Thailand Human Trafficking Datasheet

Current Trafficking Data & Trends

MAIN EMPLOYMENT SECTORS OF TRAFFICKED PERSONS

Most of the trafficking victims identified in Thailand are migrants who have been forced, coerced, or defrauded into forced labour or commercial sexual exploitation. Trafficking victims within Thailand typically work in fishing, seafood processing, low-end garment production, and domestic work.74

SOURCE COUNTRIES

Victims trafficked to Thailand predominantly originate from Cambodia, Lao PDR, Myanmar, Russia, Southern China, Uzbekistan, and Vietnam.73

DESTINATION COUNTRIES

Thai citizens are trafficked internationally to Australia, Bahrain, Brunei, Canada, Germany, Indonesia, Israel, Japan, Korea, Kuwait, Libya, Malaysia, Maldives, Qatar, Saudi Arabia, Singapore, South Africa, South Korea, Taiwan, Timor Leste, the UAE, the USA and Vietnam.74

TRANSIT POINTS

Most migrants that become victims of trafficking in Thailand are from Myanmar, Cambodia and Lao PDR, hence the transit points are along the borders between Thailand and these countries. Migrants from Myanmar enter Thailand through Ranong Province, Mae Sot checkpoint in Tak Province, Sangkhlaburi district in Kanchanaburi Province, Mae Hong Son, and Chiang Mai. Migrants from Lao PDR enter Thailand through Phiboonmangsaharn district in Ubon Ratchathani Province, Mukdahan and Nong Khai Province. Migrants from Cambodia enter Thailand through Aranyapathet in Srakaew Province, Surin and Trat Province.75

TYPES OF DOMESTIC AND CROSS-BORDER TRAFFICKING

Men, women and children, primarily from Myanmar, are trafficked to Thailand for forced labour in fishing-related industries, factories, agriculture, construction, domestic work, and begging. Women and children are trafficked from Myanmar, Cambodia, Lao PDR, China, Vietnam, Russia and Uzbekistan for commercial sexual exploitation in Thailand. Media reports during 2009 alleged trafficking of some Myanmar migrants from Malaysia to Thailand.

DEMORPHOGRAPHIC INFORMATION

Population
63,396,000 (approximately 64% rural)79

GDP Per Capita (est. 2009)
US $8,10079

MIGRATION

435,385 Thais migrated overseas in 2009, 78,717 of whom received official permission from the Ministry of Labour (MOL) to work abroad. The majority remained in Asia (43,832), with the Middle East also popular (17,697). The duration of stays was generally three months to two years.

The Department of Employment in Thailand estimates that in 2009, some 68,432 persons were permitted to work temporarily, and another 69,491 persons applied to do so. These figures are based on the number of work permits issued.71
Most Thai trafficking victims who are repatriated to Thailand with assistance from the Thai Government have been exploited in Bahrain, Malaysia, the Maldives and Singapore. Some Thai men who migrate for low-skilled contract work in Taiwan, Malaysia, South Korea, Israel, the United States and Gulf States are subjected to conditions of forced labour and debt bondage.⁷⁶

**KEY VULNERABILITIES**

Demand for cheap labour in unskilled sectors is met by migrant workers from neighbouring countries, particularly from Myanmar. The nature of labour migration to Thailand creates vulnerabilities for migrant workers who do not speak Thai and do not understand their rights under Thai law. Undocumented migrant workers are particularly vulnerable and many fear being apprehended by the Thai authorities and/or deported, if they approach authorities for help. Lack of education, poverty and few employment opportunities within the home community also create vulnerability to trafficking.

**CURRENT TRENDS IN DOMESTIC AND CROSS-BORDER TRAFFICKING**

Since the Anti-Trafficking in Persons Act (B.E. 2551 / 2008) came into force, there has been more emphasis on forced labour and labour exploitation, particularly in the fishing industry, within the counter-trafficking sector. In the past, more attention was given to commercial sexual exploitation and child labour.

