to change employers immediately in cases of labour abuses, failure to comply with the employment contracts and labour protection laws, hazardous or unhygienic working conditions, cancellation of employment contract by employers without valid reasons, and death or bankruptcy of employers.

19 US' recommendation: Increase efforts to ensure employers provide workers copies of contracts in a language they understand and on enforcing regular payment of wages, requirements that employers pay recruitment fees of migrant workers, and the rights of employees to retain possession of their own identity and financial documents.

Moreover, in light of the COVID-19 situation and for humanitarian reasons, since May 2020, the Government has facilitated the return of some 80,000 Myanmar migrant workers who voluntarily wished to return home. In particular, MFA collaborated with Ministry of Interior, Ministry of Public Health, Ministry of Transport, Royal Thai Army, Royal Thai Police, Immigration Bureau and a Thai transport company to arrange safe and smooth transportation and travel facilitation for these Myanmar nationals to three main border checkpoints. Public health safety measures were also incorporated in these travel arrangements to prevent the spread of COVID-19.

6.2 Enhancing Efficiency in Legal Migrant Workers Recruitment via Government-to-Government Channel (Bilateral MOUs with Sending Countries)

As part of Thailand's continuing efforts to prevent migrant workers from labour trafficking and other forms of exploitation by unscrupulous agents or organised/transnational organised crime syndicates, RTG has been promoting recruitments of migrant workers from Cambodia, Lao PDR, and Myanmar through bilateral MOUs. Since last year, MOL has been working closely with the three countries to enhance the MOU recruitment system by making the process faster, more convenient, and more transparent. As a result, improvements continued to be made in various aspects of the MOU system including pre-departure medical and criminal background checks, ICT development and data sharing between Thailand and the sending countries, and recruitment of fisheries workers.

In 2020, a total of 111,429 migrant workers from those countries were recruited through the MOU system, decreasing from 378,175 persons in 2019. This could be attributed to Thailand's COVID-19 containment and border control measures. Moreover, the temporary suspension of business operations during COVID-19 situation and related economic impact also reduced the demand for migrant workers by Thai companies.

6.3 Regulating Migrant Workers Recruitment Agencies

In addition to the abovementioned efforts by RTG in enhancing the MOU system in recruiting migrant workers, Thai authorities continued to ensure those recruited by recruitment agencies are prevented from falling prey to labour trafficking and other forms of exploitation. Key outcomes in 2020 included:

1) Frequent inspections of recruitment agencies – A total of 264 recruitment agencies were inspected in 2020, increasing from 244 inspections conducted in 2019. Two agencies were found to be in violation of the Employment and Job-Seeker Protection Act, B.E. 2528 (1985) including forging and using forged official documents, and failure to report the sending of migrant workers to the employers within 15 days. One agency was ordered to follow the reporting procedure within 15 days, while the other had its operation permit suspended for 30 days. It was observed that, due to the frequent inspections and strict law enforcement, most recruitment agencies had become more serious in complying with all relevant regulations.

2) Frequent inspections of employers and business establishments – In 2020, MOL inspected 40,217 employers and business establishments. Of this number, 2,944 (8.2 percent) were found in violation of labour laws. 668 employers/business establishments, all of which were first-time offenders, were fined a total of 3,652,800 THB (121,760 USD) for employing migrants without work permits. The remaining 2,276 violation cases were under investigation. The number of violations in 2020 (2,944 cases) increased from the previous year (2,333 cases) mainly because of the frequent inspections and strict law enforcement.

6.4 Improving Networks in Providing Assistance to Migrant Workers²⁰

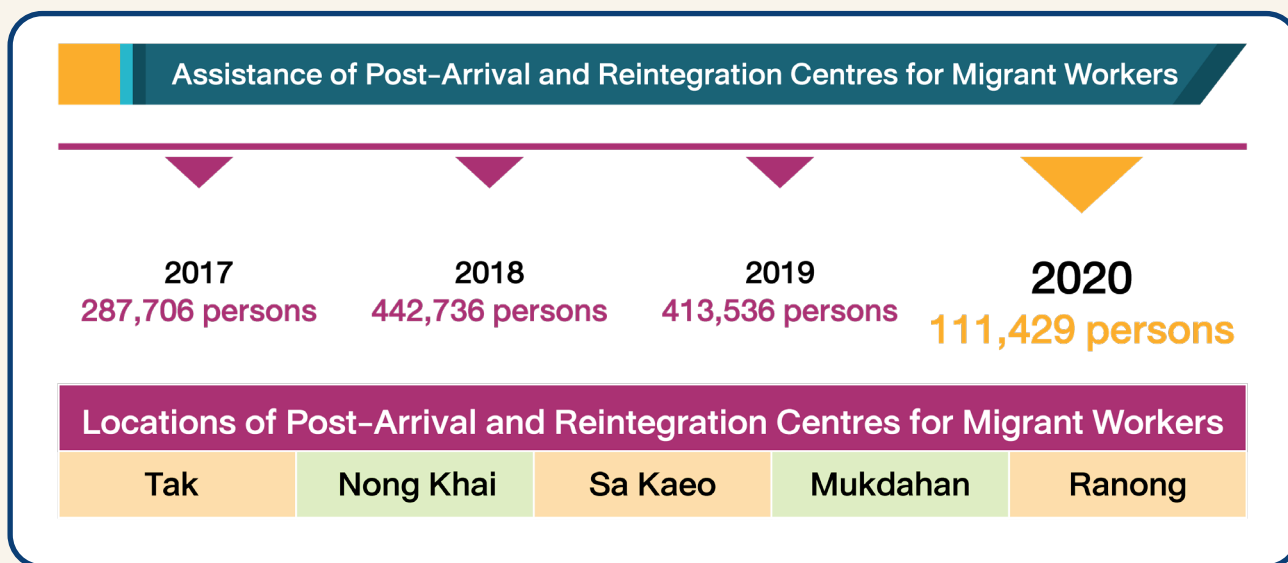
1) Post-Arrival and Reintegration Centres for Migrant Workers in five provinces (Tak, Nong Khai, Sa Kaeo, Mukdahan, Ranong) continued to provide trainings for newly arrived migrant workers recruited through the MOU system. The participants learned about their rights under relevant Thai laws, basic knowledge on human trafficking, and how to make use of complaint mechanisms. Training documents, in the migrants' own national languages, were also distributed to provide essential information and advice.

