Thailand's Country Report

on Anti-Human Trafficking Response

2022

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Executive Summary

Executive Summary

The prevention and suppression of trafficking in persons remains on the national agenda of the Royal Thai Government. In the 2022 fiscal year, a total of THB 441.77 million (USD 12.69 million) was allocated, consisting of THB 292.18 million (USD 8.40 million) from the annual budget and an additional special budget of THB 149.59 million (USD 4.30 million) for the development of the Don Mueang Human Trafficking Victim Identification Centre, bringing the accumulated anti-human trafficking budget between 2017 - 2022 to THB 4,902.31 million (USD 140.87 million).

In 2022, the Government continued to advance collaborative and proactive efforts to eradicate human trafficking in all dimensions. Trauma-informed care and victim-centred approaches continued to be at the core of victim identification, legal procedures, and all victim engagements.

Emphases have been placed on strengthening partnerships with Non-Governmental Organisations (NGOs) and survivors to help enhance the capacity of the government to prosecute, protect, and prevent all forms of trafficking in persons. Survivors' participation in policy formulation and implementation was promoted and encouraged in all 3Ps (prosecution, protection, prevention) of anti-trafficking in persons efforts. An Ad-Hoc Subcommittee on Supervising and Monitoring of Assistance and Remedies for Human Trafficking Victims was established in November 2022 with four survivors as committee members, together with representatives from NGOs.

The nationwide implementation of the National Referral Mechanism (NRM), the new reflection period extension, and the Standard Operating Procedures (SOPs) for initial victim identification of labour trafficking and section 6/1 offences have enhanced the efficacy of victim identification leading to an increase in prosecution of cases in 2022. The implementation of NRM began in April 2022. The first case was of 59 migrant workers who were potential victims, and the screening was observed by the Office of the United Nations High Commissioner for Refugees (UNHCR) and NGOs. Series of trainings were held throughout the year and will continue in 2023, in collaboration with NGOs and survivors as instructors, to enhance officers' understanding and ensure the effective implementation of the newly implemented NRM, the extension of the new reflection period, and the SOPs.

Prosecution – Law enforcement and relevant agencies continued to advance proactive efforts in prosecution of human trafficking crimes, as well as elevate officers' expertise and skills to tackle the increasing crime rates from the economic impacts of the COVID-19 pandemic and the recent re-opening of the country. A total of 253 cases were initiated in 2022, increasing from 188 cases (34.51 percent) in 2021. Out of this number, 182 were online human trafficking cases, increasing by 70.09 percent from 2021, and 44 were labour-related cases, increasing by 33.33 percent from 2021. The Government continued to prioritise the investigation and prosecution of officials allegedly involved in human trafficking activities. In 2022, the authorities initiated cases against 35 alleged complicit officials, which are currently under the process of criminal prosecution and disciplinary actions, increasing by 18 persons (105.88 percent) from 17 persons in 2021.

As online forms of human trafficking activities had continued to rise in recent years, Thailand Internet Crime Against Children (TICAC), in cooperation with partners, including the National Center for Missing and Exploited Children (NCMEC), initiated 482 sexual exploitation cases in 2022, a 510.01 percent increase from 2021. Of this number, through further investigations, 41 were identified as human trafficking cases, a 272.72 percent increase from 11 cases in 2021. This was the highest number of human trafficking cases initiated by TICAC since 2014.

The enhanced coordination between inquiry officers and public prosecutors on evidence collection, collaboration with NGOs on capacity-building to increase officers' expertise, and the continued usage of online video conference during court proceedings have contributed to the acceleration of the Courts' procedures. In 2022, the Courts were able to hand out verdicts on 236 cases, increasing from 88 cases completed in 2021 (168.18 percent increase). To ensure the efficiency in the prosecution process, the Government continued to make systematic improvements. In 2022, the Anti-Money Laundering Office (AMLO) amended regulations under the Anti-Money Laundering Act to broaden the jurisdiction of the regulations to cover victims of human trafficking or forced labour, ensuring that they receive compensations. AMLO, the Police Anti-Money Laundering Center (PAMLC), and the Department of Special Investigation (DSI) were able to seize THB 40,882,661.75 (USD 1,175,802.75) of offenders' assets from 84 cases, an increase of THB 35,956,386.7 (USD 1,034,120.99 or 729.89 percent) from THB 4,926,275.05 (USD 14,1681.77) seized in 2021. Of this number, THB 8,570,720.35 (USD 246,497.57) seized from 2 cases was compensated to victims. The Don Mueang Victim Identification Centre and 10 Provincial Victim Identification Centres are undergoing constructions or renovations in accordance with the NRM plan. The Centres will be equipped with victim-centred services to enhance the efficacy of victim identification.

Strong efforts continued to be made to enhance capacity of law enforcement officers, particularly on evidence collection, forensic interview, victim identification, and the understanding of indicators of human trafficking, labour trafficking and section 6/1 offence, to increase the effectiveness and speed of the prosecutions of offenders. A total of over 1,551 inquiry officers, public prosecutors, and Multidisciplinary Teams (MDTs) received trainings in 2022. As a result, there were more labour trafficking cases initiated, such as the Rubber Glove Case.

Protection – The Government prioritised the use of victim-centred and trauma-informedcare approaches, children's best interest determination, and gender equality and non-discrimination principles in providing assistance and protection to victims of human trafficking and forced labour.

In 2022, a total of 202 victims came under the care of shelters. Of this number, 170 resided in Government shelters and 32 resided in private-run shelters. 160 were victims of human trafficking and 40 were victims of forced labour. The Government maintained its commitment to the Freedom of Movement (FoM) policy for victims residing in the shelters, especially adults, to enhance victims' confidence in the protection services. Victims have the ability to move freely in and out of shelters, including for outside employment, and have access to internet and communication devices. The Ministry of Social Development and Human Security (MSDHS) signed a Memorandum of Understanding (MoU) with five private enterprises on the employment opportunities for adult victims in shelters. As a result, 42 adult victims were given outside employment, increasing by 17 persons from 2021. They received total earnings of THB 1,251,076 (USD 35981.48). The average length of stay of a victim inside shelters has been reduced from 143 days in 2021 to 129 days in 2022 (55 percent decrease). This can be attributed to more efficient and speedy prosecution process, the implementation of systematic Individual Development Plan (IDP), and the periodic evaluation by officers and victims to ensure victims were not required to remain in the shelters longer than necessary.

As part of the systematic improvements, the Government continued to enhance efficacy of witness protection programme through the revision of the Witness Protection Act, B.E. 2565 (2022) to apply special measures to witnesses of human trafficking cases and the establishment of Operation Centres for Protection of the Rights of Human Trafficking Victims in Chiang Mai and Ubon Ratchatani. A working group was also established to promote ease of access to the Anti-Trafficking in Persons Fund to provide protection and assistance to victims of trafficking in persons or forced labour.

To ensure the implementation of trauma-informed care approach in all stages under NRM, including the reflection period, a series of trainings on trauma-informed care were held for 90 officers from central and provincial agencies and NGOs. Additional trainings have been planned for shelters officers in 2023.

Prevention – The Government remained committed to improving and developing measures to prevent workers of all nationalities from falling victims of trafficking in persons. Capacity-building trainings continued to be provided to relevant law enforcement officers and labour inspectors to increase their understanding of indicators for human trafficking and forced labour activities as well as to develop necessary skills for victim identification, especially in labour and fisheries sectors.

The government continued to make systematic improvements to enhance its prevention efforts. These included issuing the Ministerial Regulations on the Protection of Labour in the Marine Fisheries, B.E. 2565 (2022), which became effective on 10 March 2022, to ensure the protection of labour rights, including the provision of employment contracts in language that workers understand, the mandatory requirement of wage payment only through bank accounts, and other measures in line with the Work in Fishing Convention, 2007 (No. 188) of the International Labour Organisation (ILO).

The Standard Operating Procedures (SOPs) for initial victim identification of labour trafficking and Section 6/1 offence were approved by the Anti-Human Trafficking Committee on 23 March 2022. Since its introduction, law enforcement officers have conducted 1,073 initial victim screenings for 8,399 workers and were able to identify three potential victims. Potential victims were referred to the Multidisciplinary Teams (MDTs) for further identification. To ensure the effective implementation of the SOPs and integration with the MDTs in victim identification, a series of capacity-building workshops were held for 1,020 law enforcement officers.

In 2022, the Ministry of Labour (MOL) and relevant agencies proactively conducted labour and welfare inspections and screenings. Inspections were carried out at 55,028 workplaces at risk of potential trafficking in persons or forced labour, covering 1,308,313 migrant workers, to ensure that workplaces uphold workers' rights in compliance with labour laws and regulations. 125,920 migrant workers have been recruited via the bilateral MOUs. In addition, the Government continued to promote awareness and prevent Thai workers from being lured into illegal work overseas and becoming at risk of human trafficking. 383 Thai workers out of 71,270 inspected were denied departure, and 157 recruitment agents were charged in 107 cases of labour fraud and recruitment of workers without a license.

Prosecution

Due to the economic impacts of the COVID-19 pandemic and the recent re-opening of the country, crime rates, including trafficking in persons, have increased as offenders seek to exploit these opportunities. Online forms of human trafficking continued to rise. In this regard, the Royal Thai Government advanced its proactive efforts in collaboration with human-trafficking survivors and Non-Governmental Organisations (NGOs) to combat all forms of trafficking in persons. This has resulted in an overall trend of increasing prosecution of human trafficking offenders, as well as complicit officials.

Thailand was affected by human and labour trafficking as a country of origin, destination, and transit. The Royal Thai Government continued to expand international partnerships and collaboration, especially with neighbouring countries, to tackle transnational crime syndicates, develop capacity-building trainings for law enforcement officers, and advance cooperation with local NGOs.

Key Progress in 2022

1. In 2022, a total of 253 human trafficking cases were initiated, increasing from 188 cases in 2021 by 65 cases (34.51 percent). This was the result of enhanced capacity of law enforcement and relevant officers, particularly on digital forensics, in response to the changing nature of human-trafficking crimes.[1]

2. Thailand Internet Crimes Against Children (TICAC) arrested offenders of online sexual exploitation in 482 cases, increasing from 79 cases in 2022 by 403 cases (510.01 percent), 41 of which were human trafficking cases, the highest number of cases since 2014.[2]

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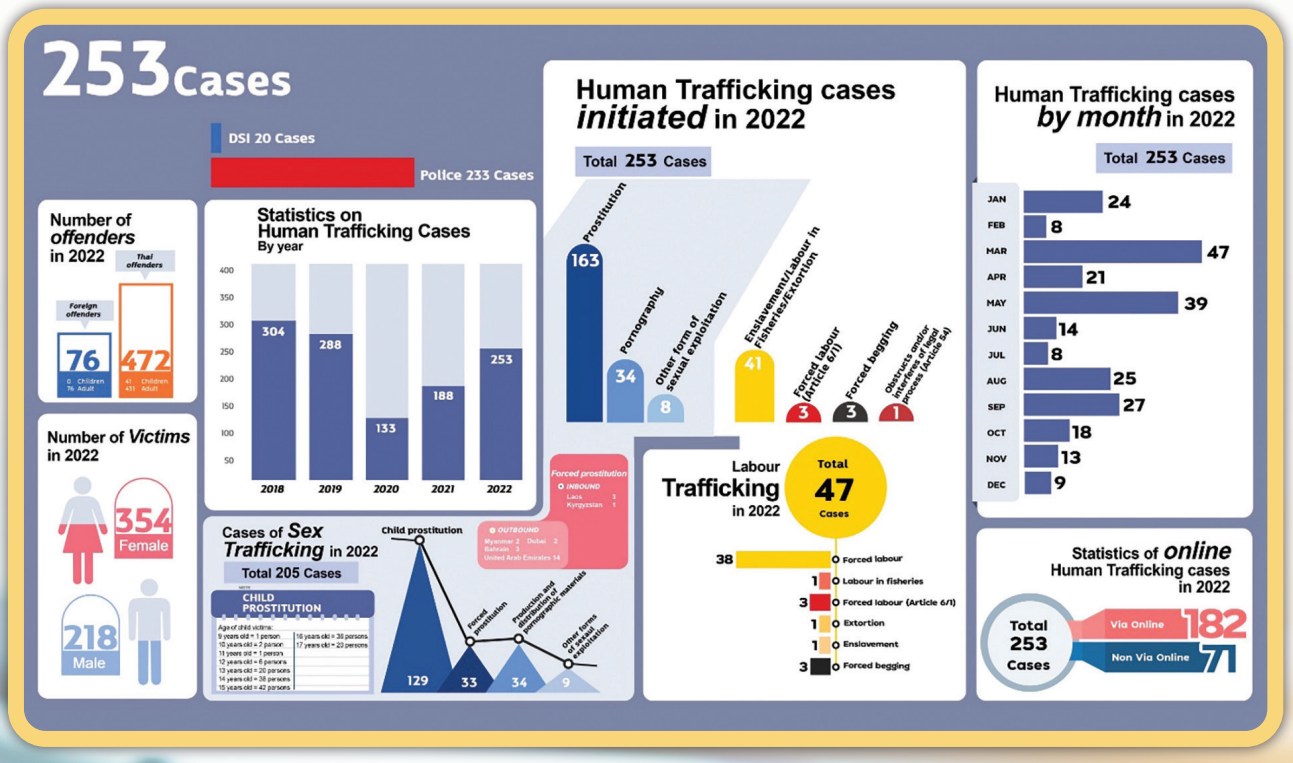
[1] US Recommendation: (1) Increase trafficking prosecutions and convictions, particularly for labor trafficking.

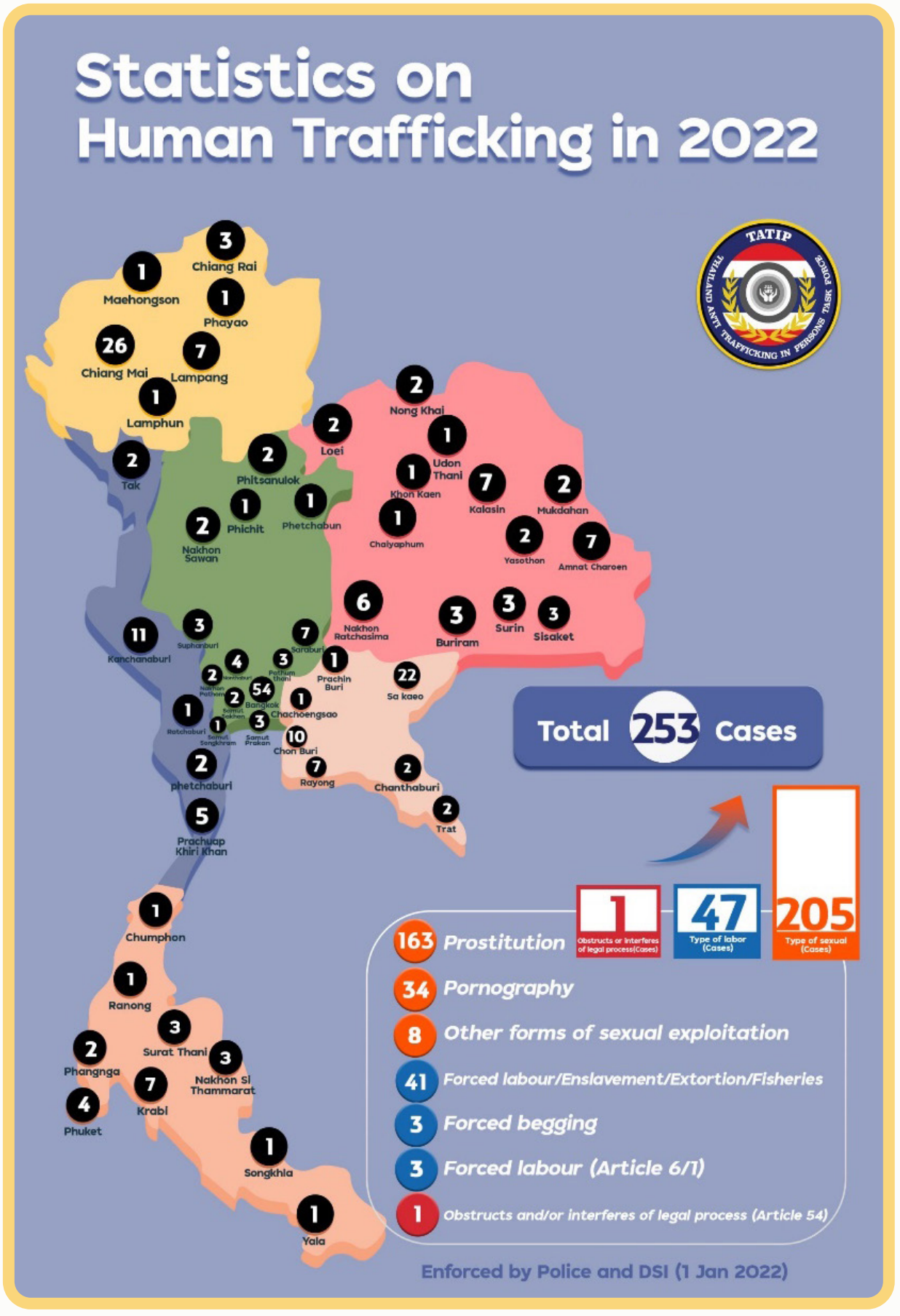
[2] US Recommendation: (1) Increase trafficking prosecutions and convictions, particularly for labor trafficking.

3. The Government continued to actively prosecute cases against complicit officials. In 2022, 35 complicit officials were prosecuted, increasing from 17 in 2022 by 105.88 percent.

4. The Child Woman Protection and Anti-Human Trafficking Centre (CWP) and Thailand Anti-Trafficking in Persons Taskforce (TATIP) continued the deployment of special teams/taskforces of experienced specialists to provide support and advice to local officers on prosecution, victim identification, and relevant law and regulations, including on the implementation of the National Referral Mechanism (NRM). Consequently, inquiry officers were able to effectively file cases to public prosecutors. Only 11 cases (3.28 percent) were not submitted to the Courts, the lowest since 2018.

Diagram 1-2: Statistics on human trafficking cases in 2022




Statistics on
Human Trafficking in 2022
TATIP
THAILAND ANTI TRAFFICKING IN PERSONS TASK FORCE
3 Chiang Rai
1 Maehongson
1 Phayao
26 Chiang Mai
7 Lampang
1 Lamphun
2 Tak
2 Phitsanulok
1 Phichit
1 Phetchabun
2 Nakhon Sawan
2 Loei
2 Nong Khai
1 Udon Thani
1 Khon Kaen
7 Kalasin
2 Mukdahan
1 Chaiyaphum
2 Yasothon
7 Amnat Charoen
6 Nakhon Ratchasima
3 Buriram
3 Surin
3 Sisaket
11 Kanchanaburi
3 Suphanburi
7 Saraburi
4
3 Pathum Thani
1 Prachin Buri
22 Sa kaeo
2
54 Bangkok
2
1 Chachoengsao
1 Ratchaburi
1
3 Samut Prakan
10 Chon Buri
2 phetchaburi
7 Rayong
2 Chanthaburi
2 Trat
5 Prachuap Khiri Khan
1 Chumphon
1 Ranong
3 Surat Thani
2 Phangnga
3 Nakhon Si Thammarat
7 Krabi
4 Phuket
1 Songkhla
1 Yala
Total 253 Cases
1 Obstructs or interferes of legal process(Cases)
47 Type of labor (Cases)
205 Type of sexual (Cases)
163 Prostitution
34 Pornography
8 Other forms of sexual exploitation
41 Forced labour/Enslavement/Extortion/Fisheries
3 Forced begging
3 Forced labour (Article 6/1)
1 Obstructs and/or interferes of legal process (Article 54)
Enforced by Police and DSI (1 Jan 2022)

5. The Courts were able to complete 236 cases from 384 new cases in 2022, as well as 88 cases from 232 remaining cases from 2021. The high rate of completion was a result of the use of online video conferencing during court proceedings, in accordance with the Electronic Court Procedures Regulation implemented since 2021. Overall, the Courts completed 168.18 percent more cases than last year.

6. The severity of the punishment for human trafficking crimes has increased. An increased number of convicted defendants (52.83 percent) were handed down a punishment of more than ten years of imprisonment. Through close collaboration between all relevant agencies, the efficacy of the investigation and prosecution process was enhanced and officers were able to more efficiently gather more evidence.

7. Law enforcement officers, inquiry officers, and Multidisciplinary Teams (MDTs) continued to receive trainings to enhance their capacity and efficacy on victim identification, especially in cases of forced labour, fisheries workers, and those under the Section 6/1 of the Anti-Trafficking in Persons Act, B.E. 2558 (2015). A total of 1,064 government officials received training from the Royal Thai Police (RTP).[3]

8. Victim-centred and trauma-informed care approaches remained at the core of the prosecution process. RTP, in collaboration with partners, including the U.S. Homeland Security Investigation (HSI) and NGOs, organised a series of capacity-building trainings on forensic interview procedures for more than 550 inquiry officers and public prosecutors from the Office of the Attorney General (OAG).

9. The Government, in collaboration with NGO networks and relevant Cambodian agencies, were able to provide assistance to Thai overseas workers who suffered exploitation from online scam crime groups. A total of 1,105 persons were rescued. 242 were identified as victims of human trafficking.

[3] US Recommendation: (2) Train officials on ensure effective implementation of new guidelines for the implementation of Section 6/1 of the anti-trafficking law and identification of labor trafficking victims. And (10) Ensure labor violations and migrant workers' complaints that include indicators of forced labor are investigated for trafficking crimes, including by enforcing procedures for labor officials to refer potential cases of labor trafficking to MDTs and law enforcement.

10. The Anti-Money Laundering Office (AMLO), the Police Anti-Money Laundering Center (PAMLC), and the Department of Special Investigation (DSI) were able to seize THB 40,882,661.75 (USD 1,175,802.75) of offenders' assets from 84 cases, increasing by THB 35,956,386.7 (USD 1,034,120.99 or 729.89 percent) from THB 4,926,275.05 (USD 14,1681.77) seized in 2021.