There has been an increase in the number of younger people migrating from neighbouring Mekong countries who are vulnerable to being trafficked into the commercial sex industry. Women from neighbouring Mekong countries and within Thailand, as well as women from distant countries such as Russia and Uzbekistan, are often exploited in Thailand’s commercial sex industry via debt bondage.⁷⁷

---

**OFFICIAL NUMBER OF VICTIMS OF TRAFFICKING IN THAILAND⁷⁸**

<table>
<thead>
<tr>
<th>Country</th>
<th>Number of Victims</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cambodia</td>
<td>57</td>
</tr>
<tr>
<td>China</td>
<td>2</td>
</tr>
<tr>
<td>Laos PDR</td>
<td>195</td>
</tr>
<tr>
<td>Myanmar</td>
<td>260</td>
</tr>
<tr>
<td>Vietnam</td>
<td>11</td>
</tr>
<tr>
<td>Other or Unidentified</td>
<td>5</td>
</tr>
</tbody>
</table>

---

<table>
<thead>
<tr>
<th>Country</th>
<th>Female Victims</th>
<th>Male Victims</th>
</tr>
</thead>
<tbody>
<tr>
<td>Japan</td>
<td>15</td>
<td>48</td>
</tr>
<tr>
<td>Bahrain</td>
<td>12</td>
<td>8</td>
</tr>
<tr>
<td>Malaysia</td>
<td>8</td>
<td>5</td>
</tr>
<tr>
<td>Singapore</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>South Africa</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>United States</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Vietnam</td>
<td>38</td>
<td>65</td>
</tr>
</tbody>
</table>

Total: 103 Thai victims of trafficking officially returned in 2009 by trafficking destination country
## Trafficking & Law in Thailand

### Legal Definition of Human Trafficking in Thailand

According to the Anti-Trafficking in Persons Act (B.E. 2551/2008), the offence of human trafficking involves three elements:

1. The action of procuring, buying, selling, vending, bringing from or sending to, detaining or confining, harbouring, or receiving any person;
2. By means of the threat or use of force, abduction, fraud, deception, abuse of power, or of the giving of payments or benefits to achieve the consent of a person;
3. For the purpose of having control over another person for exploitation.

Where trafficking involves children (a person under the age of 18), the second element of the offence is not relevant because a child cannot provide consent.

### Anti-Trafficking Laws & Guidelines

In June 2008, Thailand enacted the Anti-Trafficking in Persons Act (B.E. 2551 / 2008). Besides this Act, there are several other laws which criminalise human trafficking activities and offences, including:

- Labour Protection Act (2008)
- Anti-Money Laundering Act (1999)
- Penal Code Amendment Act (1997)
- Criminal Procedure Amendment Act (1997)
- Prevention and Suppression of Prostitution Act (1996)
- Amendments to the Securities and Exchange Act (1992), and

These laws allow for severe penalties for individuals found guilty of charges relating to prostitution, exploitative labour, forced begging and other inhumane acts.

### Key Legal Instruments, Agreements and Guidelines Which Relate to Anti-Trafficking in Thailand

- National memoranda of understanding relating to trafficking in women and children which contain common guidelines for government, and non-government counter trafficking organisations in Thailand on how to work together to combat human trafficking
- Regional memoranda of understanding relating to trafficking in multiple provinces in Thailand, which contain the operational procedures for victim rescue and assistance
- Operational Guidelines on the Prevention, Suppression, Assistance and Protection of Trafficked Persons for Labour Purposes, which lists procedures for labour officials to follow when they are dealing with human trafficking cases

### Exploitation Means

Exploitation means:

- seeking benefits from prostitution,
- producing or distributing pornographic materials,
- other forms of sexual exploitation,
- slavery,
- causing another person to be a beggar,
- forced labour or service,
- coerced removal of organs for the purpose of trade, or any other similar practices resulting in forced extortion, regardless of consent.
TRAFFICKING PERPETRATORS OPERATING IN THAILAND

