







FROM CONTRACTS TO COERCION UNDERSTANDING FORCED LABOUR IN THE ASEAN REGION

1 AUGUST 2024 (2:00-4:00 pm)

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The Anti-Trafficking in Persons Act, B.E. 2551 (2008) and its Amendments

section 6. Any person who, for the purpose of exploitation, commits any of the following acts:

- (1) procuring, buying, selling, vending, bringing from or sending to, detaining or confining, harbouring, or receipt of any person, by means of threat or use of force, abduction, fraud, deception, abuse of power, or giving money or benefits to a guardian or caretaker of the person to achieve the consent of the guardian or caretaker of such person to allow the offender to exploit the person under his or her control; or
- (2) procuring, buying, selling, vending, bringing from or sending to, detaining or confining, harbouring, or receipt of a child;









The Anti-Trafficking in Persons Act, B.E. 2551 (2008) and its Amendments

If such act aims for exploitation of persons, such person commits an offence of human trafficking.

The exploitation under paragraph one means the exploitation of prostitution, the production or distribution of pornographic materials, the exploitation of other forms of sexual acts, slavery or practices similar to slavery, exploitation of begging, removal of organs for commercial purposes, forced labour or services under section 6/1, or any other similar forcible extortion regardless of such person's consent".









The Anti-Trafficking in Persons Act, B.E. 2551 (2008) and its Amendments

section 6/1. Any person who compels another person to work or to provide services by one of the following means: -

- (1) threatening to cause injury. to life, body, liberty, reputation or property of the person threatened or any other person;
- (2) intimidating;
- (3) using force
- (4) confiscating identification documents;
- (5) using debt burden incurred by such person or any other person as the unlawful obligation;
- (6) using any other means similar to the above acts.

If such act is committed to another person to be in the situation where he or she is unable to resist, such person commits the offence of forced labour or services.

สำนักงานตำรวจแห่งชาติ Royal Thai Police



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2022 2023

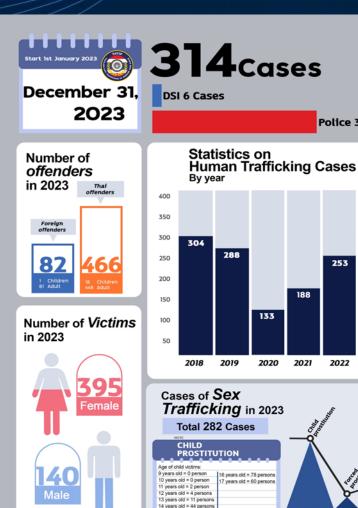
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2020 2021





ASEAN-Australia Counter Trafficking



Human Trafficking cases *initiated* in 2023 Total 314 Cases Police 308 Cases 219 Total Labour **Trafficking** 32 in 2023 O Forced labour O Labour in fisheries O Child labour (Article 56/1) 7 Forced labour (Article 6/1) 1 O Extortion O Forced begging











Case example: Human trafficking offenses involving the exploitation of forced labor (Scammer) and other related offenses in 2022.

This case involved a total of 7 victims, both male and female, all over 20 years of age. They were recruited by the suspects (origin) to work as call center operators in an online casino in Mae Sot District, Tak Province, Thailand. However, upon arrival, they were forced and threatened by the suspects (midway) to travel to Myawaddy, Myanmar, through natural channels, where they were forced by the suspects (destination) to work as scammers, deceiving customers into investing. The victims were forced to sign work contracts and were burdened with debts to compel them to work. Those who refused were physically abused, forced to work long hours, and were unable to leave. They were constantly guarded by armed personnel, deprived of freedom, and found it difficult to seek help from others. Anyone wishing to return to Thailand had to pay a ransom of 50,000 – 200,000 baht.

Out of the 7 victims, 2 were required to pay 50,000 baht each to redeem themselves in order to return to Thailand. A total of 19 suspects (origin, midway, and destination) were issued arrest warrants, including Thai, Chinese, Myanmar, and Filipino nationals. To date, 12 suspects have been apprehended and prosecuted. The court has sentenced the defendants to imprisonment and ordered them to compensate each victim for damages.











Example: Forced labor or services pursuant to Section 6/1.

The victims applied for jobs abroad (without going through the Department of Employment), mostly in construction, agriculture, massage, and service industries, through Facebook and other online channels. The nature of the work and income were advertised by the suspects, who paid for the travel expenses and deducted the costs from the victims' wages after they started working (depending on the case). Upon arrival at their destination, the actual work differed from the advertised job description. Their passports were confiscated, wages and benefits did not match the advertised terms and agreements, and they were forced to work long hours. However, the victims were able to move freely, were not detained, and could communicate with others.

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