11. AMLO amended the regulations under the Anti-Money Laundering Act to broaden the jurisdiction of the regulations to cover victims of human trafficking or forced labour, ensuring that they receive compensation. Since such amendment came into force in July 2022, AMLO was able to seize THB 8,570,720.35 (USD 246,497.57) from 2 cases to be compensated to victims.

12. The Don Mueang Victim Identification Centre was provided with funding of THB 150,000,000 to develop facilities for victims in Bangkok and the surrounding areas. The Ministry of Interior (MOI) also established provincial Victim Identification Centres in 10 pilot provinces, which are being constructed and renovated, in support of the NRM. The 10 pilot provinces were prioritized based on the risks of trafficking crimes.[4]

13. The Government started the implementation of NRM in April 2022. The first case was of 59 migrant workers who were potential victims. The screening was observed by the Office of the United Nations High Commissioner for Refugees (UNHCR) and NGOs.[5] All 59 migrant workers were not identified as human trafficking victims.

14. The Government collaborated with NGOs and human trafficking survivors to create guidelines for MDTs to identify victims of online sexual exploitation. The World Childhood and the U.S. State Department's Bureau of International Narcotics and Law Enforcement Affairs (INL) co-funded the publication and distribution of 5,000 copies of the guidelines to MDTs. A capacity-building training was provided for 273 MDT officers, with four survivors participated as instructors.

15. The Government promoted survivors' engagements in the formulation of anti-trafficking policies and implementations. An Ad-Hoc Subcommittee on Supervising and Monitoring of Assistance and Remedies for Human Trafficking Victims was established in November 2022 with 4 survivors as committee members, together with representatives from NGO.

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[4] US Recommendation: (7) Ensure the effective implementation of the NRM and extension of the new reflection period for victims.

[5] US Recommendation: (7) Ensure the effective implementation of the NRM and extension of the new reflection period for victims.

1. Statistics on Human Trafficking Cases, Suspects and Victims

1.1 Number of Human Trafficking Cases

In 2022, the number of human trafficking cases initiated increased considerably, totalling 253 cases, representing an increase of 34.51 percent (65 cases) from 2021. This is a result of collaborative and inclusive approach through close partnership between law enforcement, relevant agencies, and NGOs, leading to more effective prosecution with higher number of cases initiated, more channels to communicate and report on potential cases, more victims willing to provide useful information on cases, less number of cases dismissed, cases being prosecuted more rapidly and efficiently, and more severe sentence of punishments handed down.

Of 253 cases, 182 cases involved investigation via online channels, increasing by 70.09 percent from last year, reflecting the evolving nature of crimes and increasing capacity of officials in digital investigation. Law enforcement agencies prosecuted 57 cases against crime syndicates for deceiving victims to forced labour overseas through online false advertisement. Cases related to labour trafficking also increased by 42.42 percent totalling 47 cases, resulting from more capacity in law enforcement.

The Government strengthened its collaboration with the NGOs to expand complaint channels and foster environment for victims and witnesses to report potential human trafficking crimes. As a result, of 253 cases initiated in 2022, 54 came from collaboration with NGOs and 79 came from the victims through complaint mechanisms or victim screenings. Details on human trafficking case statistics appear in Table 1. and Table 2.

Table 1: Statistic on cases reported via different channels

Total	Government officials	Victims[6]	NGOs
253	120	79	54

[6] US Recommendation: (14) Foster and environment conductive to victims and advocates reporting human trafficking crimes without fear of facing spurious retributive charges pursued by employers, including by utilizing recent legal amendments to dismiss cases file with dishonest intent or to intimidate defendants.

Table 2: 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/ Other
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	133	96	17	6	0	2	8 + (2)	2	0
2021	188	136	13	6	2	2	15 + (1)	2	11
2022	253	164	34	8	1	3	38 + (3)	1	1

Note: (1) In 2020, the number in brackets represents one forced labour or services case, and one worst form of child labour case, both of which are offences under Section 6/1 and section 56/1 of the Anti-Trafficking in Persons Act respectively.

(2) In 2021, the number in brackets represents one forced labour or services case, which is an offence under Section 6/1 of the Anti-Trafficking in Persons Act.

(3) In 2022, the number in brackets each represents three forced labour or services case, which is an offence under Section 6/1 of the Anti-Trafficking in Persons Act.

1.2 Number of Human Trafficking Offenders and Victims[7]

A total of 399 human trafficking offenders were apprehended in 2022, most of whom were charged with sexual exploitation via online platforms. There were more Thai victims in 2022 due to the online scam crime syndicates luring Thai nationals to illegally travel to work outside of the Kingdom through natural border paths. As human trafficking trends shifted, law enforcement officers rigorously increased inspections in high-risk areas. The Government also enhanced its collaboration with other governments to arrest offenders and rescue victims. The NRM was used by MDTs for victim screening, identification, and referral procedures.[8] Details appear in Table 3. and Table 4.

[7] US Recommendation: (1) Increase trafficking prosecutions and convictions, particularly for labor trafficking.

[8] US Recommendation: (5) Ensure the effective implementation of the NRM and extension of the new reflection period for victims.

Table 3: Number of suspected human trafficking offenders by gender and nationality

Year	Total	Gender		Nationality				
		Male	Female	Thai	Myanmar	Cambodian	Laotian	Others
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	188	87	101	160	2	7	0	18
2021	447*	269	178	341	29	4	0	73
2022	548	287	261	472	4	6	4	62

Note: *The statistic of number of suspects were updated after the release of the RTG's 2021 Country Report and RTG's Progress Report (January – March 2022)

Table 4: Number of victims of trafficking

Year	Total	Gender		Nationality				
		Male	Female	Thai	Myanmar	Cambodian	Laotian	Others
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	231	66	165	162	5	5	46	13
2021	424*	154	270	322	94	0	2	6
2022	572	218	354	480	26	4	37	25

Note: *The statistic of number of victims were updated after the release of the RTG's 2021 Country Report and RTG's Progress Report (January – March 2022)

2. Prosecution of Human Trafficking Cases[9]

2.1 Human Trafficking Cases Handled by Inquiry Officers

1) Progress of Human Trafficking Cases Handled by Inquiry Officers

The increased expertise on human trafficking cases displayed by inquiry officers served to increase their ability to gather evidence and efficiently submit cases to the public prosecutors as well as handle complicated cases involving two or more suspects. As a result of close cooperation between inquiry officers and public prosecutors as well as the increased expertise on evidence collection, all completed cases were submitted to public prosecutors. Details appear in Table 5. and Table 6.

Table 5: Progress of human trafficking cases handled by inquiry officers

Year	Total	Under inquiry	Filed to public prosecutors	Not filed to public prosecutors
2018	304	1 (0.33%)	300 (98.68%)	3 (0.99%)
2019	288	0 (0.00%)	284 (98.61%)	4 (1.39%)
2020	133	2 (1.50%)	128 (96.24%)	3 (2.26%)
2021	188	1 (0.53%)	187 (99.46%)	0 (0.00%)
2022	253	32 (12.65%)	221 (87.35%)	0 (0.00%)

Note: (1) One pending cases from 2018 are under consideration of DSI.
(2) Two pending cases from 2020 are under consideration of DSI.
(3) Three pending cases from 2021 are under consideration of DSI.

Table 6: Case Classification by Number of Suspects

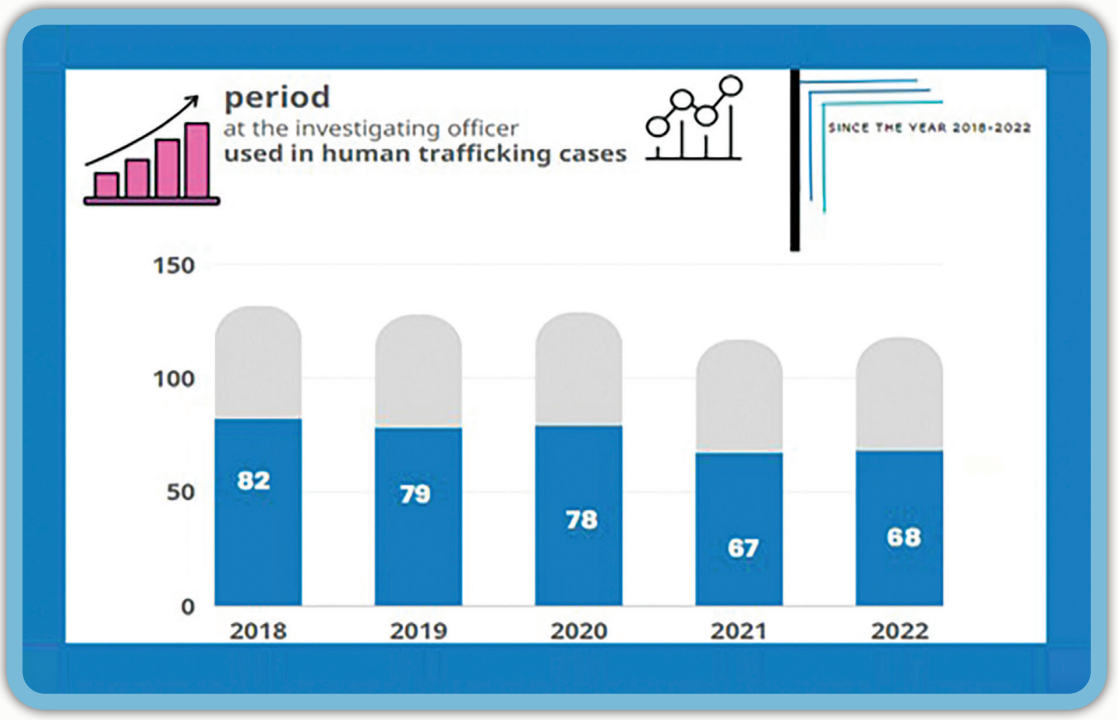
Year	Total	Cases Involving One Suspect	Cases Involving Two or More Suspects
2018	304	219 (72.04%)	85 (27.96%)
2019	288	187 (64.93%)	101 (35.07%)
2020	133	103 (77.27%)	30 (22.56%)
2021	188	100 (53.19%)	88 (46.81%)
2022	253	145 (57.31%)	108 (42.69%)

[9] US Recommendation: (1) Increase trafficking prosecutions and convictions, particularly for labor trafficking.

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

The efficacy of evidence collection and prosecution increased, and inquiry officers took less time to handle human trafficking cases. Details appeared in Diagram 3.

Diagram 3: Average length of time for handling of human trafficking cases handled by inquiry officers from 2018-2022



2.2 Human Trafficking Cases Pursued by Public Prosecutors

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

A total 358 human trafficking cases were received by OAG in 2022. This year the number of prostitution and sexual exploitation cases increased to the same level prior to the COVID-19 pandemic. After the easing of COVID-19 preventive measures, there was a significant increase in cases related to general forced labour and services, increasing by 55 cases (177.42 percent) from 31 cases in 2021 (Table 7).

Table 7: Type of human trafficking cases received by public prosecutors

Year	Total	Type of Human Trafficking Cases Received		
		Prostitution and Sexual Exploitation	Forced Begging	General Forced Labour and Services
2017	418	325	25	68
2018	357	286	14	57
2019	364	242	7	115
2020	241	191	3	47
2021	197	163	3	31
2022	358	269	3	86

The capacity-building trainings, workshops, and seminars carried out in previous years, as well as the establishment of the public prosecutor taskforce by OAG's Department of the Trafficking in Persons Litigation in 2021, which continued to deploy specialists to provide assistance to local law enforcement officers, increased the understanding and efficiency of public prosecutors, local law enforcement officers, and inquiry officers in evidence collection, digital forensics, identification of signs of labour trafficking under the Section 6/1 of the Anti-Trafficking in Persons Act, B.E. 2558 (2015), and prosecution and litigation of human trafficking and forced labour cases.[10] This has resulted in lower percentage of cases not submitted to the Courts. Details appear in Table 8. and Table 9.

Table 8: Progress of human trafficking cases with arrested suspects

Year	Total	Progress of Human Trafficking Cases			
		Cases submitted to the Courts (%)	Cases not submitted to the Courts (%)	Cases under public prosecutors' consideration (%)	Cases returned to inquiry officers (%)
2017	396	385 (97.22%)	11 (2.78%)	0	0
2018	331	294 (88.83%)	33 (9.97%)	0	4 (1.2%)
2019	343	273 (79.59%)	65 (18.95%)	0	5 (1.46%)
2020	225	202 (89.78%)	17 (7.55%)	0	6 (2.67%)
2021	180	162 (90.00%)	11 (6.11%)	0	7 (3.89%)
2022	347	321 (92.50%)	13 (3.75%)	2 (0.58%)	11 (3.17%)

[10] US Recommendation: (2) Train officials on ensure effective implementation of new guidelines for the implementation of Section 6/1 of the anti-trafficking law and identification of labor trafficking victims.

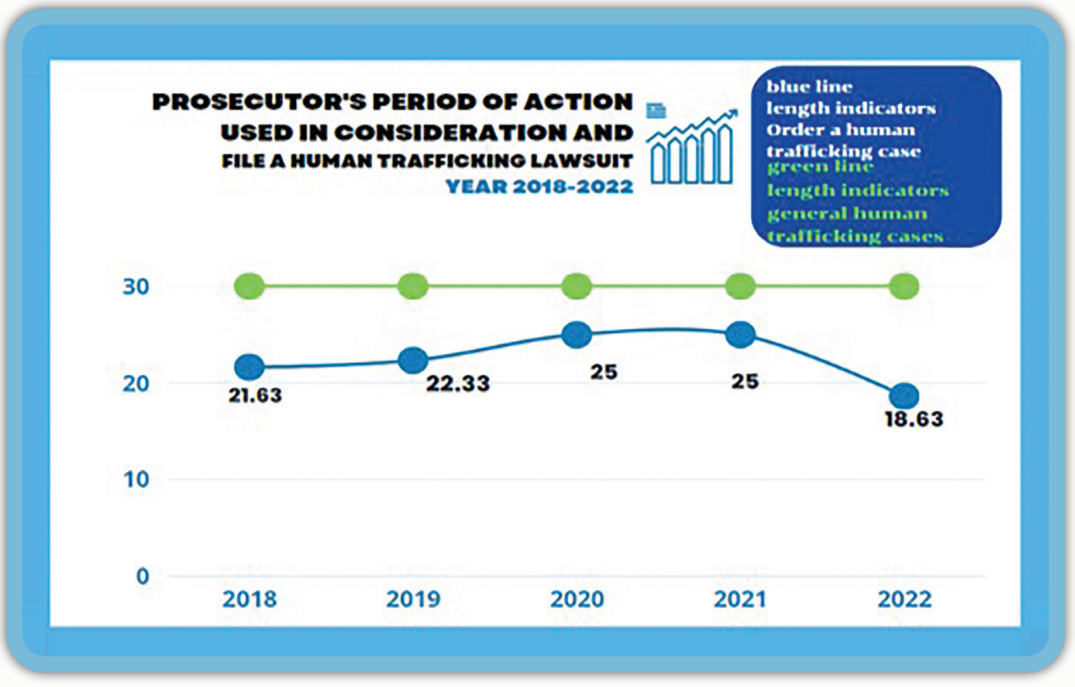
Table 9: Progress of human trafficking cases with fleeing suspects

Year	Total	Progress of Human Trafficking Cases			
		Cases submitted to the Courts (%)	Cases not submitted to the Courts (%)	Cases under public prosecutors' consideration (%)	Cases returned to inquiry officers (%)
2017	22	17 (77.27%)	4 (18.18%)	0	1 (4.55%)
2018	26	23 (88.46%)	1 (3.85%)	0	2 (7.69%)
2019	21	18 (85.71%)	3 (14.29%)	0	0
2020	16	13 (81.25%)	0	0	3 (18.75%)
2021	17	13 (76.46%)	2 (11.77%)	0	2 (11.77%)
2022	11	6 (54.55%)	1 (9.09%)	3 (27.27%)	1 (9.09%)

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

Despite a higher number of cases filed to OAG, public prosecutors continued to work with efficacy. The average length of time taken to process trafficking cases decreased to 18.63 days, below OAG's KPIs of 30 days (Diagram 4). This was the result of OAG's policy in designating the Office of Trafficking in Persons Litigation as headquarters of trafficking in persons cases, where the public prosecutors process all cases submitted from local offices and send them back to local offices to submit to the Courts.

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 2022, the Courts convicted the highest number of defendants by percentage of cases (81.78 percent) since 2017. The Courts were able to complete more cases by percentage (61.46 percent) in 2022, compared to 37.93 percent in 2021 (Table 10). The use of online video conferencing during court proceedings also attributed to accelerating the process. A subcommittee was also established by the Court of Justice to follow up and address the cases management during the COVID-19 pandemic, using Information and Communications Technology (ICT) technology to facilitate the Courts' proceedings.

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

Year	Cases submitted to the Courts			Decided cases				Pending cases (as standing at the end of indicated year)
	Cases initiated in previous years	Cases initiated in indicated year	Total	Convicted	Acquitted	Disposed	Total	
2017	227	330	557	319 (81.59%)	54 (13.81%)	18 (4.60%)	391	166
2018	166	279	445	235 (77.055%)	24 (7.87%)	46 (15.08%)	305	140
2019	140	256	396	217 (76.68%)	26 (9.19%)	40 (14.13%)	283	113
2020	113	191	304	157 (78.89%)	22 (11.06%)	20 (10.05%)	199	105
2021	105	127	232	66 (75%)	8 (9.09%)	14 (15.91%)	88	144
2022	144	240	384	193 (81.78%)	24 (10.17%)	19 (8.05%)	236	148

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

In 2022, 308 defendants in new human trafficking cases were brought before the Courts and 249 were convicted. This was the highest conviction rate (80.84 percent) since 2016 (Table 11). Due to the increased efficacy of inquiry officers and public prosecutors to collect evidence against defendants, the Courts were able to convict more defendants guilty of committing trafficking offences.

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
2017	638	466 (73.04%)	154 (24.14%)	18 (2.82%)
2018	438	316 (72.15%)	57 (13.01%)	65 (14.84%)
2019	386	304 (78.76%)	27 (6.99%)	55 (14.25%)
2020	302	233 (77.15%)	41 (13.58%)	28 (9.27%)
2021	125	82 (65.60%)	25 (20%)	18 (14.40%)
2022	308	249 (80.84%)	35 (11.36%)	24 (7.79%)

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

The severity of the punishment for human trafficking crimes increased. 108 defendants convicted this year were handed down a punishment of over 10 years of imprisonment. This is the highest rate of over 10 years of imprisonment sentencing, 53.73 percent, since 2018 (Table 12). No case was sentenced to shorter than 1 year, the lowest since 2016. The severity of the punishment reflected the judges' recognition of the severity of human trafficking crimes and in accordance with the Anti-Trafficking in Persons Act, B.E. 2558 (2015) and the Procedures for Human Trafficking Cases Act, B.E. 2559 (2016).

After the President of Supreme Court set up a working group to consider ways to facilitate court proceedings during the COVID-19 pandemic in December 2021, the working group held several meetings in 2022 to follow up and ensure that the Courts' consideration of cases is complete within appropriate timeframe.

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
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 (19.9%)	60 (25.42%)	124 (52.54%)
2019	276	6 (2.17%)	8 (2.90%)	38 (13.77%)	124 (44.93%)	100 (36.23%)
2020	199	8 (4.02%)	15 (7.54%)	41 (20.60%)	53 (26.63%)	82 (41.21%)
2021	75	1 (1.33%)	1 (1.33%)	11 (14.67%)	26 (34.67%)	36 (48%)
2022	201	1 (0.50%)	1 (0.50%)	25 (12.44%)	66 (32.84%)	108 (53.73%)

3. Prosecution of Complicit Officials in Human Trafficking Cases[11]

The Royal Thai Government continued to be proactive in the suppression and prevention of officials' complicity in human trafficking. Public officials found to have been involved in human trafficking activities, demanding or receiving benefits from those activities, or neglecting their duties in preventing and suppressing human trafficking, are subject to criminal prosecution and/or disciplinary actions.

3.1 Prosecution of Officials Accused of Complicity in Human Trafficking Cases

In 2022, the prosecution of officials complicit in human trafficking remained a priority for the Government. The amendment to Article 3 of the Office of the Prime Minister's Regulations on Management Measures in Preventing Official Complicity in Human Trafficking in 2021, broadening the jurisdiction of the regulations to cover the act of facilitating entries into the Kingdom without permission, and the series of trainings for law enforcement officers have enhanced law enforcement officials to prosecute complicit officials involved in human trafficking cases. Details appear in Table 13.

Table 13: Criminal Prosecution of Suspected Public Officials in Human Trafficking Cases[12]

Year	Number of public officials	Under investigation	Under public prosecutor's consideration	Under Courts' consideration	Completed cases		Fleeing
					Imprisoned	Acquitted/ Not pursued	
2013- 2016	44	-	-	5	30	6	3
2017	11	-	-	2	9	-	-
2018	2	-	-	1	1	-	-
2019	2	-	-	-	1	-	1
2020	3	-	-	1	1	-	1*
2021	17	2	13	1	-	1	-
2022	35	24	9	2	-	-	-
Total	114	26	22	12	42	7	5

Note: *deceased suspect

[11] US Recommendation: (4) Proactively investigate and prosecute officials allegedly complicit in facilitating trafficking and convict and punish those found guilty with adequate sentences.

[12] US Recommendation: (4) Proactively investigate and prosecute officials allegedly complicit in facilitating trafficking and convict and punish those found guilty with adequate sentences.

3.2 Disciplinary Actions Against Complicit Officials

Table 14: Complicit Public Officials Subjected to Disciplinary Actions

Year	Number of public officials	Disciplinary actions and other measures								
		Under disciplinary inquiry	Expelled	Suspended	Under probation	Incarcerated	Dismissed by the Administrative Court	Resigned	Retired	Disciplinary inquiry ended
2013-16	44	5	32	-	-	-	-	-	-	7
2017	11	3	7	-	-	-	-	-	1	-
2018	2	-	2	-	-	-	-	-	-	-
2019	2	-	2	-	-	-	-	-	-	-
2020	3	2	1	-	-	-	-	-	-	-
2021	17	13	1	-	-	-	-	-	2	1
2022	35	34	-	-	-	-	-	-	1	-
Total	114	58	44	-	-	-	-	-	4	5

Note: Disciplinary actions cannot be taken against retired or resigned complicit officials, however, complicit officials will continue to be prosecuted under criminal offences.