In 2020, a total of 111,429 migrant workers attended the trainings, decreasing from 2019 by 302,107 persons (details in Diagram 21). The number of participants in the training programmes declined in 2020 in line with the smaller number of newly recruited migrant workers, mainly because of the COVID-19 containment and border control measures as well as lower employment of migrant workers caused by the economic slowdown.

20 US' recommendation: Increase collaboration with local civil society organizations in migrant worker assistance centers, post-arrival centers, and government shelters, including in the provision of services to victims.

Officials also continued to conduct random interviews of migrant workers at the centres to screen those who might fall victims to human trafficking. The officials sought to verify that the migrants had not been lured or tricked into working in Thailand or were unfairly charged with recruitment fee and other expenses by recruitment agencies.²¹ Adequate number of interpreters and language coordinators were hired at the centres to ensure good services for the migrant workers.

Diagram 21: Assistance Provided for Migrant Workers by Post-arrival and Reintegration Centres



2) Migrant Workers Assistance Centres—established in 2016 by MOL in collaboration with ILO, IOM, and NGO partners, the 10 migrant workers assistance centres across Thailand continued to provide consultations and advice to migrant workers as well as receive complaints/reports of labour malpractices. In 2020, the Centres assisted a total of 44,193 migrant workers, increasing from 2019 by 3,699 persons (Diagram 22).

Most common assistances that migrant workers sought from the centres were changing or adding employers, re-issuing of damaged or lost work permits, requesting for information including on the COVID-19 situation, updating of registry/issuing copies of documents, and receiving work benefits.

²¹ US' recommendation: Increase efforts to ensure employers provide workers copies of contracts in a language they understand and enforcing regular payment of wages, requirements that employers pay recruitment fees of migrant workers, and the rights of employees to retain possession of their own identity and financial documents.

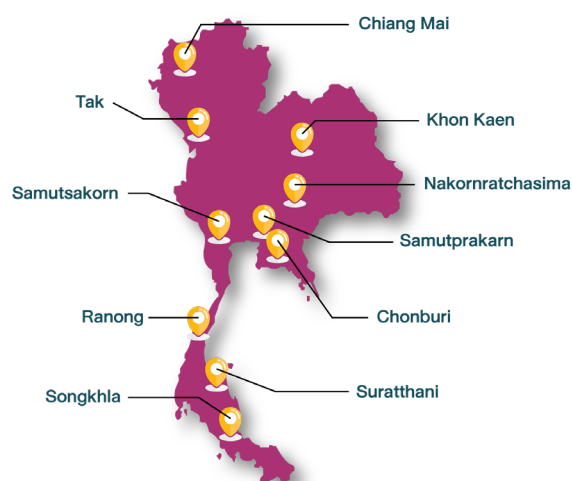
Diagram 22: Operation of Migrant Workers Assistance Centres in 2020

Operation of Migrant Workers Assistance

Assistance provided to foreign workers in Thailand (persons)

2017	2018	2019	2020
57,498	113,644	40,494	44,193

10 Migrant Workers Assistance Centres



5 Most Common Assistance

- (1) Changing/Adding Employers
- (2) Re-issuing of Damaged or Lost Work Permit
- (3) Sharing knowledge for foreign workers e.g., COVID-19
- (4) Updating information/Issuing Copies of Documents
- (5) Work Benefits

In addition, the Thai Government continued to review and improve the performance of the centres, in close consultation with NGOs and international organisations. For example, during 3-4 February 2020, MOL convened the annual meeting between officials of the 10 centres, government agencies, ILO, IOM, the private sector, and NGO partners (HRDF, MAP, MWG, and Stella Maris) in Bangkok to evaluate the work of the centres and brainstorm on future work plans and cooperations.

Manuals for officials at the Migrant Workers Assistance Centres and the Post-Arrival and Reintegration Centres were also developed by the MOL in collaboration with the aforementioned partners to ensure the same operating standards for conducting interviews, including physical separation of employers from workers being interviewed, and for providing advice and assistance to migrant workers. This multi-stakeholder partnership would further ensure the effective protection of migrant workers from human trafficking and other forms of exploitation.