The Ministry of Justice (MOJ) promoted the prevention of official complicity to human trafficking and increased collaboration with relevant agencies. RTP also held training for police officers to increase capacity building on disciplinary actions.

3.3 Cases of Prosecution of Complicit Officials Initiated in 2022

In 2022, there were nine cases initiated to prosecute 35 complicit officials. Details of the cases are as follows:

1) Online Sexual Exploitation Case – (initiated in 2022) Four police investigation officers were charged for not arresting offenders of online sex broadcasting through a Chinese mobile application. Eight patrol police officers were charged for taking THB 70,000 bribe from Chinese and Laotian nationals in exchange for not arresting them for illegal crossing to the Kingdom in Chiang Rai Province.

2) Mae Sai Case – (initiated in 2022) Two police officers were charged for taking THB 60,000 bribes to allow potential victims of human trafficking to leave Thailand to work in Myanmar. Six victims were deceived into prostitution.

3) Overseas Prostitution Case – (initiated in 2016) In 2022, further investigations found one police officer and five immigration officers to be in complicity as they have taken bribes from victims to allow them to leave Thailand without conducting proper interviews and review relevant documents according to overseas workers procedures.

4) Chom Dao Case – (initiated in 2017) In 2022, further investigations found six police officers and one territorial defence volunteer to be complicit in taking bribes from the owner of the workplace. Cases for six police officers were filed for the consideration of public prosecutors and the case of the territorial defence volunteer is under inquiry.

5) The Best Karaoke Case – (initiated in 2016) In 2022, three police officers were arrested for fabrication of evidence to conceal the owner's involvement in the case and evade charges.

6) Surat Thani Case – Two government officials, responsible for assisting and providing welfare to victims of child exploitation cases, were arrested for obstructing police investigation of case that involved an ex-politician's son as a defendant.

7) Overseas Forced Labour Case - A local politician in Sa Kaeo province was prosecuted for involvement in deceiving Thai workers into forced labour in Cambodia.

8) Ratchaburi Case – A female police officer was charged with forced labour of a female military officer.

9) Phangnga Case – A police officer and his relatives were arrested and charged with forced labour of Myanmar migrant workers in an oil palm plantation.

3.4 Progress of Criminal Prosecution of Complicit Officials

In 2022, further progress continued to be made in the prosecution of complicit officials from previous years.[13] Details of relevant cases are as follows:

1) Nataree Case (initiated in 2016) – Four police officers were involved in bribery from Nataree Massage Parlour. All four were expelled and the case was submitted to the Court. In 2022, the Court of First Instance sentenced one police officer to 325 years of imprisonment and another to 85 years of imprisonment. One police officer's case was under the consideration of the Court of First Instance, and the remaining officer fled, for which the Court has issued an arrest warrant.

2) Phu Reau Case (initiated in 2017) – Four police officers were involved in bribery from the owner. Three police officers were sentenced to imprisonment and one was acquitted. In 2022, the Court of Appeal reversed the decision from acquittal to 100 years' imprisonment.

3) Chom Dao Case (initiated in 2017) – In 2022, the Court of First Instance completed the case of 3 complicit officials charged in 2017 for distorting the evidence with one conviction with 15-year imprisonment and two acquittals. DSI submitted the case of seven complicit officers charged in 2021 to the public prosecutor.

4) Chaiyaphum Case (initiated in 2017) – One police officer was expelled because of his involvement in bribery with the owner of the establishment. In 2022, the public prosecutor submitted the case for the Courts' consideration.

5) Valentine's Case (initiated in 2020) – Five police officers allegedly received bribes from the owner. In 2022, one complicit official died while under prosecution. The other four police officers were charged but denied the allegation. The case is under investigation.

6) Ubon Ratchathani Case (initiated in 2020) – One teacher allegedly committed child sexual exploitation. In 2022, the Court of First Instance acquitted the case, and the case has been submitted to the Court of Appeal.

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[13] US Recommendation: (4) Proactively investigate and prosecute officials allegedly complicit in facilitating trafficking, and convict and punish those found guilty with adequate sentences.

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

4.1 Amount of Asset Restraints and Seizures

In 2022, AMLO issued orders to freeze and seize assets in 84 cases related to human trafficking offences, involving 258 offenders and accomplices. The initial value of the assets subjected to these orders were THB 40,882,661.75 (USD 1,172,094.87). RTP expanded investigation to trace financial evidences in cases related to human trafficking and submitted the cases to AMLO and seized more assets of suspects in accordance with the anti-money laundering law and regulations. Details appear in Table 15. and Table 16.

Table 15: Value of assets subjected to restraint and seizure orders

Year	Numbers of Cases	Total Value of Assets Subjected to Restraint / Seizure Orders (THB)
2018	15	477,058,488.94
2019	15	8,587,166.78
2020	20	51,201,949.60
2021	15	4,926,275.05
2022	84	40,882,661.75
Total	149	582,656,542.12

Table 16: 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 (THB)	Value of Assets Ordered by the Courts to Be Forfeited for the Benefits of the State (THB)
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
2021	4,926,275.05	304,335.12
2022	43,565,378.48	80,135,451.10
Total	663,298,122.57	147,332,996.12

4.2 Amendments of Relevant Laws

1) AMLO amended the Transactions Committee regulation on protection of victims' rights in predicate offences under the Anti-Money Laundering Act (No.6), B.E. 2565 (2022) to include victims of human trafficking or forced labour or services in the definition of victims who are entitled to the compensation rights. The amendment has been in effect since 27 July 2022.

The Amendment allowed AMLO to file applications for compensations from assets seized by the Courts for victims of human trafficking in the following cases;

1.1) Six Cambodian victims of forced labour on a fishing boat in Malaysian waters filed for compensation of THB 850,000 (USD 24,446.36).

1.2) Three victims of human trafficking, deceived into forced labour with torture on fishing vessels, filed for compensation of THB 7,720,720.35 (USD 222,051.2).

2) On 25 October 2022, the National Assembly voted to pass the Anti-Money Laundering Act (No.6), B.E. 2565 (2022). One of the key amendments was to allow assets seized from human trafficking offenders to be used as financial remedies for victims instead of being forfeited for the benefit of the State. The law came into force on 24 December 2022.

5. Examples of Human Trafficking Cases and Prosecution Progress

In 2022, as a result of strengthened collaboration between law enforcement agencies, civil society, NGOs, and other partners, and the enhanced capacity of law enforcement officers to trace and gather evidences, further arrests in human trafficking cases were made. Examples of cases are as follows:

5.1 Cases Related to Sexual Exploitation

1) Operation "Fox Tongue Removal" – CWP, in collaboration with OAG and the Anti-Trafficking in Persons Division, charged the defendant with obstruction of justice, with evidence found that the victim was bribed to overturn her testimony.

2) Operation “Shepherd Boy”

2.1) Chiang Mai Case – CWP of Region 5 police, MOI, and NGOs rescued nine children who were potential victims of forced prostitution. Through victim identification process with MDT in Chiang Mai Province, CWP concluded that all nine children were victims of human trafficking in the form of prostitution. All of the children were taken into protective custody under the supervision of Zoe International Foundation and the Rafa Foundation. Further investigation led to the arrest of 16 offenders and the rescue of 11 more victims ranging in age from 12 to 15 years old. Currently, all 37 cases are under the Court’s consideration.

2.2) Lampang Case – CWP, in collaboration with TICAC, received intelligence from NGOs on a suspicious Twitter account that promoted sexual services. CWP was able to arrest 11 offenders and rescue two 14 year-old victims. Further investigation resulted in the arrest of three additional offenders. The case has been submitted for the Court’s consideration.

2.3) Surat Thani Case – CWP, in collaboration with TICAC, Anti-Trafficking in Persons Division (ATPD), and the Ministry of Social Development and Human Security (MSDHS), arrested 24 offenders and rescued six child victims of sexual exploitation, aged 13 to 18 years old, who were lured into prostitution in Surat Thani Province. Four offenders were sentenced to 264 years of imprisonment. Other charges have been submitted for the Court’s consideration.

3) **Overseas Prostitution Case** – CWP received a report on an underage Thai woman lured into prostitution in Malaysia. The Royal Thai Embassy in Kuala Lumpur, in collaboration with ATDP and local government agencies, rescued the victim and facilitated her repatriation to Thailand within 3 days, highlighting the efficacy of law enforcement officers in rescuing the victims. From the investigation, five suspects were identified and have all been apprehended, with cooperation from the Royal Malaysia Police. The case is currently under investigation.

4) Nakhon Sawan Case – DSI, in collaboration with RTP and the Department of Provincial Administration, investigated a karaoke restaurant in Nakhon Sawan Province for potential trafficking in person activities, after receiving a request from MSDHS. The investigation found three victims of child sexual exploitation and one suspect. The case is under DSI investigation.

5) Underage Prostitution Case – CWP received information of an underage girl being exploited in the form of prostitution and online sexual exploitation by her own mother.[14] Further investigation led to one additional victim identified, which is also a daughter of the suspect. RTP and MSDHS took both victims into protective custody under the Children and Family Shelter. The suspect was arrested and charged with two offences. The case has been submitted for the Court's consideration.

6) Phuket Case – An under-aged girl had been sexually exploited for a period of four years by three offenders, one of whom was the victim's guardian and her husband who was a police officer. Three offenders were sentenced to 9 years, 43 years, and 50 years of imprisonment respectively.

During the prosecution procedure, the offenders tried to interfere in the investigation by using threats and pressure on the victim to provide false testimony. As a result, the victim was placed under a protection programme to provide a safe environment. This case depended mostly on the victim's testimony because evidence collection was a challenge as the crimes were committed in a period of 4 years. The victim was provided with time, psychology services, and advisors during the reflection period to allow the victim to have trust and confidence in the system and be well-prepared before testifying in court.[15]

The protection programme allowed the victim to recover from her trauma and re-enter the education system with exceptional performance. Recently, her status has been re-evaluated as safe from offenders. As such, MSDHS has been working with an NGO to prepare her for reintegration into society and provide her with funding and scholarships. Relevant agencies will continue to monitor her safety.

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[14] US Recommendation: (14) Foster and environment conductive to victims and advocates reporting human trafficking crimes without fear of facing spurious retributive charges pursued by employers, including by utilizing recent legal amendments to dismiss cases file with dishonest intent or to intimidate defendants.

[15] US Recommendation: (6) Ensure the use of trauma-informed procedures by the government officials during interviews with potential victims, including during labor inspections. And (7) Ensure the effective implementation of the NRM and extension of the new reflection period for victims.

7) Online Sexual Exploitation Case – CWP and the Provincial Police Region 5, collaborated with relevant law enforcement agencies, and NGOs investigated and found ten potential victims, five adults and five children, of online sexual exploitation. The victims were filmed and broadcasted through Chinese online social media. All five child victims were identified by MDTs as victims of human trafficking. RTP arrested and prosecuted two suspects, one Thai and one Chinese.

After further investigation, RTP rescued nine additional victims, four adults and five children, all were identified as victims of human trafficking. Three suspects were arrested, two Thais and one Chinese.

The Rights and Liberties Protection Department provided witness protection for nine underage witnesses and collaborated with Exodus Foundation in providing legal advice and health services. Due to close relations between the witnesses and the suspects, placing witnesses under the protection programme prevented suspects from interfering with the case.

8) Chiang Rai Case – CWP collaborated with the Cyber Crime Investigation Bureau (CCIB) received a report from a relative of a potential victim, who was deceived by a Chinese suspect to online sexual exploitation. RTP arrested 17 suspects, 11 Thais and six Chineses. MDTs screened and identified 31 victims of human trafficking -- four Thais and 27 Laotians. Seven underage Laotian victims decided to stay at a private shelter and were provided co-plaintiff's attorney, with the support of NGOs – Free a Girl and Hug Project, for the prosecution process. 22 Laotian victims were repatriated, four were in the process of repatriation, and one male Laotian victim decided to stay and work in Thailand. Further investigation has led to an investigation in Chonburi Province and an arrest of additional 31 suspects composing of Thais, Chinese, Laotian, and Myanmar nationals.

5.2 Cases of Forced Labour and Extortion under Section 6/1 of the Anti-Trafficking in Persons Act, B.E. 2558 (2015)[16]

1) Online Scammer Case – Since 2021, CWP, TICAC, TATIP, and RTP, along with the Ministry of Foreign Affairs (MFA), have been rescuing Thai workers in Cambodia who were forced to work as scammers for online investment. The victims were subjected to physical harm by their employers and held hostage on debt bondage. Law enforcement officers were able to trace evidence, leading to further crackdowns on the crime syndicates, additional arrests, and the rescue of more victims. To date, the RTG rescued a total of 1,105 Thais, 242 of whom were identified as human trafficking victims.

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[16] US Recommendation: (10) Ensure labor violations and migrant workers' complaints that include indicators of forced labor are investigated for trafficking crimes, including by enforcing procedures for labor officials to refer potential cases of labor trafficking to MDTs and law enforcement.

2) Indian IT Specialist Case – DSI received information on eight Indian IT specialists who were forced, threatened, and physically harmed by their employer in Myanmar to work as crypto currency scammers. After all victims were released and transferred to Thailand under the request of the Embassy of India, DSI brought all eight victims through the NRM screening process, placed in shelters, and provided protection services.[17] After assessing the victim's readiness for victim identification with the assistance of MDT, Thai authorities used advanced witness hearing to collect evidence and all victims were repatriated at their request.

3) Fishing Vessels Case – Initiated in September 2021, the ATPD received a report from Stella Maris of a potential forced labour case on a fishing vessel. The ATPD were able to rescue 44 workers, of which three were identified as victims of human trafficking. Victims were deceived to forced labour with torture on fishing vessels in Malaysian waters. Victims were forced to work without pay and did not receive Seaman Books. All workers were repatriated to Thailand. Further investigation traced evidence to an organised crime syndicate, leading to the arrest of seven offenders, seizure of assets of THB 7,720,720.35 (USD 222,051.2), which falls under the Anti-Money Laundering Act (B.E. 2542), and the rescue of one additional victim. The Court completed the case within only 272 days, and sentenced two offenders to 12 years of imprisonment and ordered the payment of THB 356,575 (USD 10,255.25) compensation to victims. Other charges are still under the Court's consideration.

4) Migrant Workers Smuggling Case CWP and AMLO traced financial links between a human trafficking syndicate in Nakhon Si Thammarat Province to a migrant worker smuggling crime syndicate in Chumphon and Surat Thani Provinces. The investigation uncovered money laundering from trafficking in persons to a gold asset portfolio, fishing vessels and an aquaculture facility. The RTP was able to arrest seven suspects, of which three Myanmar national suspects fled and have been issued Red Notices. Total assets of THB 1.873 billion (USD 53.86 million) were seized.

5) Ladprao District Case – Initiated in February 2021, DSI received a request from the Myanmar Labour Attaché to rescue Myanmar workers from a jelly factory in Ladprao District, Bangkok. A total of 18 Myanmar workers were rescued. 13 workers, comprising seven men and six women, were identified as victims of forced labour. In January 2022, the public prosecutor submitted the case to the court against five offenders for human trafficking crimes of forced labour and labour exploitation.

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[17] US Recommendation: (7) Ensure the effective implementation of the NRM and extension of the new reflection period for victims.

6) Online Forced Begging Case – CWP, in collaboration with NGOs, investigated a potential forced begging offence on children. The investigation found the adopted mother of the victims forced them to consume acid. The offender then posted a request on social media for donations to cover her children's medical costs. As the victims died, law enforcement officers resorted to using witnesses, digital forensics and evidence, tracing of financial transactions, and circumstantial evidence to prosecute the offender. The Courts convicted the offender with a capital punishment sentence.

7) Rubber Glove Case – Initiated in January 2021, CWP, in collaboration with ATPD, Office of Trafficking in Persons Litigation, and International Justice Mission (IJM), rescued 17 labour workers from forced labour in medical glove manufacturing CC Medical Device Limited. The public prosecutors and IJM were co-plaintiff's attorney for the case. On 27 December 2022, the Courts convicted one offender to 2 years and 24 months of imprisonment and a fine of THB 27,000 (USD 776.53). Another offender was ordered to pay a fine of THB 947,000 (USD 27236.12). Both offenders were ordered to pay THB 1,946,200 (USD 55,973.54) as compensations to all victims.

5.3 Labour Trafficking Cases[18]

1) Sing Buri Case – Initiated in December 2021, Region 1 Police received a complaint from a potential victim of forced labour and physical abuses. The potential victim, who had intellectual disability, was forced to work without wage payment and was physically abused causing facial and limb deformities.[19] In 2022, RTP, in cooperation with MSDHS, identified the potential victim as a victim of human trafficking. RTP arrested three suspects and charged them with human trafficking offences. Initially, all three suspects denied the charge, but due to evidences gathered by MDTs and public prosecutors, all suspects confessed to their crimesThe Sing Buri Provincial Court convicted all offenders to 14 years and 6 months of imprisonment and a fine of THB 1,200,000 (USD 34,512.51). They were ordered to pay a compensation of THB 6,000,000 (USD 172,562.55) to the victim.

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[18] US Recommendation: (10) Ensure labor violations and migrant workers' complaints that include indicators of forced labor are investigated for trafficking crimes, including by enforcing procedures for labor officials to refer potential cases of labor trafficking to MDTs and law enforcement.

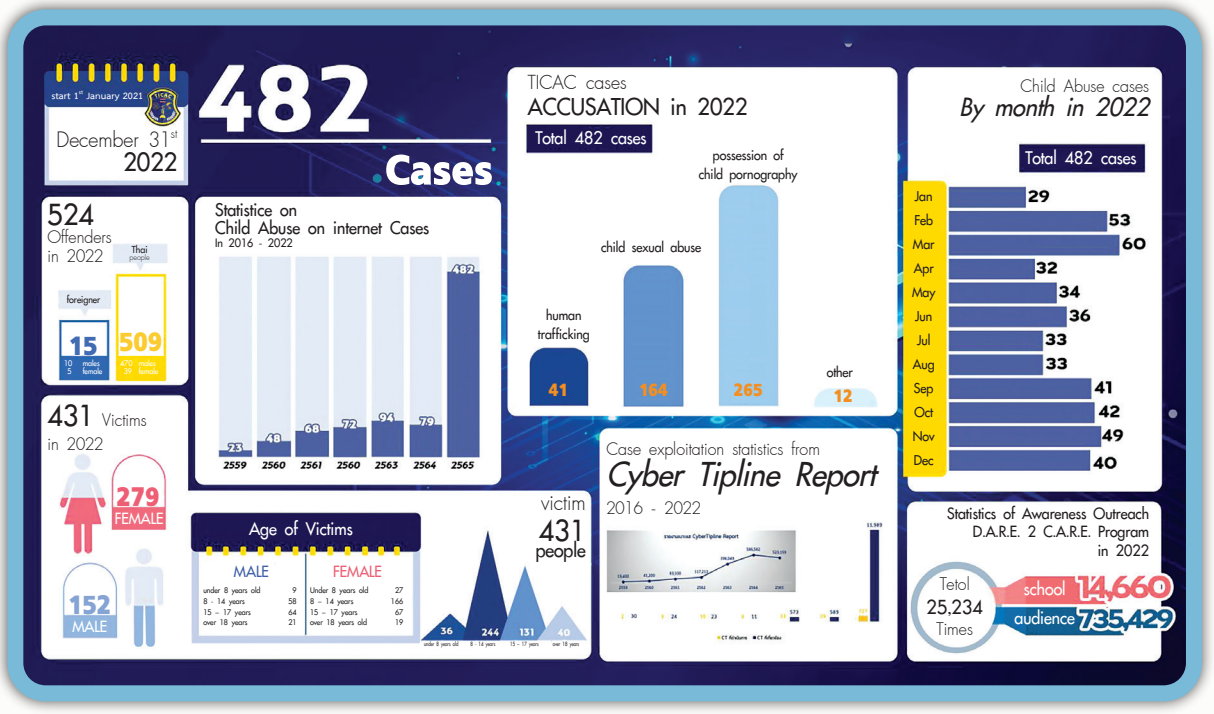
[19] US Recommendation: (14) Foster and environment conductive to victims and advocates reporting human trafficking crimes without fear of facing spurious retributive charges pursued by employers, including by utilizing recent legal amendments to dismiss cases file with dishonest intent or to intimidate defendants.

2) <u>Oil Palm Plantation Case</u> – The DSI received information from IJM about Myanmar workers who were potential victims of forced labour. Various intimidation methods were used on the victims, including the threat of using legal procedures to prevent the victims from fleeing. DSI, together with relevant agencies, rescued five Myanmar victims and arrested one offender. DSI is currently in the process of collecting additional evidence to arrest two additional offenders, one of whom is a government official.

6. Work of the Thailand Internet Crimes Against Children Task Force (TICAC)

In 2022, TICAC investigated 578 potential offences and initiated a total of 482 cases, comprising 41 trafficking cases, 164 child sexual exploitation cases, 265 child pornography possession cases, six other computer-related crime cases, and four other cases. TICAC investigated 9,669 tips from the U.S. National Center for Missing and Exploited Children (NCMEC) through Cyber Tipline cooperation. A total of 433 offenders were arrested. Of this number, 424 were Thais and nine were foreign nationals. A total of 431 victims were rescued. Details appear in Diagram 5.

Diagram 5: Key achievements of TICAC



TICAC also held a training workshop on digital forensic investigation for a total of 220 TICAC and local police officers to enhance the efficacy of digital forencsic evidence collection.

7. Improving the Efficacy of Human Trafficking Prosecution

7.1 Training for police specialists on human-trafficking cases[20]

With financial support from ASEAN-ACT and network of NGOs, CWP organized intensive trainings for 120 police officer to enhance their capacity and create specialists on human-trafficking cases to provide advice and support to the work of local police on human-trafficking cases. The training focused on the implementation of Standard Operating Procedure (SOPs) of the Section 6/1 of the Anti-Trafficking in Persons Act, B.E. 2558 (2015).

7.2 Training to Enhance the Prosecution of Labour Trafficking[21]

CWP, in cooperation with IJM, organised a training for 74 law enforcement and investigation officers to increase the efficacy of the prosecution of labour trafficking and forced labour cases. The training enhanced the understanding on relevant law and procedures related to labour protection, fisheries workers, and victim identification.

[20] US Recommendations: (2) Train officials on ensure effective implementation of new guidelines for the implementation of Section 6/1 of the anti-trafficking law and identification of labor trafficking victims.

[21] US Recommendations: (2) Train officials on ensure effective implementation of new guidelines for the implementation of Section 6/1 of the anti-trafficking law and identification of labor trafficking victims. And (8) Increase awareness among relevant officials of less understood trafficking indicators, such as debt-based coercion, excessive overtime, confiscation of documents, and nonpayment of wages.

7.3 Capacity-Building for Instructors

RTP and the International Law Enforcement Academy of Bangkok (ILEA) held an Instructors Development Course workshop for 32 law enforcement officers from RTP, DSI, OAG, MOI, MOL, and MSDHS to train the trainers. These trainers will pass on the knowledge to other law enforcement officers to enhance the efficacy of handling human trafficking cases.

7.4 Capacity-Building Training on Investigation of Online Human Trafficking Cases

In November 2022, CWP held a capacity-building training for 44 police officers from ATPD and TICAC on digital forensic and analytical system for online human trafficking cases. Online form of human trafficking is on an increasing trend, and law enforcement agencies continued to adapt to meet the challenge.

7.5 Workshop to Improve Cooperation between Agencies

In 2022, a series of workshops conducted by CWP were held for 600 executive and management-levels officers from central and provincial offices and 300 working-level law enforcement officers, to strengthen cooperation between agencies responsible for managing, and preventing migrant workers from becoming victims of human trafficking. The workshops enhanced officers' understanding of migrant workers' rights and violations of labour law in order to identify victims of trafficking. The strengthened cooperation and integration between agencies resulted in the increased efficacy and speed of prosecution process as well as the better services provided to migrant workers to prevent them from becoming victims of human trafficking.

7.6 Office of the Attorney General Roundtable Discussion

In June 2022, OAG organised a roundtable discussion on workers' wage compensation in human trafficking and forced labour cases. Officers from law enforcement agencies including the Court of Justice, OAG, RTP, DSI, MSDHS, and Thai Maritime Enforcement Command Center discussed

ways to effectively prosecute labour-related cases for victims to receive full compensations, for labour inspectors and public prosecutors to refer cases between two agencies, and the use of trauma-informed care approach with victims and witnesses, especially children, to create trust and confidence in the system and relevant officers, which is essential in the prosecution process for victims and witnesses to share truthful information in their testimonies. The use of advance witness hearings prior to the mediation process enabled the authorities to collect more evidences, leading to the prosecution of more cases as criminal offenses.

7.7 Workshop on Digital Forensic Skills for Public Prosecutors

In August 2022, OAG organised a capacity-building workshop for 53 public prosecutors to enhance their capacities in processing digital evidence in human trafficking cases to effectively prosecute cases.

7.8 Workshop on information sharing of Human Trafficking Cases

In August 2022, OAG organised a workshop on information sharing to relevant agencies. 42 officers participated in the workshop on accessing to database to enhance partnership between relevant agencies. The information flow will help increase the efficacy in prosecuting human trafficking cases, including forced labour cases under Section 6 and 6/1.

7.9 Training for Public Prosecutors on Human Trafficking Cases

In 2022, OAG conducted series of training workshops on human trafficking prosecution procedure for 306 assistant public prosecutors and provincial public prosecutors. The training programme is mandatory for all assistant public prosecutors before they are assigned to provincial offices across Thailand. The programme was designed to train assistant public prosecutors to handle human trafficking cases with victim-centred and trauma-informed care approaches and the role of OAG and other agencies in trafficking prosecution, as well as to enhance partnership between assistant public prosecutors, inquiry officers, and NGOs working on human trafficking cases.[22]

[22] US Recommendation: (2) Train officials on ensure effective implementation of new guidelines for the implementation of Section 6/1 of the anti-trafficking law and identification of labor trafficking victims.

Provincial Human Trafficking Victim Identification Centres

In 2022, MOI was allocated funding to upgrade ten provincial Victim Identification Centres in accordance with NRM plan. The ten pilot provinces are composed of Chiang Mai, Kanchanaburi, Nong Khai, Ranong, Sa Kaeo, Samut Sakhon, Songkhla, Tak, and Ubon Ratchathani, and Prachuap Khiri Khan, which were prioritized based on the risks of trafficking crimes. The Centres will be upgraded to be equipped with victim-centred services such as the counselling room and housing spaces as well as security system to protect potential victims. The Centres will also serve as an office for MDTs.

Establishment of the Child Sexual Exploitation Crime Center (CSECC)

On 13 September 2022, the Cabinet approved the principle of the drafting of the Ministerial Regulations on the Determination of Additional Special Cases under the Special Investigations Law, B.E. ... on the offence under the Criminal Code relating to child pornography. Additionally, child sexual exploitation will also be investigated for money laundering under the Anti-Money Laundering Act (No. 6), B.E. 2565 (2022). As more children are prone to sexual abuse and other forms of child sexual exploitation as new forms of crime against children are on the rise due to the advancement of technologies, the establishment of the CSECC will help facilitate the effectiveness of investigation of such crimes. The CSECC follows ASEAN Regional Plan of Action for the Protection of Children from All Forms of Online Exploitation and Abuse. The CSECC, through cooperation with Operation Underground Railroad (O.U.R) and RTP, have arrested one offender, using digital forensic science techniques.

8. International Cooperation and Partnerships with NGOs and Survivors

8.1 International Cooperation Development

1) Cooperation with Neighbouring Countries

DSI, in collaboration with NGOs, conducted investigations and prosecutions, and assisted Thais and foreigners who were deceived to work in foreign countries such as Myanmar, Lao PDR, Cambodia, and the Philippines in the form of forced labour. Currently, DSI is working in cooperation with relevant agencies from Cambodia, the Philippines, the United States, India, and Taiwan. This resulted in three special cases being handled by DSI and six cases are under investigations.

2) Bilateral Meeting on Counter Trafficking in Persons between Thailand and Philippines 2022

DSI organised a bilateral meeting between Thailand and the Philippines on cooperation in the investigation of transnational crimes in human trafficking cases by discussing and exchanging investigation procedures, prosecution strategies, national referral mechanisms, rescue and repatriation procedures for Thai and foreign nationals, and mechanisms for information sharing.

3) Bilateral Meeting on Counter Trafficking in Persons between DSI and Cambodian National Police

DSI and the Cambodian National Police agreed to strengthen cooperation on anti-trafficking in persons by focusing on information sharing and capacity-building cooperation. Both sides also exchanged best practices on the prosecution process.

4) The Establishment of the Counter Trafficking in Persons Centre of Excellence

The Royal Thai Government and the Australian Government signed an MOU on 22 November 2022 to establish a Counter Trafficking in Persons Centre of Excellence.

The Centre and the cooperation under this MOU will elevate Thailand's efforts on anti-trafficking in persons and enhance the capacity of law enforcement officers in the prevention, investigation, and prosecution of domestic and regional human trafficking cases.

5) Workshop on Crimes Against Children and Domestic Violence

In 2021, OAG established the Child-Friendly Justice System Among Public Prosecutors Working with Child Victims of Human Trafficking, Sexual Abuse, and Other Forms of Violence Against Children (CJIT) Working Group. In 2022, CJIT, in collaboration with INL, and Los Angeles District Attorney, provided a series of trainings to 2,417 law enforcement officers, public prosecutors, and MDTs on capacity building to improve the efficiency of investigation and handling of child abuse and domestic violence cases.

6) Workshop on Child Sexual Exploitation Investigation and Prosecution

OAG, in collaboration with the Australian Department of Foreign Affairs and Trade and the Australian Department of Home Affairs, held a workshop for public prosecutors from the central and provincial offices in June 2022, as part of the CJIT programme. The workshop focused on the use of trauma-informed care with child sexual exploitation victims as well as to enhance the prosecution efficacy. The workshop was conducted in response to the changing nature of human trafficking to more online activities.

8.2 Cooperation with International Organisations and NGOs

1) Workshop for Investigators on Forensic Interview

CWP, in collaboration with A-21 Foundation, held a training workshop for 30 police officers on the investigative process and forensic interview method for children who are victims of human trafficking. The workshop also provided opportunities to exchange best practices between experienced law enforcement officers and MDTs to improve the efficiency of the interview process.

2) Undercover Inspections on Fishing Vessels

CWP, in collaboration with MOL, Department of Fisheries, and Environmental Justice Foundation (EJF), conducted undercover fishing vessels inspections at sea to prevent illegal fishing. The operation found one illegal fishing vessels from Vietnam. Related law enforcement agencies and EJF held a seminar at the conclusion of the operation to evaluate its effectiveness and identify methods to improve the efficacy of fishing vessels inspection at sea.

3) Seminar with NGOs to Enhance the Anti-Trafficking in Persons Efforts

RTP, in collaboration with MSDHS, MOL, MOI, DSI, OAG, the U.S. Embassy, Bangkok, Thammasat University, and NGOs, held a seminar "Let's Talk TIP" for NGOs to share comments and suggestions to Government executives on how to enhance the Government's efforts on combatting trafficking in persons. NGOs shared suggestions on the following topics: (1) prosecution (2) prevention (3) protection (4) policy-making (5) strengthening partnership (6) NRM (7) fisheries workers protection mechanism (8) law enforcement and prosecution process (9) protection services and remedies (10) business management and human rights issues (11) underserved communities (12) trauma-informed care and victim-centred approaches and (13) capacity-building for law enforcement officers.

4) Capacity-Building Programme to Create Anti-Human Trafficking Specialist Officers in Fisheries Workers[23]

DSI, with financial support from the International Organisation for Migration (IOM), held a series of capacity-building trainings for 120 officials from relevant agencies including RTP, MSDHS, Department of Fisheries, Thai Maritime Enforcement Command Center, MOL, and PIPO, to become anti-human trafficking specialists in fisheries workers. The trainings aim to enhance law enforcement officers' capacity on victim identification in fisheries sector. The workshop also strengthened the cooperation between law enforcement officers during the prosecution process.

5) Workshop on Best Practices and Information Sharing on Human Trafficking Cases

DSI, in collaboration with Immanuel Foundation and Destiny Rescue Foundation, held a workshop on exchanging best practices and information sharing via TIPNET. The workshop was attended by more than 90 participants from 21 relevant agencies, NGOs, foreign governments, international organisations, and the private sector. The workshop provided a forum to exchange experiences of anti-trafficking cases and lessons learned, which will be used to develop an action plan to prevent and suppress human trafficking with support from across all sectors.

[23] US Recommendations: (8) Increase awareness among relevant of less understood trafficking indicators, such as debt-coercion, excessive overtime, confiscation of documents, and nonpayment of wages.

6) Training Programme on Trauma-Informed Care for Public Prosecutors[24]

OAG, in cooperation with NGO networks, held a training in November 2022 for public prosecutors and legal officers who have never been trained on trauma-informed care approach. The training focused on creating an understanding for public prosecutors and legal officers on the importance of using trauma-informed care approaches with the victims, which will enhance the efficacy of evidence collection and will lead to useful information from the victims and witnesses.

7) Workshop on Victim Identification of Human Trafficking Victims from Illegal Migrants

OAG, in collaboration with ASEAN-ACT, organised a workshop for 65 officers on the Immigration Act, B.E. 2522 (1979) and the Anti-Trafficking in Persons Act, B.E. 2551 (2008). Due to the similarities between human trafficking and the illegal migrant smuggling, the workshop aimed to enhance the efficiency of public prosecutors to differentiate evidences of the two offences.

8) Training for Court Interpreters

The Office of the Judiciary, in collaboration with ASEAN-ACT created a manual for court interpreters in human trafficking cases to increase the efficiency of human trafficking proceedings that require the use of interpretation. The preparation of the manual in Thai was completed in 2020, while the English version was completed in January 2022. MDTs will continue to translate the manual into Khmer, Lao, and Burmese to be distributed nationwide.

[24] US Recommendation: (6) Ensure the use of trauma-informed procedures by government officials during interviews with potential victims, including during labor inspections.

9) Workshop for Judges on Trauma-Informed Care[25]

In February 2022, the Court of Justice, in cooperation with ASEAN-ACT and IJM, held a series of capacity-building workshops for 57 judges from the Court of First Instance, Court of Appeal, and Criminal Court, working on human trafficking cases. The goal of the training was for the judges to be mindful and use the trauma-informed care approach during court proceedings to avoid retraumatising the victims.

10) The Court of Justice Roundtable Discussion

The Court of Justice, in cooperation with IJM, held a roundtable discussion with related agencies, including the OAG, DSI, MSDHS, RTP, Rights and Liberties Protection Department, and Department of Detention, to address the challenges each agency encountered during the prosecution process of human trafficking cases. The lessons learned and best practices were exchanged to enhance better coordination and prosecution procedures.

11) Training for Judges on Evidence-Related Issues in Human Trafficking Cases

In April 2022, the Court of Justice, in cooperation with the United Nations Office on Drugs and Crime (UNODC), provided specialist instructors for training programmes for judges across the country working on human trafficking cases. The objective of the training programmes was for judges to exchange ideas and best practices on human trafficking case consideration in order to better understand the challenges and enhance perspectives on evidence of human trafficking cases.

[25] US Recommendation: (6) Ensure the use of trauma-informed procedures by government officials during interviews with potential victims, including during labor inspections.

12) Improving SOPs on Forced Labour and Labour Trafficking Cases

The Court of Justice, in collaboration with ASEAN-ACT, held a seminar to enhance the Courts' consideration on forced labour and labour trafficking cases. The seminar hired a researcher to give an in-depth analysis on other countries' SOPs and Courts' verdicts in similar cases. The goal was for the judges to have a better understanding of relevant law and consider appropriate punishment for offenders.

8.3 Cooperation with Human Trafficking Survivors

13) Exposed#2 Manual for MDTs on Sexual Exploitation Cases

MSDHS, RTP, Court of Justice, and NGOs held series of meetings with human trafficking survivors to create guidelines for MDTs to identify victims of online sexual exploitation. The World Childhood and INL co-funded the publication and distribution of 5,000 copies of the guidelines to MDTs.

14) Training on Victim-Centred and Trauma-Informed Care Approaches

The Prime Minister's Delivery Unit (PMDU), King Prajadhipok's Institute and TICAC organised a capacity-building training for 273 MDTs on victim-centred and trauma-informed care approaches, with four survivors as instructors. The survivors shared their insights on the challenges from the traumatisation of complaint mechanism and suggestions to improve the complaint mechanism to incorporate trauma-informed care approach, which led to the creation of the www.คลิปหลุดทำไง.com website to create a safe and conductive environment for victims to report potential offences.[26]

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[26] US Recommendation: (14) Foster an environment conductive to victims and advocates reporting human trafficking crimes without fear of facing spurious retributive charges pursued by employers, including by utilizing recent legal amendments to dismiss cases filed with dishonest intent or to intimidate defendants.

Protection

Thailand attaches priority to the protection of victims and the implementation of victim-centred and trauma-informed care, children's best interest determination, gender equality, and non-discrimination approaches to all victims of trafficking in persons or forced labour or services.

In 2022, the Royal Thai Government continued to implement the Victim–Friendly Approach, prioritising the well-being of victims in all steps, from victim identification to protection and reintegration, while advancing judicial processes and rehabilitation. The aim was to reduce the impacts on victims prior to receiving protection service and after reintegration. Recognising the importance of victims' voices, the Ministry of Social Development and Human Security (MSDHS) organised the "Voice of Victim" workshop to garner comments and recommendations from victims to improve protection service. The victims expressed their wish to "be safe and be supported to restart their life." In this regard, MSDHS upholds a protection policy in shelters that is aligned with international principles, namely; (1) Rights-Based Approach, (2) Non-Discrimination, (3) Victim-Centred Approach and Best Interest Determination, (4) Trauma-informed Care, (5) Gender Sensitivity, (6) Cultural Diversity, (7) Victim-Friendly Approach, (8) Do No Harm, Non-Punishment, Victims Safeguarding, (9) Empowerment, and (10) Confidentiality.

Key Progress in 2022

1. The National Referral Mechanism (NRM) and the new reflection period guidelines for field officers were developed. A series of trainings for 200 officers of competent authorities were held. Follow-up of progress was driven by the national committee to ensure a continuation of the implementation of NRM and the new reflection period with ten pilot provinces.[1]

2. The first integrated victim identification centre was opened in Satun. There were 59 potential victims at the centre, who were later screened through the victim identification process conducted by the Multidisciplinary Teams (MDTs). No case of human trafficking was found among this group.

3. Guideline for the Freedom of Movement (FoM) for victims was developed, ensuring that victims can freely move in and out of the shelters and that adult victims in shelters have access to communication devices, and continued to be implemented, which helped to enhance victims' confidence in choosing the protection services.[2]

4. A series of trauma-informed care trainings were held for 90 personnel from central and provincial agencies and Non-Governmental Organisations (NGOs) to enhance efficacy in using trauma-informed care approach in all stages under NRM, including the reflection period.[3] Additional trainings of a similar manner are planned for shelters officers, and is expected to be completed by 2023.[4]

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[1] US Recommendation: (7) Ensure the effective implementation of the NRM and extension of the new reflection period for victims.

[2] US Recommendation: (5) Increase the ability of victims, especially adults, to move freely in and out of shelters and access communication devices and reassess shelter placement periodically to ensure victims are not required to remain in shelters longer than necessary.

[3] US Recommendation: (6) Ensure the use of trauma-informed procedures by government officials during interviews with potential victims, including during the labor inspections.

[4] US Recommendations: (9) Ensure government and NGO-operated shelters provide victims with adequate trauma-informed and individualized care, such as legal assistance and psychological care, and develop consistent policies on victim services across all shelters.

5. The average length of stay of a victim inside shelter has decreased from 143 days in 2021 to 129 in 2022 (55 percent). This is due to increased efficiency and speed in prosecution, and the implementation of systematic Individual Development Plan (IDP) and periodic evaluation by officers and victims.[5]

6. The Ministry of Justice (MOJ) continued to enhance efficacy of witness protection programme for victims through revision of the Witness Protection Act, B.E. 2565 (2022) to apply special measures to witnesses of human trafficking cases. Operation Centres for Protection of the Rights of Human Trafficking Victims in Chiang Mai and Ubon Ratchatani Provinces were also established.

7. Employment opportunities were given to 17 new victims through the Government's cooperation with five private companies. In 2022, 42 adult victims working outside of shelters received total earnings of THB 1,251,076 (USD 35981.48).[6]

8. A working group was established to revise regulations on the use of funding to provide protection and assistance to victims of trafficking in persons or forced labour or services from the Anti-Trafficking in Persons Fund. The revision aims to promote ease of access to the fund by victims.

1. Implementation of the National Referral Mechanism and Reflection Period[7]

Since the adoption of NRM by the Anti-Human Trafficking Committee in March 2022, it has served as a guideline for all relevant agencies to assist and protect potential victims since the initial screening to official identification. The reflection period was used to ensure potential victims' readiness to recount their stories to officials. The NRM Subcommittee, consisting of representatives from relevant agencies and NGOs, was also established to ensure effective implementation of NRM. Progresses made in the past year included:

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[5] US Recommendation: (5) Increase the ability of victims, especially adults, to move freely in and out of shelters and access communication devices and reassess shelter placement periodically to ensure victims are not required to remain in shelters longer than necessary.

[6] US Recommendation: (11) Expand legal alternatives to foreign victims' placement in shelters, such as enabling victims to exit the shelter system when they are ready to pursue outside employment opportunities.

[7] US Recommendation: (7) Ensure the effective implementation of the NRM and extension of the new reflection period for victims.

1.1 Development of Operational Guideline for NRM and Briefings for Relevant Agencies

The NRM Subcommittee developed an operational guideline for officers handling human trafficking victims. The guideline included international principles relating to protection and assistance, indicators of trafficking in persons and forced labour or services, and sample interview questions according to the Preparation and Planning, Engage and Explain, Account, Closure and Evaluate (PEACE) mode.[8] The guideline has taken into account suggestions from representatives of local and central agencies and NGOs through focus group meetings and public hearings. After the guideline was approved by the Anti-Human Trafficking Committee, the NRM Subcommittee organised a series of online briefings on the guideline for over 1,000 officers from the central and local administration from all provinces.

1.2 Information Sessions on the NRM Operational Guideline for Competent Authority

The NRM Subcommittee, in collaboration with the International Organization for Migration (IOM), organised workshops on NRM Operational Guideline for Competent Authority (CA), including officials from the Ministry of Interior (MOI), the Royal Thai Police (RTP) Provincial Police Division and Immigration Office, the Ministry of Labour (MOL), and MSDHS. Two batches of over 200 officers from 29 provinces participated, enhancing their understanding of NRM and its implementation on the ground.[9]

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[8] US Recommendation: (8) Increase awareness among relevant officials of less understood trafficking indicators, such as debt-based coercion, excessive overtime, confiscation of documents, and nonpayment of wages.

[9] US Recommendation: (7) Ensure the effective implementation of the NRM and extension of the new reflection period for victims.

1.3 Follow-up on the implementation of NRM

The NRM Subcommittee established a working group to monitor and evaluate the implementation of NRM nationwide. 10 border and coastal provinces were selected as pilot provinces. The evaluation looked into the management of the Victim Identification Centres including facilities preparation, personnel management, services, budget, as well as limitations and recommendations on the implementation of NRM. The results demonstrated that these pilot provinces are prepared to implement NRM with established plans on assisting potential victims.

1.4 Activities to Enhance Services for Potential Victims during the Reflection Period

The NRM subcommittee and MSDHS, in cooperation with the ASEAN-ACT, organised a workshop on guideline for the reflection period under NRM to enhance services provided in shelters, in line with international standards. 40 executives and officers from the shelters and central agencies, as well as NGOs representatives participated in the workshop. Currently, all shelters have implemented the new reflection period and are providing services for potential victims according to the guideline.