Multi-stakeholder Workshop to Develop Operational Manuals for Officials at the Migrant Workers Assistance Centres



7. Improving Capacity and Efficacy of Labour Inspections²²

7.1 Labour Inspection²³

Labour inspections remained a crucial component of the RTG's efforts to ensure full compliance of labour laws and protect all workers regardless of their nationalities. In 2020, labour inspections were conducted at 92,534 workplaces and fishing vessels, covering 1,933,608 workers. As a result, 11,177 workplaces/vessels (12.08 percent) were found to be in violation of labour laws, of which 10,902 cases (97.54 percent) were completed while 191 cases are still being investigated. Details appear in Table 27. A total of 1,038,968,188 THB (34,632,272.93 USD) in benefits were claimed for employees in accordance with the Labour Protection Act, significantly increasing from 2019 by 524,999,715 THB (17,499,990.50 USD) or 102.14 percent. Most common offenses were unpaid wages, no leave days, and lack of working rules and employee registry.

Concerned agencies collaborated to improve the questionnaire in the Kor Ror 7 pre-screening form used by vulnerable labour groups to submit their complaints, thereby enabling effective identification of victims of forced labour or labour trafficking. In 2020, a total of 14,737 workers from 5,824 establishments were screened through this process. One worker – a Laotian employed as a store worker and cleaning staff at an establishment in Samut Sakhon – was identified as a possible victim of forced labour. The said person had not been paid wages and overtime, and was given no customary holidays. Accordingly, the Thai Government proceeded to claim the benefits for the said worker totalling 1,065,801 THB (35,526.70 USD). Prosecution of the employer is being considered by the public attorney.

22 US' recommendations: (1) Ensure victims of trafficking identified under the definitions set forth in Sections 6 and 6/1 of the trafficking law, as amended, are afforded the same rights and access to services, continue to increase efforts to ensure victims receive court-order restitution from their traffickers, and (2) Increase government coordination to ensure labor violations and migrant workers' complaints that include indicators of forced labor are investigated for trafficking crimes.

23 US' recommendations: (1) Enforce regular payment of wages, requirements that employers pay recruitment fees of migrant workers, and the rights of employees to retain possession of their own identity and financial documents, and (2) Increase government coordination to ensure labour violations and migrant workers' complaints that include indicators of forced labor are investigated for trafficking crimes.

Table 27: Results of labour inspection conducted in 2020

Labour Inspection and Screening of Victims of Forced Labour and Human Trafficking

Categories of Labour Inspections	Inspections conducted		Founded Guilty of Violating Labour Laws		Prosecution Process				Final Results of Inspection	
	(Places/Vessels)	(Persons)	(Places/Vessels)	(Persons)	Under Extensive Investigation	Reviewed by Inquiry Officers	Reviewed by Prosecutors	Reviewed by Courts	Issuing Orders	Submitting Cases to Courts
					(Places/Vessels)	(Cases)	(Cases)	(Cases)	(Orders)	(Cases)
Labour Workforce Establishments	34,792	1,151,173	9,529	382,249	181	-	-	-	9,288	16
High Risk Establishments	1,773	65,314	1,616	56,285	19	-	-	-	1,562	14
Fishing Vessels	55,818	690,793	19	229	-	-	-	-	16	3
Seafood Processing Establishments	151	26,328	13	4,227	-	-	-	-	13	-
Total	92,534	1,933,608	11,177	442,990	200	-	-	-	10,879	23

Note: If an enterprise violates labour laws, and related laws, a competent authority may issue its order as well as submit a case to a court.

Inspections of Fishing Vessels by Multi-Disciplinary Teams



Example of key forced labour cases in fisheries sector

Good Fortune 1 and Good Fortune 2 Case

MOL's Department of Labour Protection and Welfare in collaboration with related agencies and Stella Marris assisted and repatriated 7 Thai workers of Good Fortune 1 and Good Fortune 2 fishing vessels operating in Myanmar. The workers returned to Thailand on 29 May 2020 and underwent the victim identification process. The multidisciplinary team of concerned agencies confirmed the result that the workers were not victims of forced labour or labour trafficking. The labour inspectors then determined that the workers were due unpaid wages during March-May 2020 totalling 678,000 THB (22,600 USD) from their employer. The company subsequently paid the wages of 670,000 THB and interests of 19,168 THB on 15 and 22 June 2020, respectively.

Wadani 1 and Wadani 2 Case

Following the assistance provided to 32 Thai fisheries workers onboard the Wadani 1 and Wadani 2 vessels in Somalia and their return to Thailand, the case of their unpaid wages totalling 9,381,913 THB (312,730 USD) is under consideration of the Labour Court at the stage of plaintiff's witness hearing. The next witness hearing is scheduled in February 2021.

7.2 Regular Evaluation of Port in-Port out Control Centres (PIPO)

The Thai Government made further improvements to the capacities and work process of the PIPO Control Centres through regular and systematic reviews, training courses and updated operational manuals.