2. Protection and Assistance for Victims of Human Trafficking

2.1 Victim Screening and Identification

Since NRM came into force in March 2022, relevant agencies have screened 6,519 persons. 444 persons were identified as victims. The implementation of NRM increased the officers' efficacy in providing assistance to prevent people who illegally entered Thailand from becoming victims of trafficking in persons. Details appear in Table 17.

Table 17: Number of interviewed persons

Nationality	Persons interviewed	Gender		Age		Result	
		Male	Female	Less than 18 years old	Over 18 years old	Victims	Not victims
Thai	517	319	198	101	416	372	145
Myanmar	5,588	4,563	1,025	288	5,300	20	5,568
Rohingya	133	70	63	42	91	0	133
Cambodian	12	9	3	6	6	3	9
Laotian	190	101	89	57	133	29	161
Indonesian	27	22	5	0	27	7	20
Indian	23	15	8	0	23	8	15
Others	29	24	5	5	24	5	24
Total	**6,519**	**5,123**	**1,396**	**499**	**6,020**	**444**	**6,075**

2.2 Protection and Assistance for Victims

In 2022, the Government provided protection and assistance to 444 victims of trafficking, forced labour or services, an increase of 90 persons from 2021. Details appear in Table 18.

Table 18: Victims staying in shelters

Total number of victims	Victims staying outside shelters	Victims staying in shelters	
		Government shelters	Private-run shelters
444	242 (54.5 %)	170 (38.29%)	32 (7.21%)

MSDHS continued to ensure that victims outside shelters were provided with the same protection and assistance as those staying at shelters. This included periodic visits to assist with the reintegration process, consultations and legal advice on court proceedings, applications for financial remedies, financial aid from the Anti-Trafficking in Persons Fund and other forms of support for the victims, in accordance with their voluntary needs.[10] Emphasis was placed on ensuring confidentiality of the victims who did not wish to reveal their personal information. Details appear in Table 19.

Table 19: Victims staying outside of shelters

Nationality	Prostitution			Pornography			Forced labour or services			Total		
	Male	Female	Total	Male	Female	Total	Male	Female	Total	Male	Female	Total
Thai	5	18	23	7	26	33	101	75	176	113	119	232
Myanmar	0	0	0	0	0	0	2	3	5	2	3	5
Laos	0	0	0	0	0	0	0	2	2	0	2	2
Others	0	1	1	0	0	0	2	0	2	2	1	3
Total	**5**	**19**	**24**	**7**	**26**	**33**	**105**	**80**	**185**	**117**	**125**	**242**

[10] US Recommendation: (12) Do not make victims' formal identification and access to services dependent on their willingness to participate in investigations against their traffickers.

2.3 Victim Protection in the Shelters

MSDHS and registered private-run shelters continued to provide protection and assistance services to victims of human trafficking and forced labour and services under Section 6 and 6/1 of the Anti-Trafficking in Persons Act, in accordance with victims' wishes, without discrimination, and taking into account the rights of victims. Shelters also applied a trauma-informed care approach and the principles of the best interest of the child victims, gender equality and cultural diversity, and took into account individual needs in line with victim-centred approach.[11]

[11] US Recommendations: (9) Ensure government and NGO-operated shelters provide victims with adequate trauma-informed and individualized care, such as legal assistance and psychological care, and develop consistent policies on victim services across all shelters.

Table 20: Statistic of victims living in government shelters

				Nationality										
		Age	Gender	Thai	Laotian	Myanmar National	Indian	Indonesian	Cambodian	Chinese	Stateless	Total Number of Males and Females	All Ages	All Types
Types of exploitation	Prostitution	Child	Male	4	-	-	-	-	-	-	-	4	88	92
			Female	79	3	-	-	-	1	-	1	84		
		Adult	Male	-	-	-	-	-	-	-	-	-	4	
			Female	-	4	-	-	-	-	-	-	4		
	Pornography	Child	Male	8	5	-	-	-	-	-	-	13	20	33
			Female	4	3	-	-	-	-	-	-	7		
		Adult	Male	1	7	-	-	-	-	-	-	8	13	
			Female	-	5	-	-	-	-	-	-	5		
	Other forms of sexual exploitation	Child	Male	-	-	-	-	-	-	-	-	-	3	3
			Female	2	-	-	-	-	-	-	1	3		
		Adult	Male	-	-	-	-	-	-	-	-	-	-	
			Female	-	-	-	-	-	-	-	-	-		
	Forced begging	Child	Male	-	-	-	-	-	2	-	-	2	2	2
			Female	-	-	-	-	-	-	-	-	-		
		Adult	Male	-	-	-	-	-	-	-	-	-	-	
			Female	-	-	-	-	-	-	-	-	-		
	Forced labour	Child	Male	-	-	-	-	-	-	-	-	-	2	39
			Female	-	2	-	-	-	-	-	-	2		
		Adult	Male	-	-	6	6	6	-	2	-	20	37	
			Female	-	-	14	2	1	-	-	-	17		
	Fisheries labour	Child	Male	-	-	-	-	-	-	-	-	-	-	1
			Female	-	-	-	-	-	-	-	-	-		
		Adult	Male	1	-	-	-	-	-	-	-	1	1	
			Female	-	-	-	-	-	-	-	-	-		
	Total	Child	Male	12	5	-	-	-	2	-	-	19	115	170
			Female	85	8	-	-	-	1	-	2	96		
		Adult	Male	2	7	6	6	6	-	2	-	29	55	
			Female	-	9	14	2	1	-	-	-	26		
All nationalities				99	29	20	8	7	3	2	2			

Table 21: Statistic of victims living in private-run shelters

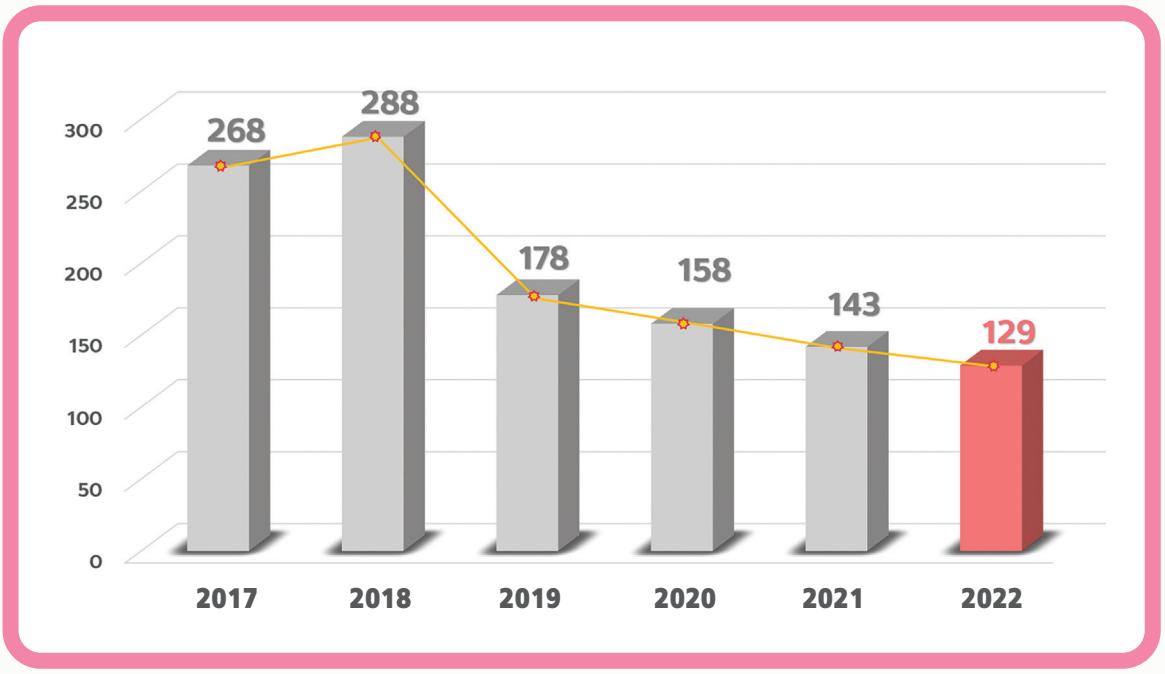
				Nationality										
		Age	Gender	Thai	Laotian	Ugandan	Tanzanian	Uzbekistani	Indian	Kenyan	Stateless	Total Number of Males and Females	All Ages	All Types
Types of exploitation	Prostitution	Child	Male	-	-	-	-	-	-	-	-	-	14	20
			Female	12	1	-	-	-	-	-	1	14		
		Adult	Male	-	-	-	-	-	-	-	-	-	6	
			Female	-	-	1	1	3	-	1	-	6		
	Pornography	Child	Male	-	-	-	-	-	-	-	-	-	10	10
			Female	1	9	-	-	-	-	-	-	10		
		Adult	Male	-	-	-	-	-	-	-	-	-	-	
			Female	-	-	-	-	-	-	-	-	-		
	Forced labour	Child	Male	-	-	-	-	-	-	-	-	-	-	2
			Female	-	-	-	-	-	-	-	-	-		
		Adult	Male	-	-	-	-	-	-	-	-	-	2	
			Female	-	-	-	-	-	2	-	-	2		
	Total	Child	Male	-	-	-	-	-	-	-	-	-	24	32
			Female	13	10	-	-	-	-	-	1	24		
		Adult	Male	-	-	-	-	-	-	-	-	-	8	
			Female	-	-	1	1	3	2	1	-	8		
	All nationalities			13	10	1	1	3	2	1	1			

2.4 Length of Stay of Victims at the Shelters

At the shelters, victims receive social welfare services for physical and mental rehabilitation, vocational training to increase career opportunities, along with legal assistance. For instance, an additional interview when the victim is ready, a meeting to determine compensation, acceleration of advanced witness examination, as well as the follow-up of claims according to their rights as prescribed by the law.

In 2022, the average length of stay of victims in shelters was 129 days, which reflected decreasing trend, from 143 days in 2021 and 158 days in 2020. This is the result of enhanced efficiency of judicial process, preparations for victims prior to witness hearing, and IDP to incorporate each victim's interests and needs.[12]

Diagram 6: Victim's average length of stay at shelters from 2017 – 2022



2.5 Reintegration of Victims into the Society

After appropriate protection services based on the victim-centred approach and the use of IDP, shelters together with the victims undertake assessment for reintegration. This takes into account the victims' safety, access to support from local agencies in their destination areas, and revictimization prevention. In 2022, 136 victims in shelters returned to their families and reintegrated into society. Of this number, 123 returned to their countries of origin, 4 were resettled and 9 exited the shelter system but remained in Thailand for employment according to their wishes. Details appear in Table 22.

[12] US Recommendations: (5) Increase the ability of victims, especially adults, to move freely in and out of shelters and access communication devices and reassess shelter placement periodically to ensure victims are not required to remain in shelters longer than necessary. And (11) Expand legal alternatives to foreign victims' placement in shelters, such as enabling victims to exit the shelter system when they are ready to pursue outside employment opportunities.

Table 22: Statistic of Reintegration of Victims into Society in 2022

Nationality	Number of Victims Reintegrating into Society	Government Shelters	Private-Run Shelters	Note
Thai	88	87	1	
Myanmar	10	10		- 1 victim returned to country of origin - 9 victims remained in Thailand for employment
Laotian	20	17	3	
Indian	8	8	-	
Rohingya	4	4	-	resettled
Uzbekistani	3	-	3	
Ugandan	1	-	1	
Kenyan	1	-	1	
Stateless	1	1	-	

2.6 Witness Protection Programme

In 2022, the Rights and Liberties Protection Department, MOJ developed the Standard Operating Procedures (SOPs) for handling anti-trafficking in persons cases for agencies under MOJ, increasing effectiveness in all dimensions of the witness protection programme. This included providing emergency safety protection, taking the witness out of the crime scene, and arranging officers to look after victims and provide them with appropriate care. Moreover, rights-based protection services were implemented. For instances, recreational activities to help the witnesses unwind and relieve stress while staying in shelters, education for child and youth witnesses, psychological care, other activities organised by relevant governmental agencies and NGOs partners, and family reunification or repatriation assistance. MOJ closely monitored witnesses to ensure that they would not be revictimized after their exits from shelters. Witnesses under the Witness Protection Programme were able to have access to communication devices, in line with safety measures.[13]

Additionally, witness protection law was amended to include informants of human trafficking cases in the witness protection programme to better safeguard informants from threats. The revised law also guarantees witnesses' rights to access to education, healthcare,

[13] US Recommendation: (5) Increase the ability of victims, especially adults, to move freely in and out of shelters and access communication devices and reassess shelter placement periodically to ensure victims are not required to remain in shelters longer than necessary.

and vocational training, as well as to receive seeding fund after their exits from the witness protection programme to allow them to work and earn sufficient income to take care of themselves and their families. This will foster an environment that encourages informants to report potential cases.[14]

Table 23: Numbers of Witnesses and Budget used for Witnesses Protection in Trafficking Cases

Year	Numbers of Witnesses Receiving Assistance	Amount of Budget
2021	16	5,236,312.74
2022	35*	5,053,591.63

Note: * 11 witnesses have been receiving protection since 2019

2.7 Protection Assistance of Potential Victims in Shelter for Children and Families

Protection of those under risks, especially children and youth, is an important part of human trafficking prevention. Department of Children and Youth, MSDHS, continued to provide services in shelters to protect children from risks of various forms of exploitation, which may eventually lead to human trafficking. Details appear in Table 24.

Table 24: Protection of children and people at risk of human trafficking

Type	Male		Female		Total
	Less than 18 years old	More than 18 years old	Less than 18 years old	More than 18 years old	
Homelessness	9	5	4	4	22
Inappropriate Behaviour/ Inappropriate Employment	37	3	24	9	73
Adoption Without Consent	1	-	12	1	14
Physical Abuse	30	5	29	4	68
Mental Abuse	3	2	7	-	12
Sexual Abuse	8	1	61	25	95
Smuggling	3	2	6	14	25
Child Labour	-	1	1	-	2
Online Media Impact	2	-	1	-	3

[14] US Recommendation: (14) Foster an environment conductive to victims and advocates reporting human trafficking crimes without fear of facing spurious retributive charges pursued by employers, including by utilizing recent legal amendments to dismiss cases filed with dishonest intent or to intimidate defendants.

3. Enhancing the Use of Trauma-Informed Care Approach[15]

Throughout 2022, the trauma-informed care approach continued to be applied in protection and assistance services at all nine government-run shelters and three registered private-run shelters. To promote the implementation of a trauma-informed care approach in protection and assistance services as well as in prosecution process, the following trainings for officers involved in NRM were organised:

3.1 The Application of Trauma-Informed Care Approach in NRM

Trauma-informed care approach was prioritised principles under NRM, especially in the victim identification process, which includes up to 45 days of Reflection Period. During the period, Case Managers are required to provide services using trauma-informed care approach to assist potential victims until they are ready for victim identification process.

3.2 E-learning Course on Trauma-Informed Care

MSDHS, in collaboration with International Justice Mission (IJM), developed an e-learning course for MSDHS officers. Since its introduction in September 2022, 90 shelter officers and victim identification interview officers have completed the e-learning course.

3.3 Training on the Application of Trauma-Informed Care Approach in Protection Service

MSDHS and private-run shelters officers continued to receive trainings on implementing the trauma-informed care approach in shelters during the protection services. MSDHS focused on training professionals, such as social workers, psychologists, and lawyers. In 2022, trainings were expanded to the remaining supporting officers. The trainings will be completed with participation from all shelter officers by March 2023.

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[15] US Recommendation: (9) Ensure government and NGO-operated shelters provide victims with adequate trauma-informed and individualized care, such as legal assistance and psychological care, and develop consistent policies on victim services across all shelters.

3.4 Legal Assistance in Shelters

MSDHS, guided by the trauma-informed care approach, continued to use Victim Impact Statement as one of the alternatives for victims who were not ready to participate in the judiciary process. The Statement will be used in lieu of a personal testimony in court or as a supporting document for court's consideration to grant financial remedies to victims.

4. Freedom of Movement to Move In and Out of Shelters and Access to Communication Devices[16]

4.1 Development of guidelines for FoM and Accessibility to Communication Devices

1) Seminar on FoM for shelter executives and officers

The seminar was held in March 2022 for 36 shelter executives and officers to ensure common understanding among all relevant officers regarding the FoM policy.

2) Exchange of Best Practices for the implementation of FoM

In May 2022, MSDHS, in collaboration with ASEAN-ACT, held a workshop for Thai shelters and Singapore NGOs to exchange knowledge and best practices on the use of FoM, with a goal to develop guidelines for the implementation of FoM that is suitable for Thailand's context. After the workshop, Thai shelters reviewed their operational procedures and developed an evaluation form for adult victims who wish to move out of the shelter.

3) Development of Framework for the Implementation of FoM

MSDHS held a workshop in October 2022 for 40 officers from all shelters to develop a common framework for the implementation of FoM, taking into account the context of each shelter, age of victims and their best interests, in line with international principles. MSDHS plans to finalize the framework and SOPs regarding FoM for adult victims in all shelters in January 2023.

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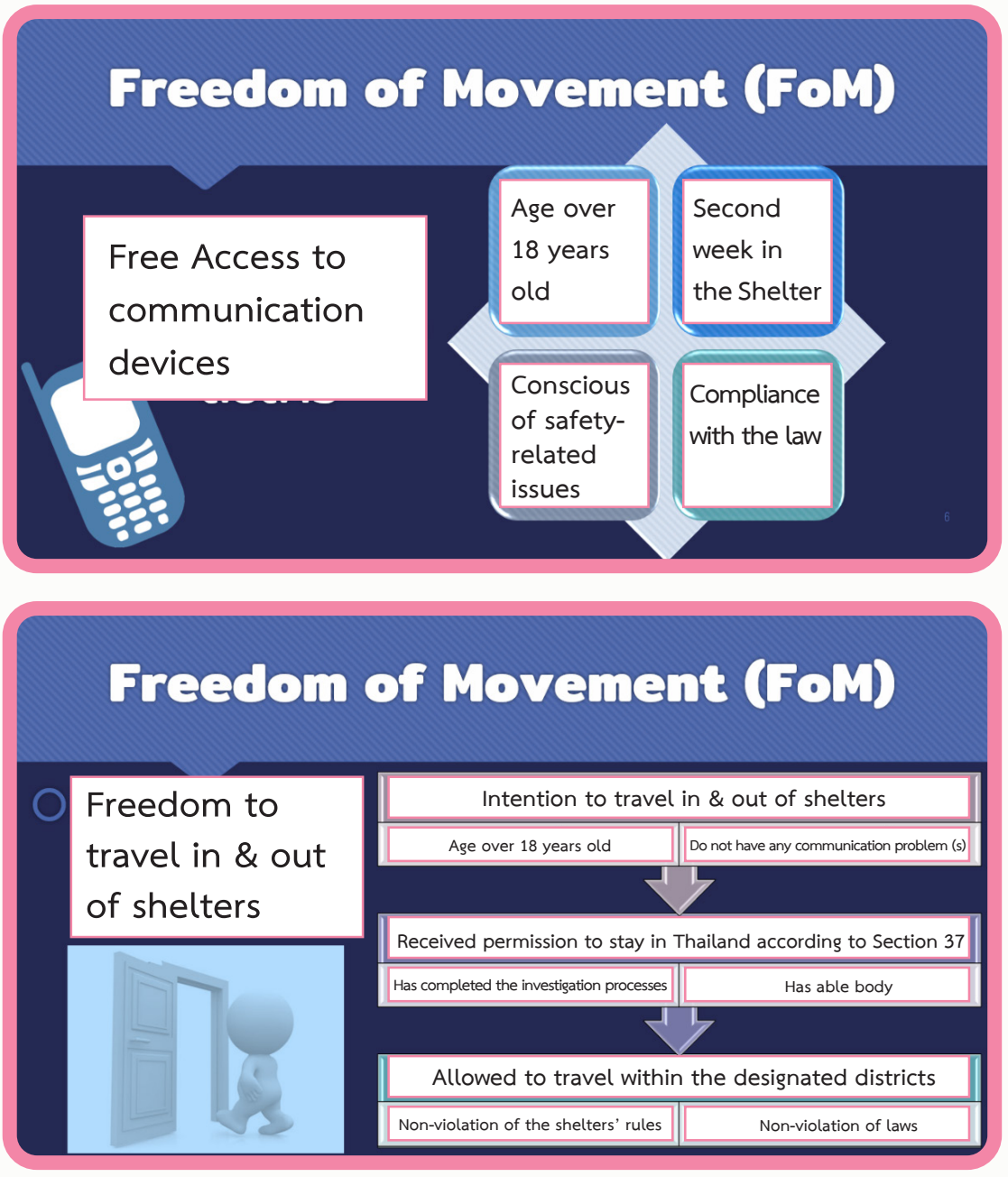
[16] US Recommendation: (5) Increase the ability of victims, especially adults, to move freely in and out of shelters and access communication devices and reassess shelter placement periodically to ensure victims are not required to remain in shelters longer than necessary.

Diagram 7: Freedom of Movement of adult victims



4.2 Assistance on Victims' Legal Status to Promote FoM.[17]

The Anti-Trafficking in Persons laws in Thailand attached importance to the non-punishment principle for trafficking victims, including those who entered Thailand illegally. In such cases, MSDHS will coordinate with MOI to grant temporary stay permits for victims, to be used

[17] US Recommendation: (11) Expand legal alternatives to foreign victims' placement in shelters, such as enabling victims to exit the shelter system when they are ready to pursue outside employment opportunities.

as personal document for travelling outside shelters for work or other activities, especially for adult victims. In 2022, 64 foreign victims in both government-run and private-run shelters were granted temporary stay permits. Details appear in Table 25.