The Department of Fisheries continued to collaborate with OceanMind, a civil society organisation, to design and conduct a training programme for PIPO officers to strengthen their inspection and investigation of cases. A total of 99 PIPO officers (three batches) had completed their trainings.

To maintain high operational standards and stringent law enforcement, all 30 PIPO Control Centres were subject to biannual evaluation exercise carried out by an inter-agency team called "Flying Inspection Team". Each PIPO Centre was evaluated based on a set of criteria and given one of the five "grades" (A, B+, B, C+, and C) reflecting its level of performance.

Two evaluations were undertaken in 2020. In the first half of 2020, all 30 centres passed the evaluation by scoring at least B grade. Out of this number, 11 centres were awarded A grade (91-100 marks), 14 centres B+ grade (81-90 marks) and 5 centres B grade (71-80 marks). Based on the results of the evaluation, PIPO Centres were able to address specific issues and improve their operations, subsequently leading to better performance in the second half of 2020, where 21 centres were awarded A grade and nine were given B+. In sum, this biannual evaluation exercise incentivized officers at all PIPO Centres to regularly find ways to improve their operations, contributing to more effective vessel and labour inspection, and better coordination across all PIPO Centres.

In addition, the Department of Fisheries implemented the "Smart PIPO" project to enhance the capacity of PIPO officers through knowledge sharing, regular training and assessments, and exchange visits between different PIPO Centres. The project also categorised PIPO Centres into three groups based on their sizes (small, medium, and large), and "Smart PIPO" awards were given to top performing PIPO Centres within each category.

7.3 Issuance of Seabooks for Migrant Workers in Thai Fishing Vessels and Improved Inspection of Fishing Vessels at Sea

In 2020, 62,056 migrant workers working in Thai vessels were issued the seabooks by Department of Fisheries offices in accordance with the Royal Ordinance on Fisheries B.E. 2558 (2015). They comprised 46,491 Myanmar nationals, 14,154 Cambodians, 980 Laotians, 11 Vietnamese, and 420 of other nationalities. These figures included both the regular process of seabook issuance for 58,858 workers, and two special rounds of seabook issuance for 3,198 workers that were carried out during 1 May-30 September 2020 to alleviate the shortage of fisheries workers. The seabook registration and issuance provided an important source of data for migrant workers' management, helping to reduce the risks of labour abuses and human trafficking in the fisheries sector.

The Marine Fisheries Protection and Suppression Centre continued to carry out inspections at sea as part of monitoring, control, and surveillance mechanisms. In 2020, inspections at sea were conducted on 842 vessels, covering 10,118 workers (3,933 Thais and 6,185 migrant workers). One vessel owner was found to be employing workers without seabooks/seaman books. According to Sections 83 or 83/1 of the Royal Decree on Fisheries, such offense could lead to a fine of 400,000-800,000 THB (13,333-26,666 USD) per worker without seabook/seaman book, as well as a revocation of the vessel owner's fishing license. This case from January 2020 resulted in a fine of 400,000 THB (13,333 USD) and revocation of the vessel owner's fishing license.

In addition, the Royal Thai Navy in cooperation with other agencies continued to actively inspect suspected vessels at sea to prevent and suppress the smuggling of migrant workers. In 2020, a total of 466 cases were found involving 77 Cambodians, 16 Laotians, 72 Myanmar nationals, and 301 Vietnamese. These active inspections by relevant agencies helped prevent migrant workers from falling victims to human trafficking and forced labour.

7.4 Protection of Labour Rights along the Borders²⁴

1) Labour Inspection at Borders

Stringent labour inspections continued to be conducted along the borders, especially among groups vulnerable to forced labour and other forms of labour exploitations. In 2020, a total of 161 establishments in the risk group along the borders were inspected, covering 5,376 employees. Of this number, 146 establishments and 5,026 employees were found to be in violation of the labour law. Accordingly, 144 establishments were issued MOL ministerial orders and two establishments were prosecuted. The most common violations were wage payment below the minimum wage, wage payment without payroll, and unfulfilled legal regulations.

2) Protection of Rights and Benefits for Migrant Workers under Social Security System

The Social Security Office (SSO) continued to provide equal protection of rights and benefits to registered labours of all nationalities through the Social Security Fund and the Compensation Fund. Details were as follows:

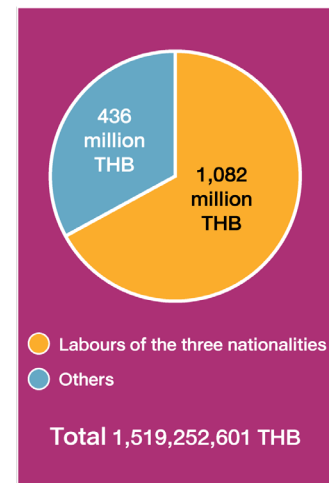
- Social Security Fund (for sickness and injury, maternity, disability, death, child allowance, aging, and unemployment): about 1.52 billion THB (50.67 million USD) was paid to insured migrant workers, increasing from 2019 by more than double (841.94 million THB/ 28.06 million USD). Of this amount, 1,082.51 million THB (36.08 million USD), equivalent to 71.25 percent of the total paid amount to all migrant workers, was received by migrant workers from Myanmar, Lao PDR, and Cambodia (Diagram 23).

24 US' recommendation in 2019: Inspect employment locations in border regions with workers employed under border-employment arrangements for trafficking.

Diagram 23: Benefits received by migrant workers from Social Security Fund

Cash Benefit Provided to Migrant Workers from Social Security Fund

Cases	Amount (THB)	
	Laotian, Cambodian, and Myanmar Workers	Other Nationalities
Sickness	55,495,462	9,525,056
Confinement	361,006,811	24,932,731
Disability	456,283	638,764
Death	27,580,596	5,950,533
Child benefit	143,801,600	24,606,200
Old-age	16,369,701	114,862,877
Unemployment	477,802,808	256,223,179
Total	1,082,513,261	436,739,340



• Compensation Fund (for death/disappearance, disability, loss of organs from work, and income replacement): 196.07 million THB (6.54 million USD) was paid to insured migrant workers, of which 190.58 million THB (6.35 million USD) or 97.2 percent was received by migrant workers from Myanmar, Lao PDR, and Cambodia (Diagram 24). The total amount of benefits in 2020 substantially increased from 2019 by 56.35 million THB (1.19 million USD) or 40 percent.

Diagram 24: Benefits received by migrant workers from Compensation Fund

Cash Benefit Provided to Migrant Workers from Compensation Fund

Nationalities of Foreign Workers	Amount (THB)
Myanmar	156,503,060.68
Laotian	6,932,980.79
Cambodian	27,145,750.25
Others	5,489,638.45
Total	196,071,430.17



7.6 Enhancing the Efficiency of Law Enforcement Officers²⁵

The Thai Government continued to expand the capacity of labour inspectors and law enforcement officers. As of 2020, there were 1,889 labour inspectors for the country's 19.2 million workers (as of November 2020), or one labour inspector for 10,164 workers. This number exceeded the standard set by the ILO's guideline of one labour for 15,000 workers for developing countries. The number of labour inspectors had risen by 25 percent since 2017.

Several capacity-building activities continued to be conducted for labour inspectors, provincial labour officers, and officers of other government agencies involved in combatting human trafficking and providing assistance to trafficking victims in Thailand and abroad. Examples included:

- Training on forced labour and labour trafficking laws organized by MOL's Department of Labour Protection and Welfare in Bangkok during 13-14 February 2020. A total of 45 law enforcement officers attended.;

- Training on labour inspection and prosecution of establishments/employers hiring illegal migrant workers organized by MOL's Department of Employment in Nakhon Nayok during 7-11 September 2020. The goal was to strengthen the enforcement of the Royal Ordinance Concerning the Management of Employment of Foreign Workers B.E. 2560 (2017) and Amended B.E. 2561 (2018). A total of 101 officers attended;

- Technical workshops on enhancing efficiency in prevention and suppression of forced labour and labour trafficking and on victim identification organized by MOL during 3-4 and 17-18 December 2020. A total of 90 provincial labour officers and other government officers attended.

Moreover, the Department of Provincial Administration, Ministry of Interior, provided rigorous training courses and workshops to strengthen the capacity of its anti-trafficking law enforcement officers based in Bangkok and the provinces. These specialised teams of anti-trafficking inspectors conducted inspections of business establishments in high-risk areas in several provinces. 85,498 inspections were carried out at restaurants, pubs, hotels, and other services to identify any misconducts relating to human trafficking, prostitution, illegal drugs and gambling. The law was strictly enforced when cases of violations were found. Eight business establishments had their business permits revoked while 43 were ordered to close for five years. Capacity-building programs included the following:

²⁵ US' recommendation: **Improve training provided to labour, provincial and local police, immigration, and social welfare officials to increase proactive victim identification among vulnerable populations.**

- Workshop on combatting human trafficking and emerging crimes, with a focus on inspection and investigation strategy of human trafficking cases, was held for 30 law enforcement officers based in Bangkok;

- Training on inspection and investigation strategy for human trafficking cases for two batches (a total of 160 officers) of the specialized anti-trafficking teams operating at the provincial and district levels;

- Training on operations to combat human trafficking and new and emerging crimes for five batches (a total of 100 officers) of provincial administrative officers;

- Field training to enhance the operation of 36 Bangkok-based members of the specialized teams responsible for preventing and suppressing human trafficking, and new and emerging crimes.

8.