Table 25: Numbers of foreign victims receiving legal status for FoM

Shelters	Nationality						Total
	Myanmar	Cambodia	Laos	India	Indonesia	China	
Government-run	27	1	27	8	7	2	72
Private-run	0	0	7	0	0	0	7
Total	**27**	**1**	**34**	**8**	**7**	**2**	**79**

5. Cooperation with Non-Government Agencies in the Provision of Protection and Legal Assistance for Victims

5.1 Cooperation with Private Sector on Employment Opportunities Outside Shelters[18]

Shelters expanded cooperation with private enterprises that expressed interests in hiring adult victims, to increase opportunities for victims to pursue outside employment. This has led to the signing of Memorandum of Understanding (MoU) between Pathum Thani shelter and five private enterprises in December 2022 as a pilot project.

5.2 Cooperation with NGOs

MSDHS continued to be proactive in engaging NGOs to organise activities and provide additional services for victims in shelters according to the best interests of the victims. Details appear in Table 26.

[18] US Recommendation: (11) Expand legal alternatives to foreign victims' placement in shelters, such as enabling victims to exit the shelter system when they are ready to pursue outside employment opportunities.

Table 26: Statistics of activities organised by NGOs in shelters

Organisations	Activities	Number of Activities
International Organization for Migration (IOM)	Capacity-building trainings for officers, health evaluation and mental health care for victims	11
	Initial interview and finger printing for resettlement preparation	5
	Medical screening for resettlement	2
United Nations High Commissioner for Refugees (UNHCR) Office	Protection counselling, personal data collection interview for new arrivals, and humanitarian aids	4
Alliance Anti Trafficking (AAT)	Shelter visit and activities with the victims	6
Operation Underground Railroad (O.U.R.)	Shelter visit and activities with the victims	5
Total		**33**

In addition, MSDHS, in collaboration with Operation Underground Railroad (O.U.R.), set up mock court rooms for mock trials to prepare victims for their testimony and court procedures. New mock court rooms are being built in four shelters, while rooms in four more shelters are under renovation, all of which will be finished by the end of February 2023.

6. Financial Assistance for Victims

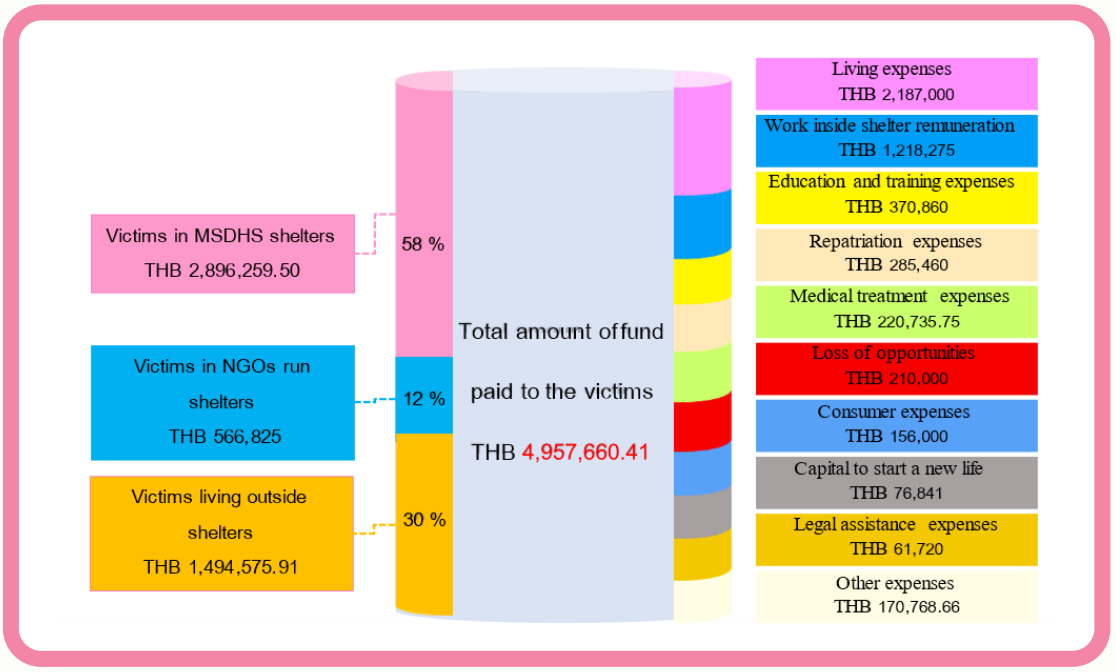
6.1 Remedies for Victims under the Anti-Trafficking in Persons Fund[19]

Every victim of trafficking in persons is eligible to request for remedy from Anti-Trafficking in Persons Fund, regardless of their decision to participate in the judiciary process. In addition, to increase ease of access to the Fund, a working group was established to revise the regulation on the use of funding to provide protection and assistance to victims under the provision of the Anti-Trafficking in Persons Fund Committee.

[19] US Recommendation: (12) Do not make victims' formal identification and access to services dependent on their willingness to participate in investigations against their traffickers.

In 2022, A total of THB 4,957,660.41 (USD 142,584.42) of financial assistances from the Anti-Human Trafficking Fund was paid to 1,657 victims. Of this amount, THB 2,896,259.5 (USD 83,297.65) or 58 percent was provided to 1,226 victims in government shelters, THB 566,825 (USD 16,302.13) or 12 percent was provided to 91 victims in private shelters, and THB 1,494,575.91 (USD 42,984.64) or 30 percent was provided to 340 victims staying outside shelters. Compensation was paid for living expenses, work inside shelter remuneration, education and training, repatriation, medical treatment, indemnity, essential items, capital to start a new life, and other expenses including legal assistance and rehabilitation. Details appear in Diagram 8.

Diagram 8: Financial Assistance from Anti-Trafficking Fund by category



6.2 Efforts to Increase Income Earning Opportunities for Victims during Protection Service

42 adult victims who expressed their wishes to work outside received skill development preparation from shelters, such as communication skill and occupational skill. Total income earned by these victims was THB 1,251,076 (USD 35,981.48). 122 victims who chose to work inside shelters, were assigned to work as service staff, sous-chefs, assistant gardeners, and assistant cleaners. They earned a total of THB 1,218,275 (USD 35038.11). Details appear in Table 27.

Table 27: Statistics of victims working inside and outside of shelters

Type of work	Number of victims	Total income
Outside the shelters	42	1,251,076
Inside the shelters	122	1,218,275
Total	**164**	**2,469,351**

6.3 Compensation for Victims and Witnesses in Criminal Cases

In 2022, the Rights and Liberties Protection Department provided compensation in accordance with the Compensation for Victims and Expenses for Defendant in Criminal Cases Act, B.E. 2544 (2001) and the B.E. 2559 (2006) amendment, to 78 victims, amounting to THB 1,693,900 (USD 48,717.29). This was a 209.89 percent increase from compensations provided in 2021. Details appeared in Table 28. Victims who died or suffered physically or mentally were compensated according to the severity of violation and the level of harm sustained.

A guideline for compensation to foreign victims of trafficking in persons in Thailand was also developed. Regardless of their nationalities or immigration status, all foreign victims will receive equal treatment when it comes to protection and compensation, in line with human rights principles. In addition, an online platform to submit application for compensation was developed to promote easy, convenient, and quick access for victims to the judiciary process.

Table 28: Statistics of compensation provided to victims in the criminal cases (Trafficking in Persons Cases)

Year	Numbers of Victims Receiving Compensation	Total Compensation (THB)
2564	51	546,620
2565	78	1,693,900

6.4 Assistance on Compensation Claims from Offenders

The Government continued to ensure that all victims receive equal financial remedies from offenders regardless of their decision to stay in or outside of the shelters. Details appear in Table 29 and 30.[20]

[20] US Recommendation: (12) Do not make victims' formal identification and access to services dependent on their willingness to participate in investigations against their traffickers.

Table 29: Claims made by victims inside shelters

Type of Trafficking	Numbers of Victims	Amount of Financial Remedies (THB)
Prostitution	93	33,911,925
Forced Labour	19	
Total	109	

Table 30: Claims made by victims outside shelters

Type of Trafficking	Numbers of Victims	Amount of Financial Remedies (THB)
Prostitution	38	36,627,039
Making or Sharing Pornography	14	
Forced Labours	43	
Total	95	

6.5 Enforcing the Courts' Order for Restitutions and Compensations

MSDHS continued to provide assistance to victims to receive remedies from offenders through the facilitation of enforcing of the Courts' orders, as stated in Section 15 of Human Trafficking Criminal Procedure Act, B.E. 2559 (2016). Details of MSDHS assistance since 2016 appear in Table 31.

Table 31: Number of cases enforced by the Courts' order

<table>
<tr><td colspan="4">Number of cases
159 cases</td></tr>
<tr><td colspan="3">Writs of execution issued
112 cases</td><td rowspan="4">In the process of issuing writs of execution
47 cases</td></tr>
<tr><td colspan="2">Property searched
70 cases</td><td rowspan="3">In the process of property searching
42 cases</td></tr>
<tr><td>Assets found
22 cases</td><td rowspan="2">Assets not found
48 cases</td></tr>
<tr><td>Assets seized
4 cases</td><td>In the process of freezing the assets
18 cases</td></tr>
</table>

7. Access to Protection Service through Online Channels

MSDHS continued to provide services via the "Protect-U" mobile application, which serves as a channel for the general public, risk groups and potential victims to report on incidents and request for assistance. The application has been downloaded by 941 users in 2022, adding on 1,779 existing users to the total of 2,720 users. This year saw the highest number of downloads as the result of the MSDHS's cooperation with UK Border Force to promote application through online platforms and on billboards in many popular sites.

Table 32: "Protect-U" mobile application statistics

Statistics of PROTECT-U usage	2019	2020	2021	2022	Total
Number of downloads	783	720	276	941	2,720
Reports of human trafficking	7	32	5	19	63
Browsing of information on victim's rights	1,201	1,022	368	732	3,323
Requests for interpretation service	143	53	50	34	280
Evaluation of interpretation service	40	11	6	4	61
Browsing of products made by victims	904	1,047	267	584	2,802

8. Cooperation to Enhance Efficacy of Protection and Assistance Service

8.1 Establishment of the Operation Centre for Protection of Rights relating to Human Trafficking Cases

The Rights and Liberties Department established two Operation Centres for Protection of Rights relating to Human Trafficking Cases within the Provincial Justice Offices in Chiang Mai and Ubon Ratchathani in November 2022. These two provinces are hotspots for human trafficking, with a lot of caseloads, situated in the border areas with high prevalence of cross border human trafficking. These Operation Centres operate in accordance with NRM and its SOPs, with emphasis on early provision of assistance and remedies to victims, witnesses, and potential victims, starting from the time of reporting, without waiting for screening and identification processes, and regardless of victims' decision to participate in the protection programme.[21]

Since the establishment of the Operation Centres in November 2022, 10 victims have requested for services. The Operation Centres also plan to reach out to victims inside and outside of Government's shelters to ensure that no victim is left behind, and to enhance victims' access and awareness to all available services provided by the Government.

The Operation Centres will also organise trainings and activities for the general public and high-risk groups, such as labours, children, and youths, to promote awareness on dangers of human trafficking, and rights to receive protection and assistance services from the Government. Additionally, the Operation Centres are tasked to develop volunteer networks in the Northern and Northeastern regions of Thailand to monitor human trafficking situation in the areas. These volunteers can help provide information on available protection and assistance services to victims and government officers, as well as to give advice to Provincial Justice Offices around the country. Volunteers will help increase the efficiency and raise standard of assistance and remedy services, provided to all victims without discrimination based on race, age, sex, religious belief, culture, in line with human rights principles.

[21] US Recommendation: (12) Do not make victims' formal identification and access to services dependent on their willingness to participate in investigations against their traffickers.

8.2 Thailand-Cambodia Bilateral Cooperation to Protect and Assist Victims in the Criminal Justice Procedures

The Royal Thai Government and the Cambodian Government began bilateral cooperation to develop SOPs for cooperation to protect and assist victims in criminal justice procedures in 2019. However, physical meetings were not possible during the COVID-19 pandemic, therefore both countries continued to exchange information and views through online meetings. In 2022, the first physical meeting took place and both sides formally approved and signed the SOPs. The implementation of the SOPs will be supported by IOM. Both countries plan to further develop an operational plan and exchange knowledge and information on each country's judiciary system, to enhance efficacy of cooperation to provide assistance to victims in the criminal justice procedures.

8.3 The 5th Inter-Ministerial Meeting (IMM) of the Coordinated Mekong Ministerial Initiative against Trafficking (COMMIT Process)

Thailand hosted the 5th IMM of COMMIT Process under the theme "enhancing sustainability in multilateral cooperation to combat trafficking in persons" in a hybrid format in 2022. The meeting was attended by representatives from member countries in the Mekong sub-region, namely Cambodia, China, Lao PDR, Myanmar, and Viet Nam. Participants exchanged information and best practices on suppression and prevention of trafficking in persons. The meeting studied the possibility to develop a Transnational Referral Mechanism (TRM) conducted by the United Nations Development Programme (UNDP). Participants also shared information on progress in the implementation of the 4th Subregional Plan of Action (SPA-IV) and discussed the direction for the development of SPA-V, as well as plan to promote sustainability of the COMMIT Process.

* * * * *

Prevention

The Royal Thai Government continued to strengthen its policies and measures to prevent the people, regardless of their nationality or status, from falling victim to human trafficking or forced labour. Relevant agencies continued to collaborate to improve preventive measures by raising public awareness on complaint mechanisms and the legal process for Thai overseas workers; enhancing the efficacy of victim identification by implementing the Standard Operating Procedures (SOPs) for initial victim identification of labour trafficking and Section 6/1 offence and the National Referral Mechanism (NRM); and strengthening the capacity and efficacy of relevant officers.

Key Progress in 2022

1. The Ministry of Labour (MOL) issued the Ministerial Regulations on the Protection of Labour in the Marine Fisheries, B.E. 2565 (2022), which became effective on 10 March 2022, to ensure the protection of labour rights, including the provision of employment contracts in language that workers understand, the mandatory requirement of wage payment only through bank accounts, and other measures in-line with the Work in Fishing Convention, 2007 (No. 188) of the International Labour Organisation (ILO)[1]

2. Since the SOPs were approved by the Anti-Human Trafficking Committee on 23 March 2022, law enforcement officers have conducted 1,073 initial victim screenings for 8,399 workers and were able to identify three potential victims. Potential victims were referred to the Multidisciplinary Teams (MDTs) for further identification. MOL continues to work with the International Justice Mission (IJM) to evaluate and revise the SOPs for more effective victim identification.[2]

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[1] US Recommendation: (13) 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

[2] US Recommendation: (1) Increase trafficking prosecutions and convictions, particularly for labour trafficking. And (10) Ensure labour violations and migrant workers' complaints that include indicators of forced labour are investigated for trafficking crimes, including by enforcing procedures for labour officials to refer potential cases of labour trafficking to MDTs and law enforcement.

3. A series of capacity-building workshops were held for 1,020 law enforcement officers on the implementation of the SOPs and the NRM to enhance their efficacy and integration with MDTs in victim identification.[3]

4. Thailand continued to promote awareness and prevent workers from being lured into illegal work overseas and becoming at risk of human trafficking. In 2022, the Department of Employment interviewed 71,270 Thai workers at immigration centres. 383 workers were denied departure and 173 agencies were prosecuted for illegal recruitment. Currently, 119 cases were with inquiry officers, two cases were with prosecutors, one case is under the court's consideration, and one case is in pursuit of fleeing suspect with an arrest warrant.

5. MOL conducted labour and welfare inspections at 55,028 workplaces at risk of potential trafficking in persons or forced labour, covering 1,308,313 workers, to ensure that workplaces uphold workers' rights in compliance with laws and regulations. 6,732 workplaces/employers were found in violation of labour laws.

6. The Department of Fisheries and Port-In Port-Out Control Centres (PIPO) continued to inspect 13,054 vessels at ports and at sea, covering 71,693 fisheries workers, to ensure that workers received protection in accordance with the law. Officials found 63 vessel owners in violation of the law. All inspections were carried out using NRM.

7. To ensure the protection of migrant workers, MOL, in collaboration with international organisations such as the International Labour Organisation (ILO) as well as non-government organisations (NGOs), helped 31,600 migrant workers claim their rights with the Social Security Fund. In 2022, a total of THB 722.28 million (USD 20.77 million) (USD 1 = THB 34.77) was paid in compensation to migrant workers.

8. The Royal Thai Government continued to promote labour standards among Thai businesses through the Good Labour Practices (GLP). A total of 42,016 businesses, covering 2.3 million workers have implemented GLP since they were introduced.[4]

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[3] US Recommendation: (2) Train officials on and ensure effective implementation of new guideline for the implementation of Section 6/1 of the anti-trafficking law and identification of labour trafficking victims. And 10) Ensure labour violations and migrant workers' complaints that include indicators of forced labour are investigated for trafficking crimes, including by enforcing procedures for labour officials to refer potential cases of labour trafficking to MDTs and law enforcement

[4] US Recommendation: (13) 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.

9. On 7 August 2022, the Ministry of Tourism and Sports (MOTS) signed a Memorandum of Understanding (MOU) with 21 government agencies, private sector organisations, and NGOs, including the Ministry of Interior (MOI), MOL, RTP, Tourism Council of Thailand, Thai Chamber of Commerce, Hotels Association, A21 Foundation, EPCAT Foundation, and Foundation of Child Understanding (FOCUS). MOU will help to implement the Child Safe Friendly Tourism Project in hotels and evaluate the impact of the project.

1. Legal Amendments and Improvements

In 2022, Thailand enacted new regulations and developed new laws and regulations to further strengthen the prevention and suppression of forced labour and trafficking in persons in the fisheries sector, in accordance with relevant international laws and standards.

1.1 The Ministerial Regulations on the Protection of Labour in the Marine Fisheries, B.E. 2565 (2022) came into force with four key amendments:[5]

1) The employment contract must consist of two languages, comprising Thai and a language that the migrant worker understands.

2) The employer or business establishment with ten or more employees must maintain a record of list of employees at the workplace of the employer and employees.

3) The employer must maintain a record of wages and overtime payments in Thai and a language that the migrant worker understands, which must be provided for the workers' signature as evidence at the time of wage and overtime payment made through workers' bank accounts.

4) The employer must provide sanitary and sufficient meals and drinking water for fishery workers during their stay on the vessel.

[5] US Recommendation: (13) 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.

In August 2022, additional regulations were announced by MOL's Department of Labour Protection and Welfare, requiring employers to, among others, provide two copies of standardized work contracts, one of which will be for employees to keep, and, in cases of a workplace with more than 10 workers, to maintain a record of employees in Thai language for labour inspection by relevant officials.

In September 2022, the MOL held a training seminar labour inspectors in 22 coastal provinces on the Ministerial Regulations on the Protection of Labour in the Marine Fisheries, B.E. 2565 (2022), to ensure that labour inspectors follow the requirements according to the new Ministerial Regulations.

1.2 Revisions of the Labour Relations Act B.E. ... (...)

Further efforts continued to be made in revising related legislation to strengthen labour protection and paving the way for the ratification of the ILO Convention No. 87 on the Freedom of Association and Protection of the Right to Organise Convention and Convention No. 98 on the Right to Organise and Collective Bargaining. In 2022, the Cabinet sent the revised draft Labour Relations Act B.E. ... (...), back to MOL to make further amendments to accommodate the requests and suggestions from workers organisations to strengthen workers freedom of association, collective bargaining and to protect workers from employers' abuses and unfair treatments. Once the revised draft is complete, it will be submitted again for the Cabinet's consideration.

2. Standard Operating Procedures for Labour Trafficking and Section 6/1[6]

SOPs was approved by the Anti-Human Trafficking Committee on 23 March 2022 and has since been introduced to law enforcement officers across the country to use as a victim identification guideline for labour trafficking and Section 6/1 offences. Since its introduction, law enforcement officers have conducted 1,073 initial victim screenings for 8,399 workers, including in 22 coastal provinces, and were able to identify 13 potential victims. Potential victims were referred to MDTs for further identification, in accordance with the SOPs, which has been integrated into NRM.

MOL collaborated with IJM to hold a series of workshops in November and December 2022 in Chiang Rai, Chon Buri, and Ranong to evaluate challenges faced during the implementation of SOPs. The information received from the workshops will be used to identify areas that SOPs can be improved to increase its efficacy.

3. Prevention of Trafficking in Women and Children

The Government continued to be proactive in improving preventive measures against trafficking in persons, forced labour, and the worst forms of child labour, especially in women and children who are more vulnerable to risk of being trafficked. The Government worked with the private sector on prevention efforts, including on awareness-raising campaigns, capacity-building programmes, and labour inspections. Key achievements in 2022 include the following:

3.1 Awareness-Raising Campaigns on Child Pornography and Sex Trafficking were actively carried out, targeting groups that are at risk.

Thailand Internet Crimes Against Children (TICAC), in collaboration with the Prime Minister's Delivery Unit (PMDU) launched the คลิบหลุดทำไง.com website on 17 August 2022 as an official complaint channel for victims of sexual exploitation. The website's communication channel is available 24 hours per day. The Royal Thai Police (RTP) worked with online influencers to help promote the website.

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[6] US Recommendation: (1) Increase trafficking prosecutions and convictions, particularly for labour trafficking. And (2) Train officials on and ensure effective implementation of new guideline for the implementation of Section 6/1 of the anti-trafficking law and identification of labour trafficking victims.

TICAC continued to implement the Child Abuse Resistance Education (C.A.R.E.) campaign and initiated the Drug Abuse Resistance Education to Child Abuse Resistance Education (D.A.R.E. 2 C.A.R.E.) to prevent and protect school and university students from child prostitution. Students were given practical knowledge about the risks of falling victim to prostitution and how to avoid it. Teachers were an important part of the campaign, helping to promote awareness among students across Thailand. Since June 2022, such programmes were conducted in 18,371 schools and universities with more than 666,036 participants.

The Child Woman Protection and Anti-Human Trafficking Centre (CWP) produced animations on child exploitation prevention with inputs from human trafficking survivors. Four episodes have been produced, in Thai and English, to provide guidelines to the public on self-care to avoid falling victim of child sexual exploitation as well as CWP contact points. The animations were released on CWP social media channels and promoted in schools around Thailand.