Enhancing Complaint Mechanism and Raising Public Awareness

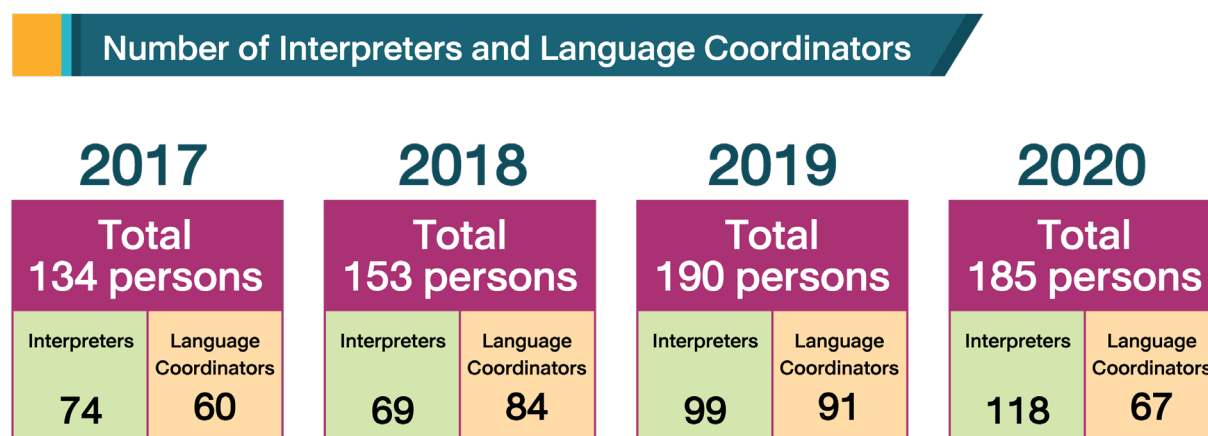
The Thai Government continued to attach importance to enhancing complaint mechanisms and channels in the efforts to ensure protection and prevent human trafficking and labour exploitations. Key outcomes in 2020 were as follows:

8.1 Foreign Language Interpreters and Coordinators

In the context of the COVID-19, foreign language interpreters and coordinators continued to facilitate effective communication between government officers and migrant workers. This included identifying victims of forced labour and other forms of exploitation, and ensuring that they receive assistance according to their needs.

As of 2020, MOL hired a total of 185 interpreters and language coordinators (Diagram 25). They provided uninterrupted support for migrant workers at various anti-trafficking and workers' assistance centres across Thailand and were available on call through Hotline No.1506.

Diagram 25: Number of interpreters and language coordinators



8.2 Improved Hotlines and Complaint-receiving Mechanisms²⁶

1) Hotline No. 1506 (labour issues) – Operated by MOL, this hotline is dedicated to receiving complaints on labour cases and providing consultations for Thai and migrant workers as well as employers. In 2020, the hotline provided service to 114,954 calls related to employment and 79,382 calls related to labour protection. In 2020, a total of 108 cases related to illegal employment of migrant workers were lodged and promptly investigated, leading to prosecution of five cases and fines levied on four employers. In addition, 13,024 individuals filed requests for assistance in person after making initial calls to the hotline. MOL has finalised the assistance for all 13,024 requests for assistance, mostly related to unpaid wages, employment termination, and over-time. While no trafficking or forced labour case was established through the 1506 Hotline in 2020, in the event that suspicious cases of trafficking or forced labour were found, MOL would notify other concerned agencies to establish multidisciplinary teams to arrest the suspects.

2) Hotline No. 1300 (trafficking cases) – Operated by MSDHS, this hotline received information on 70 suspected human trafficking cases in 2020. These involved 89 victims (16 males and 73 females) and comprised 50 cases related to prostitution, nine cases related to forced labour, eight cases related to commercial surrogacy, three cases related to exploitation. Accordingly, 58 cases were referred to related authorities for further investigation, including 29 cases to MSDHS Provincial Offices, three cases to MSDHS’ Anti-Trafficking Division, seven cases to the Department of Children and Youth, five cases to shelters, 11 cases to the ATPD of the Royal Thai Police, and three cases to the Department of Provincial Administration.

²⁶ US’ recommendation in 2019: Consistently staff government hotlines and shelters with interpreters, and US’ recommendation in 2020: Foster an environment conducive to victims and advocates reporting human trafficking crimes.

In addition, MDSHS volunteer interpreters provided assistance to foreign victims. The Ministry also maintained a registry of all volunteer interpreters for nine languages including English, Burmese, Khmer, Yawi, Shan, Mandarin, Korean, German, and Sign Language.

8.3 Public Outreach Activities and Campaigns

Relevant agencies continued to organise public outreach activities and campaigns. The goal was to further educate and raise awareness of risk groups and the general public on human trafficking, and to protect them from falling victims to human trafficking, particularly those more vulnerable such as children, women, and migrant workers.

Throughout the year 2020, the labour offices in all 76 provinces carried out public outreach activities on human trafficking and labour-related laws and penalties through printed media, social media, exhibitions, local radio stations, and knock-on-door channels. Local networks of 7,255 volunteers also collaborated with NGOs and community leaders to monitor suspicious illegal activities. In addition, trainings were organised in all provinces for employers, employees, and other stakeholders to strengthen the local anti-trafficking networks.

9.

Development of Inter-Agency Anti-Trafficking Database

The Thai Government recognised the crucial role of data collection in informing anti-trafficking policy and evaluating its performance. To this end, the Government continued to further develop an inter-agency database on trafficking in persons called E-AHT (Electronic Database System for Anti-Human Trafficking of Thailand).²⁷

Substantial progress was made in creating the database on prosecution of cases and protection of victims. Data collection was coordinated among nine key agencies, namely the RTP, DSI, OAG, Court of Justice, Anti-Money Laundering Office, MSDHS, Department of Provincial Administration, Rights and Liberties Protection Department, and Office of Public Sector Anti-Corruption Commission. Going forward, the database would help concerned authorities track key performance indicators on anti-trafficking efforts. In addition, the Government is working on the development of an inter-agency database on the prevention of human trafficking, which would draw on data and inputs from relevant agencies.

²⁷ <https://www.e-aht.com/startup/gotoPowerBIBoard>

10.

Advancing Business Practices to Prevent Human Trafficking and Labour Exploitations in line with International Standards

The Thai Government continued to take steps to prevent trafficking in persons and forced labour in business operations and supply chains. To this end, the Government promoted responsible business conduct through several initiatives, including the following:

10.1 Advancing the Business and Human Rights Agenda

Thailand became the first country in Asia to adopt the National Action Plan (NAP) on Business and Human Rights (2019-2022) in late 2019. The objective of the NAP is to advance business respect for human rights through the implementation of the United Nations Guiding Principles on Business and Human Rights (UNGPs). Formulated through a multi-stakeholder consultative process, the NAP focuses on four priority issues, namely (1) labour (2) land, environment and natural resources (3) human rights defenders and (4) cross border investment and multi-national enterprises. The NAP called upon private businesses to carry out human rights due diligence in order to identify the main risks and mitigate the negative human rights impacts resulting from business practices. Combatting trafficking in persons was one of the issues highlighted in the NAP.

In 2020, concerned agencies and Thai companies continued to implement NAP and stepped up their efforts, including organising workshops with provincial authorities and partners, to promote business respect for human rights in their operations and supply chains. The Ministry of Justice is currently conducting a half-term review of the NAP. Moreover, the Ministry of Justice and the UN Global Compact Network Thailand plan to establish the Business and Human Rights Academy, a joint effort by the public and private sectors to provide relevant training programmes for businesses in Thailand and ASEAN.

10.2 Good Labour Practices, Thai Labour Standards, and T-Mark

The Thai Government continued to promote the application of labour standards among Thai businesses. These standards included the Guidelines on Good Labour Practices (GLP), Thailand Labour Standards (TLS), and Thailand Trust Mark (T-Mark). As of September 2020, 6,877 Thai businesses had implemented the GLP. 5,553 Thai businesses had adopted the TLS. Of this number, 655 were Thai export businesses with total export value of 702,800 million THB (23,426 million USD). Furthermore, 235 businesses had received the T-Mark issued by the Ministry of Commerce. Details appear in Diagram 26.

Diagram 26: Adoptions of GLP, TLS, and T-Mark by Businesses

Establishments that adopted GLP, TLS, and T-Mark in 2020

4 No's
6 Have's



GLP:
6,877 establishments



TLS System:
5,553 establishments



T-Mark:
235 establishments

11.

International Cooperation and Multi-stakeholder Partnerships

The Thai Government continued to pursue existing partnerships and explore new venues of cooperation with various stakeholders, including international organizations, civil society, and businesses, to prevent labour trafficking and malpractices.

11.1 Technical Cooperation between the MOL and International Organisations

1) Protection of Migrant Workers' Rights Project (TRIANGLE in ASEAN):

Funded by the Governments of Canada and Australia and operated by ILO, this ten-year project (2015-2025) focuses on the roles of migrant workers in sustainable economic and social development in ASEAN, especially those employed in agriculture and construction.

2) Safe & Fair-Realising women workers' rights and opportunities in the ASEAN Region Project:

Funded by the EU, this five-year (2018-2022) project with ILO and ASEAN countries focuses on stopping violence against women and children in ASEAN, especially migrant domestic helpers.

3) Women in STEM Workforce Readiness and Development Programme:

The project was launched, in collaboration with the ILO, to address gender inequality and women's job insecurity and unemployment caused by technological advancements, and to develop women's skills in STEM (Science, Technology, Engineering, and Mathematics). Pilot programmes were being considered to develop the skills of women workers in the electrical and electronics industry in six provinces.

4) Responsible Supply Chains in Asia: Funded by EU and OECD, this three-year (May 2017-December 2020) project was conducted by ILO in six countries in Asia including Thailand. The project focused on the promotion of the TLS and GLP as guidelines for responsible businesses to eliminate trade barriers, increase competitiveness in trade, and create positive image for businesses.

5) Mutual Recognition of Skills (MRS): This collaborative effort between the ILO, ASEAN Secretariat, and ASEAN Member States focuses preparing low-and middle-skilled workers for greater labour mobility within ASEAN.

6) The Ship to Shore Rights Project: This three-year project, implemented by the ILO and funded by the EU to prevent and reduce unacceptable forms of work in Thailand's fishing and seafood industries, was completed with successful outcomes in July 2019. The phase two of the project, titled "South East Asia Regional Programme on Labour Migration in the Fishing Sector" (Ship to Shore Rights South East Asia), is being planned.

7) Social Protection System for All in Thailand under the Joint SDG Fund: Operated by the ILO, UNICEF, IOM, and UN WOMEN offices in Thailand with the MSDHS, the programme aims to study Thailand's overall social protection system and propose policy recommendations. The goal is to expand social protection to all vulnerable groups, including workers in the informal and agricultural sectors, migrant workers, and children.