3.2 The Watch List and Blacklist of People with History of Child Sexual Abuse continued to be updated regularly and enforced 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 a large number of child sex offenders being denied entry into the Kingdom.

Table 33: Actions against foreigners who have committed sexual abuse or harassment, were issued foreign arrest warrants, or have committed human trafficking, 2017-2022

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
2021	2	1	79
2022	1	13	241
Total	**2,364**	**306**	**450**

3.3 Child Safe Friendly Tourism Project On 7 August 2022, MOTS signed an MOU with 21 government agencies, private sectors organisations, and NGOs, including the Ministry of Tourism and Sports, Ministry of Social Development and Human Security (MSDHS), MOI, MOL, Ministry of Education, Ministry of Digital Economy and Society, RTP, Ministry of Finance, Tourism Council of Thailand, Thai Chamber of Commerce, Thai Hotels Association, FOCUS, EPCAT Foundation, World Vision Foundation of Thailand, Freedom Story Foundation, Life Skills Development Foundation (Rak Dek), A21 Foundation to implement the Child Safe Friendly Tourism Project in hotels and evaluate the impact of the project. The project's objective is to identify potential child sexual exploitation in the tourism sector and to encourage hotels, as well as service providers, to ensure that their establishments are safe from child exploitation and report potential cases to law enforcement officers.

3.4 Pre-Departure Support Programmes for Thai Women moving overseas helped prepare them to safely work and live abroad. Since 2012, MSDHS has supported the work of volunteer networks in providing advice for Thai women with foreign spouses. The Government promoted capacity-building for volunteer networks in providing advice to Thai women abroad through trainings in order to enhance the supportive roles of volunteers for social development and human security and to promote livelihoods and professional skills for women. In 2022, a series of trainings were organised for 1,300 participants.

4. Prevention of Forced Begging

MSDHS continued to actively regulate begging as part of efforts to prevent human trafficking and related forms of exploitation. In 2022, 363 beggars were identified, increasing by 117 from 2021 (47.56 percent), as the country's re-opening and resumption of tourism were seen by beggars as an opportunity in big cities and tourist destinations.

4.1 Legal, Policy and Regulatory Measures were implemented to prevent forced begging. These measures included registration and screening of beggars, and the identification of beggars and street performers. Guided by the Beggar Control Act B.E. 2559 (2016) and its six ordinances and the 2nd Action Plan for Beggar Control 2023-2027, these proactive regulatory actions and collaborative efforts with local administrations, relevant government agencies and NGOs, such as Friends-International, helped minimise the risk of forced begging and prevent risk groups from becoming beggars. Specifically, 924 talent performers were issued identification cards in 2022 to prevent them from being forced beggars. DNA testing was also used to verify relations between unidentified adult beggars and their accompanying children. Both adults and children were provided with protection while awaiting the results. The process resulted in identified beggars and their children of Cambodian descent being repatriated. Once the identification process is completed, beggars will be placed in the shelter provided by MSDHS.

4.2 Capacity-Building Programme continued to be carried out to prevent illegal and forced begging. In 2022, 63 inspectors were trained to increase their understanding on forced begging in order to better prevent, protect and improve the lives of beggars.

5. Prevention of Trafficking in Thai Labours Seeking Overseas Employment

5.1 The Government remained committed to implementing measures to prevent the trafficking of Thai workers seeking overseas employment and to help at-risk Thai overseas workers victims, with key measures as follows:

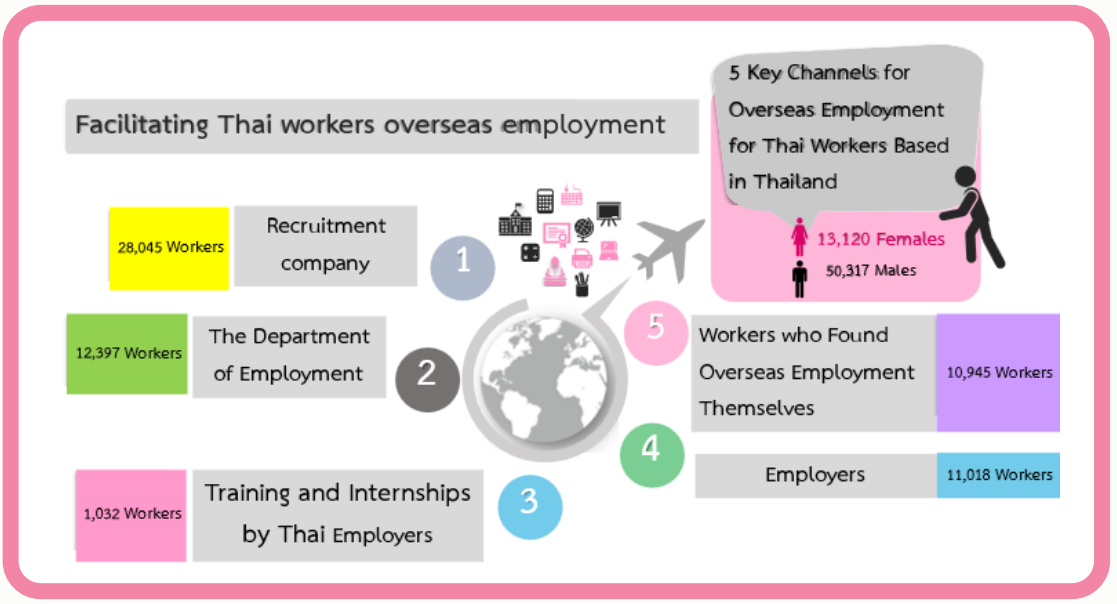
1) Awareness Campaigns

MOL conducted public awareness campaigns through various media outlets, in addition to sending government officials across the country to provide training and information to community leaders, students, and those interested in seeking overseas employments. In 2022, the awareness campaigns reached 628,177 people. MOL created an official communication channel through LINE Application for Thai overseas workers. The application provided information on workers' rights and relevant benefits, in order to prevent workers from becoming victims.

2) Dispatch of Thai Labours Overseas

Employment overseas through legal processes must be conducted with proper evaluation by and permission of the Department of Employment (DOE). Thai workers were sent to employment overseas through five key channels, namely: through recruitment agencies (28,045 workers); through the DOE (12,397 workers); through training and internship opportunities organised by Thai employers (1,032 workers); through opportunities from employers based in Thailand (10,945 workers); and those who found overseas employment opportunities themselves (11,018 workers) (Diagram 8)

Diagram 8: Facilitating Thai workers overseas employment



3) Surveillance and Prevention of Those Deemed Suspicious to Illegally Travel to Work Overseas:

DOE, through 25 border checkpoints in 19 provinces, continued to implement measures to prevent outgoing Thai workers from working illegally overseas. In January – October 2022, 383 workers out of 71,270 inspected were denied departure. The top five destinations for illegal employment were the United Arab Emirates, Republic of Korea, Bahrain, Malaysia, and Oman. Those denied departure were also provided with information on the risk of illegal travel to work oversea to minimise their risk of falling victim to human trafficking in the future.

5.2 Inspections of Recruitment Agencies for Thai Overseas Job Seekers

In 2022, DOE inspected 132 recruitment agencies which were authorised to send Thai workers for overseas employment. No unlawful practices were found. DOE also investigated reported cases of recruitment agents operating without licenses and instances of labour fraud. Accordingly, 173 individuals were charged in 123 cases of labour fraud and recruitment of workers without a license, of which 119 cases were with inquiry officers, two cases were with prosecutors, one case is under the court's consideration, and one case is in pursuit of fleeing suspect with an arrest warrant.

MOL and RTP stepped up collaboration to clamp down on unauthorised online overseas job advertisements that involved employment fraud, migrant smuggling, human trafficking, and prostitution.[7] ATPD worked together with DOE to investigate cases of labour exploitation pandemic and have charged individuals under Section 30 of the Employment Arrangement and Jobseeker Protection Act B.E. 2528 (1985) and Sections 91 (C) and 66 of the second amendment of the same act (1994). In 2022, 49 individuals were charged with such crimes, adding to efforts in reducing unauthorised online overseas job advertisements and thereby preventing Thai workers from falling victims to various forms of exploitation. The cases are currently under the inquiry officers' consideration.

[7] US Recommendation: (2) Train officials on and ensure effective implementation of new guideline for the implementation of Section 6/1 of the anti-trafficking law and identification of labour trafficking victims.

In addition, DOE investigated 258 cases of social media accounts advertising overseas job recruitments without a license. 72 cases are being prosecuted. Announcements of public warning and correct information on overseas job recruitment were also made regarding 145 cases. 41 cases are under investigation process. RTP also investigated 114 potential false advertisements through the online channel and created a blacklist of offenders to prevent them from recommitting such crimes.

5.3 Protecting Thai Overseas Workers

1) Site Visits to Thai Overseas Workers' Workplace:

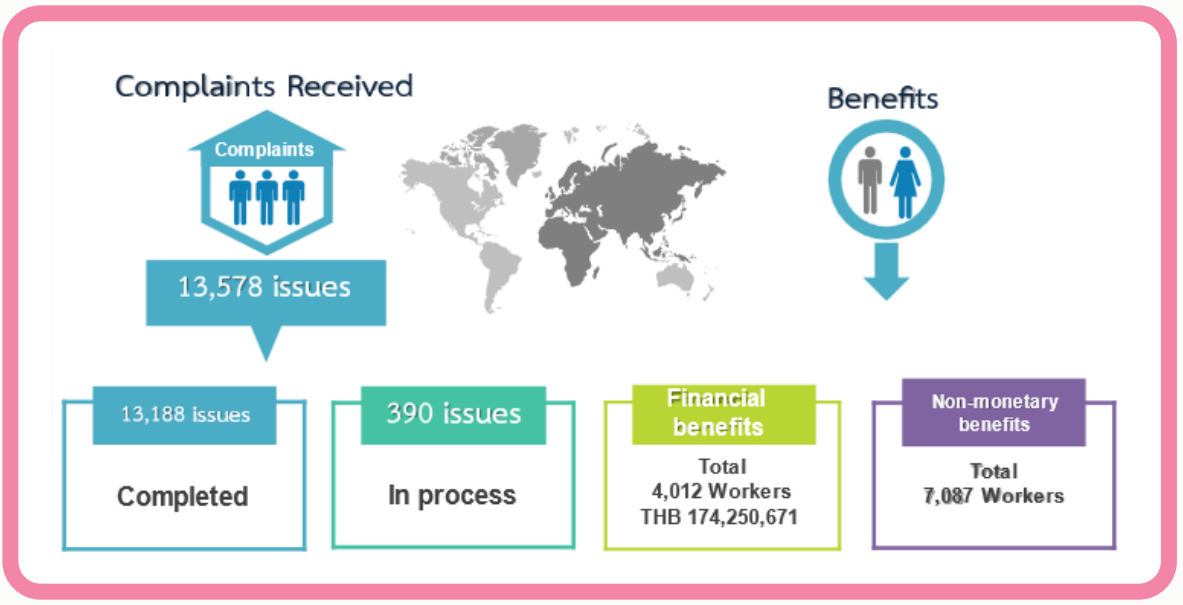
The 11 Thai Offices of Labour Affairs and the Royal Thai Embassies across the globe made regular site visits to meet with employers and Thai workers to ensure that workplaces uphold international labour standards, provide equal treatment to Thai workers, listen to Thai workers' concerns or challenges they faced, as well as ensure that Thai workers were not forced labour or exploited and that their rights are protected.

2) Thai Overseas Workers Protection Services:

The Thai Offices of Labour Affairs received 13,578 complaints from Thai overseas workers. Of this number, the Office of Labour Affairs were able to provide assistance to resolve 13,188 complaints, while there are 390 outstanding complaints in which the Offices of Labour Affairs are currently working with local governments to resolve. Complaints from Thai overseas workers included violation of rights according to the labour law, working condition, living condition, health issues and lawsuits. The Offices helped facilitate various services for 7,087 Thai overseas workers including interpretation, employment procedures, emergency situations or protecting workers' rights and relatives' entitlement in case of death. The Offices helped reclaim THB 174.2 million (USD 5 million) worth of compensation for 4,012 Thai overseas workers.

The Thai Offices of Labour Affairs also review work contracts for Thai workers to ensure that their interests are protected under the law. In addition, announcements of important information related to life and work overseas is also made available via online platforms and through collaboration with partners, such as labour volunteer networks, worker unions, relevant associations, and radio programmes.

Diagram 9: Thai overseas workers protection services



6. Prevention of Trafficking in Migrant Workers in Thailand

Since the COVID-19 pandemic, the Royal Thai Government has implemented measures to facilitate the extensions of stay for migrant workers. In 2022, there are 2,685,063 registered migrant workers. MOL continued working to protect and prevent migrant workers from becoming potential trafficking or forced labour victims. The Foreigners' Working Management Emergency Decree, B.E. 2560 (2017) was strictly enforced, with Section 49 prohibiting employers to demand debt bondage from recruitment fee and Section 131 prohibiting migrant workers' documents confiscation. Efforts were carried out through the following measures.

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

As COVID-19 measures eased, the procedures for migrant worker recruitment, established by a working group in 2021 to streamline the process, were revised to reflect the context of the current situation and COVID-19 measures with involvement from across all sectors. The process comprises: (1) submission of a demand for migrant workers; (2) submission of a demand to employ migrant workers; (3) recruitment process by the country of origin and submission of name lists of migrant workers to employers through relevant embassy in Thailand and MOL; (4) submission of a work permit application by employers on behalf of migrant workers;

(5) approval for migrant workers to be employed with the employer, including visa and immigration procedures; (6) entry of migrant workers with permission to stay in the Kingdom for two years, while submitting the relevant documents; (7) Migrant workers arrive at the Post-Arrival and Reintegration Centre for Migrant Workers to receive COVID-19 test, health check-up, training, and approval of work permits; (8) Migrant workers notify the Office of Employment within 15 days of employment and purchase a health insurance as required by the Ministry of Public Health (MPH). From December 2021 – November 2022, 125,920 migrant workers have been recruited via the bilateral MOUs.

Diagram 10: Migrant workers recruitment via bilateral MOUs

From 1 December 2021 – 25 November 2022

Migrant Workers through the Bilateral MOUs	Total (Persons)	Cambodians	Laotians	Myanmar Nationals
Demand for migrant workers	401,615	89,928	55,330	256,357
Applying for a work permit	166,807	31,747	22,209	112,851
Work permit approved	125,920	24,640	16,351	84,929

6.2 Frequent Inspections of Employers and Business Establishments[8]

In 2022, MOL conducted labour and welfare inspections at 33,980 workplaces at risk of committing potential trafficking in persons or forced labour offences, covering 458,968 migrant workers, to ensure that workplaces uphold workers' rights in compliance with laws and regulations to prevent migrant workers from becoming victims of human trafficking or forced labour. Of this number, 1,093 workplaces/employers were found in violation of labour laws,

[8] US Recommendation: (10) Ensure labour violations and migrant workers' complaints that include indicators of forced labour are investigated for trafficking crimes, including by enforcing procedures for labour officials to refer potential cases of labour trafficking to MDTs and law enforcement. And (13) 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.

360 employers were issued MOL rectification orders with fine penalty, and 733 employers' cases were sent to inquiry officers for further investigation. The employers were fined a total of THB 2,591,250 (USD 74,525.45) for employing migrants without work permits, confiscation of migrant workers' documents and for not reporting employments of migrant workers. Offenders were issued MOL rectification orders, fined, or prosecuted in accordance with relevant laws. No case of labour trafficking or forced labour was found.

6.3 Frequent Inspections of Recruitment Agencies

A total of 263 recruitment agencies were inspected in 2022. No agencies were found in violation of regulations and laws. It was observed that, due to the frequent inspections and strict law enforcement, most recruitment agencies had become more careful and increased their efforts in complying with all relevant regulations.[9]

6.4 Migrant Workers' Rights and Improving Networks in Providing Assistance to Migrant Workers

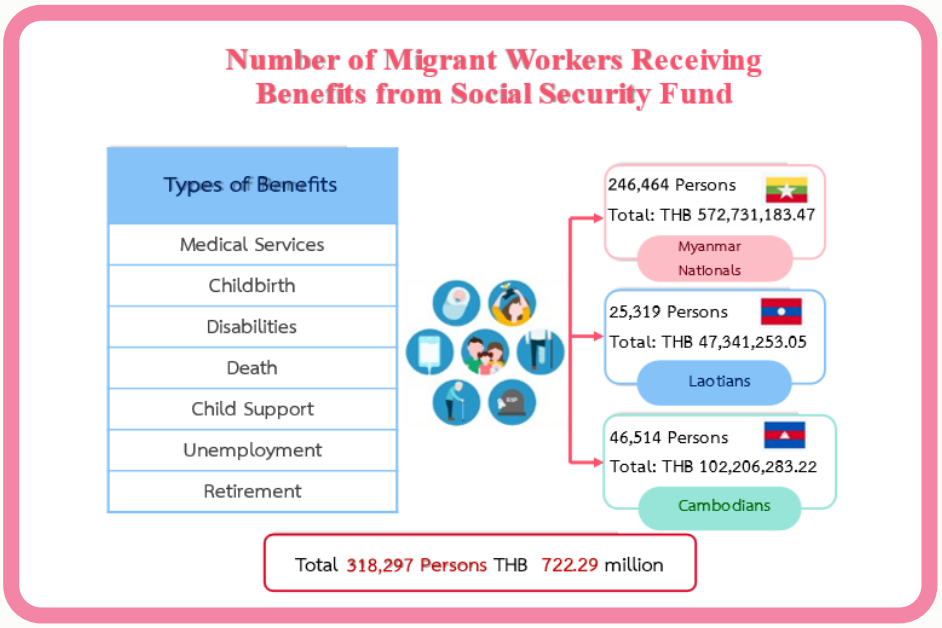
The Government has worked to ensure that all migrant workers are provided with equal rights and protection, without discrimination against nationality, gender, or social status, in line with international standards. Migrant workers are provided with the same protection as Thai workers under the Social Protection Act B.E. 2533 (1990) and relevant amendments, and the Financial Compensation Act B.E. 2537 (1994) and its relevant amendments. For those not eligible for protection under the aforementioned legislation, officials ensured that they are compensated by their employers in the event of danger or illness.

1) Social Security Fund

In 2022, there was a total of 318,297 migrant workers protected under the social security system, disaggregated into 246,464 Myanmar nationals, 46,514 Cambodian nationals, and 22,883 Laotian nationals. A total of THB 722.28 million (USD 20.77 million) was distributed to 318,297 workers for reasons such as illness, childbirth, deaths, and unemployment, under the Social Protection Act (Diagram 11).

[9] US Recommendation: (13) 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.

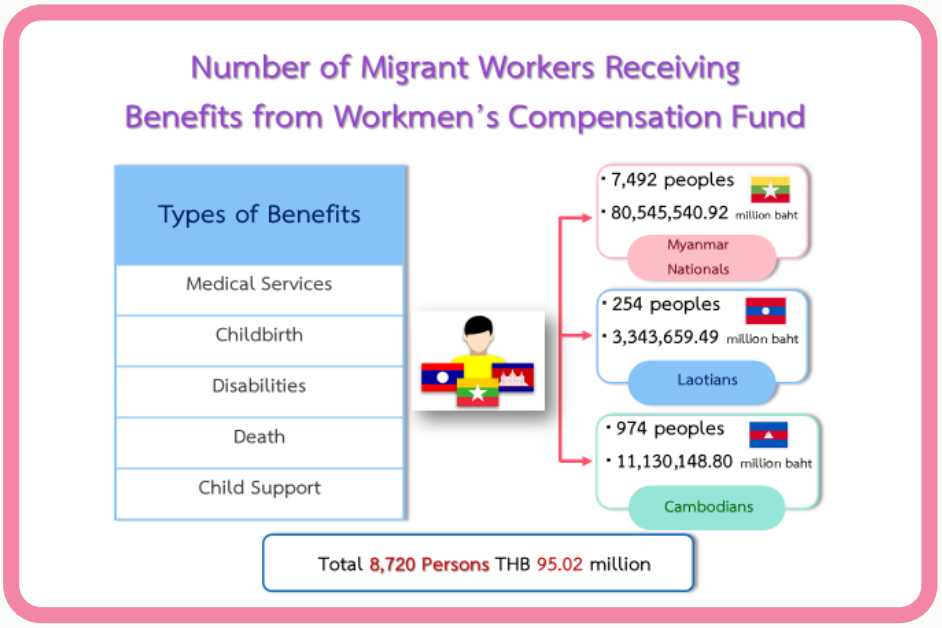
Diagram 11: Number of migrant workers receiving benefits from the Social Security Fund



2) Workmen's Compensation Fund

In 2022, there was a total of 8,720 migrant workers compensated from the Workmen's Compensation Fund, disaggregated into 7,492 Myanmar nationals, 974 Cambodian nationals, and 254 Laotian nationals. A total of THB 95.02 million (USD 2.73 million) was distributed to 8,720 workers for reasons such as illness, childbirth, deaths, and leave, under the Financial Compensation Act (Diagram 12).

Diagram 12: Number of migrant workers receiving benefits from the Workmen's Compensation Fund



The Government's Migrant Workers Assistance Centres across 10 provinces (namely Samut Sakhon, Samut Prakarn, Chonburi, Ranong, Surat Thani, Songkhla, Tak, Chiang Mai, Nakhon Ratchasima, and Khon Kaen) helped ensure protection of migrant workers in collaboration with international organisations such as ILO and IOM, as well as NGOs such as the Raks Thai Foundation, the Human Rights and Development Foundations, the Migrant Workers Rights Network (MWRN), the Solidarity Committee for the Protection Myanmar Migrant Workers (AAC-SCPM) and the Yaung Chi Oo Workers Association (YCOWA). The Centres and their network of partners provided recommendations, considered complaints, and coordinated with relevant agencies in order to provide assistance to migrant workers in Thailand. In 2022, the Centres and their partners provided services to a total of 31,600 migrant workers.