11.2 Attaining Lasting Change for Better Enforcement of Labour and Criminal Law to Address Child Labour, Forced Labour, and Human Trafficking Project (ATLAS) Project

Funded by the U.S. Department of Labour, the four-year (2019-2023) ATLAS Project is conducted by Winrock International to deepen technical cooperation in tackling child labour, forced labour, and human trafficking. A workshop was held on 22 September 2020 to gather the views of relevant stakeholders in order to prepare the pre-situational analysis (PSA) report and design the modalities of the project. Moreover, another two-day workshop was held during 15-16 December 2020 to provide training for 42 officers from different agencies responsible for the prevention of human trafficking.

11.3 Thailand's Decent Work Country Program (DWCP) for 2019-2021

The MOL continued to implement the Decent Work Country Program in close consultation with the tripartite constituents and the ILO country offices in Thailand, Cambodia, and Lao PDR. The half-term review of the DWCP is being taken by the MOL and the ILO country offices.

11.4 Advancing cooperation with the US Agency for International Development (USAID)

The Government established an inter-agency sub-committee, led by General Tamasak Wicharaya, Deputy Secretary-General to the Prime Minister, to advance the implementation of anti-trafficking efforts. The sub-committee is engaging with the USAID to identify venues of cooperation on three areas, namely protection of victims, capacity-building of interdisciplinary teams, and prevention of human trafficking.



Future Plan

Prosecution

1. Continue to provide capacity-building trainings on anti-trafficking and labour protection in fisheries for officers. An emphasis will be given to deepening the knowledge of sections 6 and 6/1 of the Anti-Trafficking in Persons Act, and the distinction between forced labour and trafficking in persons offences.
2. Continue to prosecute offenders and assist victims of trafficking on the basis of the victim-centred approach and in particular the labour protection in fisheries law.
3. Further strengthen information sharing and multi-stakeholder collaboration among law enforcement agencies including ATPD, RTP, DSI, and with NGOs, such as IJM, as well as other relevant agencies in order to increase the effectiveness of prosecution.

Protection

4. Increase the number of registered private-run shelters to further enhance options for victims of trafficking to voluntarily select a shelter of their choice.
5. Promote social enterprise cooperation with civil society to prevent re-victimisation.
6. Further improve referral system with clear procedures, starting from victim identification, including through the establishment of the National Referral Mechanism (NRM), and consider the reflection period in determining each victim's or potential victim's appropriate duration of shelter stay.

Prevention

7. Continue to provide trainings on victim identification for Ministry of Labour officers, including 180 officers in the first quarter of 2021.

8. Intensify labour inspections to strictly ensure that employers comply with the labour laws. In particular, employers must provide employment contracts in languages understood by migrant workers, pay wages in accordance with relevant laws, and keep a record of workers' identities and financial documents. Emphasis of the labour inspections will be given to workplaces employing vulnerable workers, workers in fisheries, and workers in the border areas.



List of Acronyms and Abbreviations

AAT	Alliance Anti-Traffic
ACC-SCPM	Solidarity Committee for the Protection Myanmar Migrant Workers
AMLO	Anti-Money Laundering Office
ASEAN	Association of Southeast Asian Nations
ATPD	Anti-Trafficking in Persons Division
CACs	Child Advocacy Centres
CP	Charoen Pokphand Group
CSOs	Civil Society Organisations
DECP	Decent Work Country Program
DSI	Department of Special Investigation
ECPAT	End Child Prostitution and Trafficking
EU	European Union
FBI	Federal Bureau of Investigation
GLP	Good Labour Practice
HIS	Homeland Security Investigation
HRDF	Human Rights and Development Foundation
IDCs	Immigration Detention Centres
IDP	Individual Development Plan
IJM	International Justice Mission

MSDHS	Ministry of Social Development and Human Security
MWRN	Migrant Workers Rights Network
NGOs	Non-Governmental Organisations
OAG	Office of the Attorney General
OECD	Organisation for Economic Co-operation and Development
PACC	Public Sector Anti-Corruption Commission
PEOs	Provincial Employment Offices
PIPO	Port in-Port out Control Centre
ROK	Republic of Korea
SOPs	Standard Operating Procedures
SSO	Social Security Office
TATIP	Thailand Anti-Trafficking in Person Task Force
TBRI	Trust-Based Relational Interventions
TICAC	Thailand Internet Crimes Against Children Taskforce
TIPNET	Anti-Human Trafficking Agencies
TLS	Thailand Labour Standard
T-Mark	Thailand Trust Mark
TNA	Training Needs Assessment
TOEA	Thailand Overseas Employment Administration
UAE	United Arab Emirates
UNHCR	United Nations High Commissioner for Refugees
UNODC	United Nations Office on Drugs and Crime
YCO	Yaung Chi Oo Workers' Association

ILO	International Labour Organization
INL	International Narcotics and Law Enforcement Affairs
INTERPOL	International Criminal Police Organisation
IOM	International Organisation for Migration
IUU	Illegal, Unreported and Unregulated Fishing
JICA	Japan International Cooperation Agency
Lao PDR	Lao People's Democratic Republic
LPN	Labor Protection Network
MFA	Ministry of Foreign Affairs
MOL	Ministry of Labour
MOU	Memorandum of Understanding
MSDHS	Ministry of Social Development and Human Security



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