6.5 Protection of Labour Rights along the Borders[10]

Stringent labour inspections continued to be conducted along the borders, especially among groups vulnerable to forced labour and other forms of labour exploitations. In 2022, labour inspections were conducted in 636 establishments along the borders, covering 19,825 employees. A total of 281 establishments and 6,440 employees were found to be in violation of labour laws. Accordingly, 278 establishments were issued MOL rectification orders, and three establishments were prosecuted. The most common violations were wage payments below the minimum wage, wage payments without payroll, and non-compliance with legal regulations.

6.6 Protection of Labour Rights under the Labour Protection Act B.E. 2541 (1998)

MOL published a public awareness campaign in three languages through various media outlets including websites and social media about indications of forced labour. The campaign received 5,564 reports and complaints in 2022. THB 92.07 million (USD 46,034,235.8 million) were compensated to workers. MOL inspected 2,075 workplaces covering 115,994 migrant workers.

[10] US Recommendation: (13) 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.

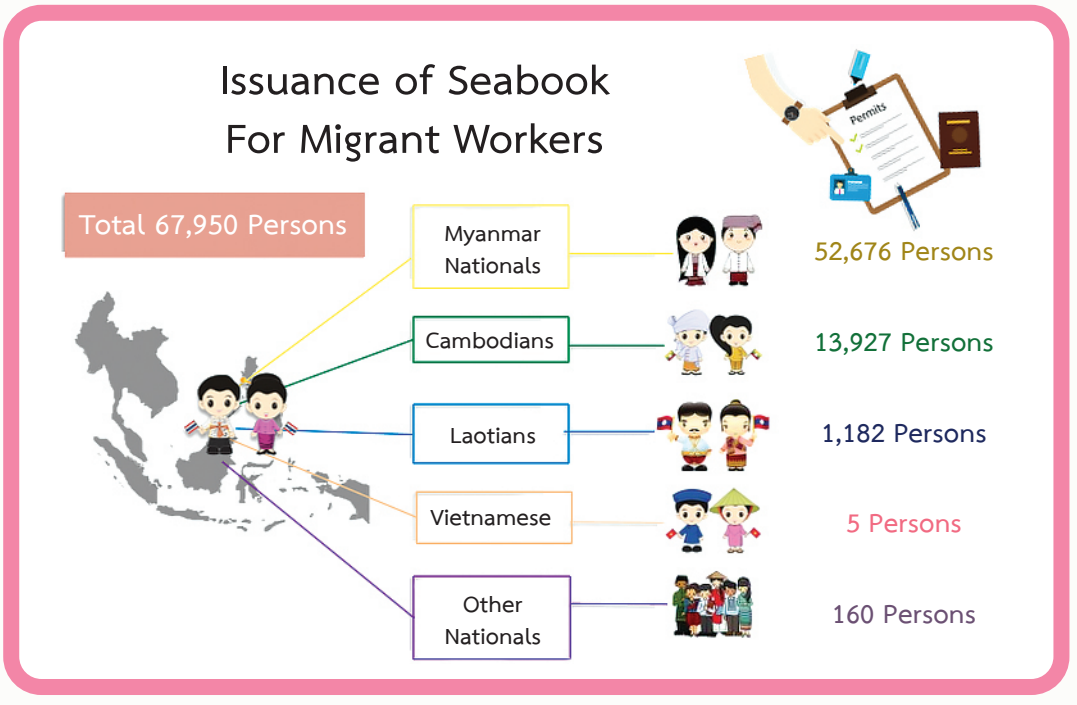
7. Labour Inspection and Protection

7.1 Seabooks for Migrant Workers

1) In 2022, 67,950 migrant workers working in Thai vessels were issued seabooks by the Department of Fisheries in accordance with the Royal Thai Ordinance on Fisheries B.E. 2558 (2015). They comprised 52,676 Myanmar nationals, 13,927 Cambodians, 1,182 Laotians, five Vietnamese and 160 other nationals. As a part of measures to prevent human trafficking, all workers must show proof of their employment contract to the authorities in order for the Department of Fisheries to issue a seabook. 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 (Diagram 13).

2) In July 2022, MOI exercised its authority under Article 17 of the Immigration Act, B.E. 2522 (1979) to allow fisheries workers from Myanmar, Lao PDR, Cambodia, and Vietnam to extend the validity of their Non-Thai Identification Cards and seabooks to allow them to continue working in Thailand for one year from the expiry date.

Diagram 13: Issuance of seabooks for migrant workers



7.2 Fishery Workers Rights Protection

MOL provided training to 48,613 fishery workers and employers to enhance knowledges about workers' right to prevent fishery workers from becoming victims of human trafficking. Furthermore, MOL has started implementing NRM at fishery worker inspections in all 22 coastal provinces.

7.3 Fishery Worker Inspections[11]

The PIPO facilities continued to regularly carry out vessel inspections. During January–November 2022, PIPO conducted 12,810 inspections at ports, covering 175,075 workers. 63 vessels' owners were found to be in violation of the law and regulations, mostly related to the issues of rest time, wages payment documents, and work contracts. 25 workplaces/employers were issued rectification orders. 38 cases are being prosecuted.

PIPO, in collaboration with the Marine Department, Department of Fisheries, Royal Thai Navy, Royal Thai Police, and relevant agencies conducted 244 vessels inspections at sea, covering 4,103 workers. No violation was found. This was the result of strict inspection and strong law enforcement at ports, which helped prevent vessels from committing illegal activities.

The Department of Labour Protection and Welfare (DLPW) provided protection through conducting 120 labour inspections at seafood processing factories, covering 15,572 fishery workers. Three workplaces/employers were found in violation of labour law. Most cases involved the issues of holidays, wages payment, and wages rate. 25 workplaces/employers were issued MOL rectification orders, and two cases were also prosecuted.

Additionally, MOL hired 108 interpreters to help communicate with migrant workers. The objective of the inspections was to ensure that workers received labour rights as stated in labour protection law and prevent them from becoming victims of human trafficking.

CWP, in collaboration with the Thai Maritime Enforcement Command Center, the Marine Department, the Department of Fisheries, DOE, DLPW, and NGOs, composed a new manual for port inspection and PIPO operation to increase efficacy of vessel inspection. Important measures included (1) a new guideline for the case of crew members falling overboard, (2) a new guideline on seaman book inspection, (3) a new guideline on labour inspections in the fisheries sector, and (4) a new inspection regulation on safety warnings and signages on fishing vessels according to relevant safety, occupational health, and work environment law. The new manual will come into force in early 2023, and capacity-building workshops will be provided for all PIPO officers across the country in collaboration with NGOs.

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[11] US Recommendation: (13) 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.

7.4 Frequent Inspections of Employers and Business Establishments[12]

In 2022, MOL conducted labour and welfare inspections of 20,292 employers and business establishment, covering 654,445 workers to ensure workers' rights and compliance with laws and regulations, preventing migrant workers from becoming victims of human trafficking or forced labour. Details are as follows:

1) DLPW inspected 19,178 business establishments at risk of child labour and forced labour, covering 618,913 workers. 5,703 business establishments were found in violation of labour law. DLPW issued 5,601 MOL rectification orders and 19 business establishments were prosecuted.

2) DLPW conducted welfare inspections of 1,114 employers and business establishments situated in remote areas, covering 35,532 workers. 1,026 workplaces were found in violation of labour laws. DLPW 1,003 MOL rectification orders. Six business establishments and employers were prosecuted (Table 34).

Table 34: Labour inspections conducted across sectors of business establishments

Places	Number of Establishments/ Workers Inspected		Labour Related Violation		Prosecution Process		Completed cases	
							Rectification order	Prosecution
	Establishments	Workers	Establishments	Workers	Establishments	Cases	Cases	Cases
Risk group	19,178	618,913	5,703	202,491	-	-	5,601	19
In remote area	1,114	35,532	1,026	32,871	-	-	1,003	6
Seafood processing factories	120	16,572	3	157	-	-	25	2
Fishing Vessels (PIPO)	12,810	175,075	63	753	-	-	25	38
Vessels at sea	244	4,103	-	-	-	-	-	-

Remarks: A business establishment may face both ratification order and prosecution.

[12] US Recommendation: (13) 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.

8. Improving Capacity and Efficacy of Labour Inspections

8.1 Enhancing the Capacity of Labour Inspectors and Law Enforcement Officers on the Implementation of SOPs[13]

The Royal Thai Government continued to enhance the capacity of labour inspectors and law enforcement officers. Numerous capacity-building activities, projects, and seminars were conducted to enhance the capacities of labour inspectors, provincial labour officers, and officers of other government agencies involved in combatting human trafficking to have a better understanding on the implementation of the SOPs, NRM, and victim identification with the MDTs.

[13] US Recommendations: (2) Train officials on and ensure effective implementation of new guideline for the implementation of Section 6/1 of the anti-trafficking law and identification of labour trafficking victims. And (8) Increase awareness among relevant officials of less understood trafficking indicators, such as debt-based coercion, excessive overtime, confiscation of documents, and non-payment of wages.

- A series of training courses in January – March 2022 to promote the understanding on prevention of forced labour, labour trafficking, and worst forms of child labour, with topics focusing on efficient law enforcements and capacity building of law enforcement officers, were provided to 200 officers from the central and local levels.

- A capacity-building workshop in March 2022 to enhance skills on victim identification of labour trafficking, forced labour, and worst form of child labour victims by promoting the understanding of relevant laws and regulations, penalties for the violation of law, and the responsibilities of labour inspectors, in-line with the SOPs, was conducted for 111 labour inspection officers.

- A series of capacity-building workshops to train MDTs across agencies including DLPW, DOE, MSDHS, RTP, Department of Fisheries, and Department of Provincial Administration on relevant laws and regulations related to trafficking in persons and forced labour to enhance the victim identification efficacy and cooperation between agencies, were attended by a total of 200 MDTs officers. A series of seminars were also held for 197 MDTs officers in September 2022 to evaluate the implementation of the victim identification to improve its effectiveness.

- A seminar to enhance cooperation between government agencies and NGOs was held to enhance the efficacy and strengthen the integration of their labour trafficking, forced labour, and child labour prevention efforts. The 'Enforcement Training Programme' workshops were conducted in collaboration with WinRock International and with financial support from the U.S. Department of Labour. The workshops were held in February 2022 and attended by 191 field officers.

- A series of workshops to draft the 'SOPs Guide on Investigation and Prosecution of Child Labour and Forced Labour Cases' and the 'Practitioner's Guide on Investigation and Prosecution of Child Labour and Forced Labour Cases' were held for law enforcement officers to elevate the law enforcement standard. The workshops were conducted in collaboration with WinRock International and with financial support from the U.S. Department of Labour.

- A training course to enhance capacity in inspecting and prosecuting employers and business establishment in violation of the migrant workers management laws was attended by 96 DOE officers.

- A seminar by DOE to intensify the enforcement of law and the collaboration between central and local agencies related to information sharing on potential forced labour offenders in order to effectively prevent forced labour was conducted for 80 officers.

- A series of training courses in November – December 2022 for interpreters hired by MOL to assist migrant workers, Thai oversea workers, employers, and officials to ensure that all workers know their rights and benefits and labour law, were conducted for 138 interpreters.

- A training course for newly assigned officers, to enhance officers' knowledge and expertise on the NRM and the prevention of human trafficking and forced labour as required by the Anti-Trafficking in Persons Act, B.E. 2558 (2015), were provided to 50 officers from DPLW, MSDHS and RTP who were to be assigned to the 22 coastal provinces.

9. Enhancing Complaints Mechanisms and Raising Public Awareness

The Royal Thai Government continued to enhance complaints mechanisms and channels in the efforts to ensure protection and prevention of human trafficking and labour exploitations.

9.1 Foreign Language Interpreters and Coordinators

MOL hired 151 interpreters in the Myanmar, Cambodian, and Vietnamese languages to be stationed at DLPW, DOE, ten Migrant Workers Assistance Centres nationwide, Post-Arrival Centre, the 1506 Hotline, Fisheries Workers' Rights Violation Prevention Project, Anti-Trafficking in Persons in Migrant Workers Project, and the Migrant Workers Employment Project. Foreign language interpreters and coordinators helped 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.

9.2 Hotlines and Complaint-receiving Mechanisms[14]

The **1506 Hotline**, operated by MOL, is dedicated to handling complaints on labour cases and providing consultations for Thai and migrant workers and employers. During January – October 2022, the hotline provided services to a total of 5,937,533 calls on issues covering domestic and international employment, labour training, wages, employee benefits, social security fund, and information related to the COVID-19 pandemic.

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[14] US Recommendation: (1) Increase trafficking prosecutions and convictions, particularly for labour trafficking. And (10) Ensure labour violations and migrant workers' complaints that include indicators of forced labour are investigated for trafficking crimes, including by enforcing procedures for labour officials to refer potential cases of labour trafficking to MDTs and law enforcement

The **1300 Hotline**, operated by MSDHS, is dedicated to receiving complaints on human trafficking cases. In 2022, the hotline received information on 331 suspected human trafficking cases, increasing from 2021 by 267 cases. The increase in complaints received reflected increasing public awareness of the 1300 Hotline service, workers' rights, and potential signs of dangers of human trafficking. The complaints involved 139 male and 183 female victims. comprising 154 cases related to exploitation, 72 cases related to forced labour, 95 cases related to prostitution, and 10 cases related to forced begging. Accordingly, all 331 cases were referred to relevant authorities for further investigation, victim identification, and assistance.

MOL vigorously issued public awareness campaigns through its communication channels to raise awareness on potential risks, how to detect signs of forced labour, child labour, and complaints-receiving mechanisms and hotlines to report potential crimes.

Other hotlines available to report on potential cases include the 1191 Hotline and Facebook page operated by ATPD, and the 1599 Hotline and Facebook page operated by TICAC.

10. Advancing Partnership on Human Trafficking Prevention

The Royal Thai Government continued to pursue partnerships and cooperation with relevant stakeholders, including international organisations, civil society, NGOs and businesses, to increase the anti-trafficking efforts.

DLPW continued to promote and expand the implementation of Good Labour Practices (GLP) among businesses and private entities to adopt the guidelines on improving employment and working conditions based on the "4 No's, 6 Have's" principle. The principle strictly prohibits child labour, forced labour, discrimination, and human trafficking, while promoting the labour management system, freedom to association, dialogue with employers, safe working environment, sanitation and waste management, and appropriate welfare for workers. In 2022, 34,410 additional business establishments adopted GLP, almost five times the number of business establishments that have adopted the GLP since its inception. A total of 42,016 businesses had implemented GLP, covering 2,393,906 workers

The Government continued to carry out a number of projects in collaboration with various international partners initiated in previous years, as well as initiating new projects in 2022 to ensure the protection of labour rights across all sectors, such as:

1) The Ship to Shore Rights Project, funded by the ILO and supported by the European Union (EU), actively conducted activities to prevent and reduce unacceptable forms of work and provide a platform for exchanges of ideas to protect labour rights in the fishing and seafood industries in Southeast Asia.

2) TRIANGLE in ASEAN, funded by the ILO and supported by the Governments of Canada and Australia, is a project to protect migrant workers' rights, raise awareness among stakeholders regarding the rights of domestic workers and promote improving public attitudes towards migrant workers.

3) Safe & Fair Project, funded by the ILO and supported by the EU, conducted activities to raise awareness and promote participation in addressing the issue of women worker's rights in the ASEAN region. The Project is currently developing a labour inspection handbook focusing on women migrant workers, violence, harassment, and forced labour; while also studying the gaps between the Thai legal system and ILO Convention No. 190 on Violence and Harassment.

4) MOL enhanced labour inspectors' capacity and expertise through a series of Attaining Lasting Change for Better Enforcement of Labour and Criminal Law to Address Child Labour and Forced Labour (ATLAS) Project workshops, in collaboration with WinRock International.

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Future Plans

Prosecution

1. Increase the efficacy of information flow from the central administration to local officers.

2. Continue to increase the efficacy of forced labour inspections, investigation, and evidence collection to effectively prosecute offenders with maximum sentences appropriate to the committed crimes, as well as to ensure that offenders are charged with all relevant offences, not limited to trafficking in persons offences.

3. Expand and increase assets seizure from offenders to use as remedies for victims.

4. Continue to proactively prosecute complicit officials.

5. Continue to deepen the relevant officers' understanding of the victim-centred and trauma-informed care approaches in assisting victims of trafficking.

6. Enhance cooperation with Non-Governmental Organisations (NGOs), private sectors, and survivors in anti-trafficking policy formulation and implementation.

7. Continue to implement the National Referral Mechanism (NRM) and prepare to develop a Transnational Referral Mechanism.

8. Develop guidelines on witness hearing for judges using lesson learned from Courts' verdicts on human trafficking cases and forced labour cases in other countries to enhance the judges' capacity and understanding.

9. Develop guidelines for Courts' interpreters for trafficking in persons cases to enhance their capacity and understanding on related law and technical terms, taken into consideration the use of different languages in trafficking in persons cases.

10. Monitor and evaluate the performances of law enforcement officers. Increase consultations on challenges and create conducive work environment to enhance their performances.

Protection

1. Continue to advance the implementation of NRM and the extended reflection period as well as the capacity-building trainings for first responders, competent authorities, case managers, and other relevant officers on NRM

2. Continue to hold trainings on trauma-informed care approach for shelter officers and victim identification interviewers.

3. Continue to hold capacity-building trainings for shelter officers and other relevant officers on the application for financial remedies and the use of Victim Impact Statement to provide better services to the victims

4. Improve the freedom of movement evaluation form for victims in shelters.

5. Develop a standard of practices for shelter officers on protection services and assistance for victims, in accordance with the international standards.

6. Continue to improve regulations on the use of funding to provide protection and assistance to victims of trafficking in persons or forced labour or services from the Anti-Trafficking in Persons Fund to promote ease of access to the fund by victims.

Prevention

1. Continue to work with relevant agencies and International Justice Migration (IJM) to improve the Standard Operating Procedures (SOPs) for initial victim identification of labour trafficking and Section 6/1 offence in order to enhance its efficacy in victim identification.

2. Continue to proactively conduct inspections and screenings for potential victims of labour trafficking or forced labour.

3. Continue to provide trainings for newly-assigned officers to enhance officers' knowledge and expertise on NRM and the prevention of human trafficking and forced labour as required by the Anti-Trafficking in Persons Act, B.E. 2558 (2015).

4. Continue to provide capacity-building trainings with the Multidisciplinary Teams (MDTs) for labour inspectors to enhance their efficacy on victim identification.

5. Continue to provide trainings to increase officers' efficacy on NRM implementation, case management, and assistance to victims of trafficking in persons and forced labour.

6. Continue to conduct screening and inspection for migrant fisheries workers according to NRM on 22 coastal provinces.

7. Continue capacity-building trainings for local labour volunteers on indicators of labour trafficking or forced labour to be able to notify relevant officials of potential victims according to SOPs.

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List of Acronyms and Abbreviations

AAT	Alliance Anti-Trafic
AAC-SCPM	The Solidarity Committee for the Protection of Myanmar Migrant Workers
AMLO	The Anti-Money Laundering Office
ASEAN	The Association of Southeast Asian Nations
ASEAN-ACT	ASEAN-Australia Counter-Trafficking
ATLAS	Attaining Lasting Change for Better Enforcement of Labour and Criminal Law to Address Child Labour and Forced Labour Project
ATPD	The Anti-Trafficking in Persons Division
BID	Best Interest Determination
CA	Competent Authority
C.A.R.E	Care Abuse Resistance Education
CCIB	The Cyber Crime Investigation Bureau
CJIT	The Sexual Abuse, and Other Forms of Violence Against Children Working Group
COMMIT	The Coordinated Mekong Ministerial Initiative against Trafficking
COVID-19	Coronavirus Disease 2019
CSECC	The Child Sexual Exploitation Crime Center
CWP	The Child Woman Protection and Anti-Human Trafficking Centre
D.A.R.E.2 C.A.R.E	The Drug Abuse Resistance Education to Child Abuse Resistance Education
DLPW	The Department of Labour Protection and Welfare
DNA	Deoxyribonucleic acid
DOE	The Department of Employment
DSI	The Department of Special Investigation
EJF	The Environmental Justice Foundation
EU	The European Union
FOCUS	The Foundation of Child Understanding
FoM	Freedom of Movement
GLP	Good Labour Practice

HSI	Homeland Security Investigations
ICT	Information and Communications Technology
IDP	The Individual Development Plan
IJM	The International Justice Mission
ILEA	The International Law Enforcement Academy of Bangkok
ILO	The International Labour Organisation
IMM	Inter-Ministerial Meeting
INL	The Bureau of International Narcotics and Law Enforcement Affairs
IOM	The International Organisation for Migration
KPI	Key Performance Indicators
Lao PDR	Lao People's Democratic Republic
MDES	The Ministry of Digital Economy and Society
MDTs	Multidisciplinary Teams
MFA	The Ministry of Foreign Affairs
MOE	The Ministry of Education
MOI	The Ministry of Interior
MOJ	The Ministry of Justice
MOL	The Ministry of Labour
MOPH	The Ministry of Public Health
MOU	Memorandum of Understanding
MSDHS	The Ministry of Social Development and Human Security
MWRN	The Migrant Workers Rights Network
NCMEC	The National Center for Missing and Exploited Children
NGOs	Non-Governmental Organisations
NRM	National Referral Mechanism
OAG	The Office of the Attorney General
O.U.R.	Operation Underground Railroad
PAMLC	The Police Anti-Money Laundering Center
PEACE	The Preparation and Planning, Engage and Explain, Account, Closure and Evaluate mode
PIPO	Port-In Port-Out Control Centers
PMDU	The Prime Minister's Delivery Unit
RTG	The Royal Thai Government
RTN	The Royal Thai Navy
RTP	The Royal Thai Police

SOPs	Standard Operating Procedures
SPA-IV	Subregional Plan of Action
TATIP	Thailand Anti-Trafficking in Person Taskforce
THB	Thai Baht
TICAC	Thailand Internet Crimes Against Children Taskforce
TIP	Trafficking in Persons
TRM	Transnational Referral Mechanism
UNDP	The United Nations Development Programme
UNHCR	The United Nations High Commissioner for Refugees
UNODC	The United Nations Office on Drugs and Crime
USD	U.S. Dollar
YCOWA	Yaung Chi Oo Workers' Association

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