Traffickers are both Thai and non-Thai nationals, male and female. Trafficking networks in Thailand are well-structured and operational across borders through the use of brokers. However, the majority of trafficking cases are facilitated by individual and local level networks of friends and family members of victims, and former victims themselves. As the traffickers usually know the victims, many trafficking cases begin with voluntary migration.79

TRAFFICKING OFFENCES DESCRIBED IN THAILAND’S ANTI-TRAFFICKING IN PERSONS ACT

Section 6: Whoever, for the purpose of exploitation, does any of the following acts:

(1) procuring, buying, selling, vending, bringing from or sending to, detaining or confining, harbouring, or receiving any person, by means of the threat or use of force, abduction, fraud, deception, abuse of power, or of the giving of money or benefits to achieve the consent of a person having control over another person in allowing the offender to exploit the person under his control; or

(2) procuring, buying, selling, vending, bringing from or sending to, detaining or confining, harbouring, or receiving a child;

is guilty of trafficking in persons.

Section 7: Whoever commits any of the following acts, shall be punished likewise as the offender of an offence of trafficking in persons:

(1) supporting the commission of an offence of trafficking in persons;

(2) aiding by contributing property, procuring a meeting place or lodge, for the offender of trafficking in persons;

(3) assisting by any means so that the offender of trafficking in persons may not be arrested;

(4) demanding, accepting, or agreeing to accept a property or any other benefit in order to help the offender of trafficking in persons not to be punished;

(5) inducing, suggesting or contacting a person to become a member of the organised criminal group, for the purpose of committing an offence of trafficking in persons.

Section 52 of the ATP Act specifies the penalties for offences of human trafficking. Section 52 also specifies penalties for other types of offences.

TRAFFICKING CASES

<table>
<thead>
<tr>
<th>YEAR</th>
<th>CASES</th>
<th>OFFENCE</th>
<th>OFFENDERS</th>
<th>ARRESTS &amp; PROSECUTIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>2009</td>
<td>32</td>
<td>15 SEX RELATED OFFENCES</td>
<td>21</td>
<td>15</td>
</tr>
<tr>
<td></td>
<td></td>
<td>12 LABOUR &amp; SLAVERY RELATED OFFENCES</td>
<td>25</td>
<td>12</td>
</tr>
<tr>
<td></td>
<td></td>
<td>5 FORCED BEGGING OFFENCES</td>
<td>9</td>
<td>5</td>
</tr>
<tr>
<td></td>
<td></td>
<td>55 TOTAL</td>
<td>32 TOTAL</td>
<td></td>
</tr>
</tbody>
</table>

PENALTIES FOR TRAFFICKING OFFENCES

<table>
<thead>
<tr>
<th>OFFENCE</th>
<th>PENALTY RANGES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Trafficking in persons</td>
<td>Imprisonment for 4 to 10 years + 80,000 – 200,000 Baht81</td>
</tr>
<tr>
<td>Offence of trafficking in persons committed against a child whose age exceeds 15 years but has not yet reached 18 years</td>
<td>Imprisonment for 6 to 12 years + 120,000 – 240,000 Baht82</td>
</tr>
<tr>
<td>Offence of trafficking in persons committed against a child not over 15 years of age</td>
<td>Imprisonment for 8 to 15 years +160,000 – 300,000 Baht83</td>
</tr>
</tbody>
</table>
Anti-Trafficking Action in Thailand

PROTECTION

Policies and procedures for victim identification
In raid and rescue operations, initial victim screening is conducted by police on-site. Those screened who show signs of physical abuse, torture, trauma or fear are removed from the site, as well as those who respond positively when asked whether they have been tricked/deceived/lured into coming to work in the establishment.

A further victim identification interview is conducted within 24 hours of initial screening at the police station, or where there are many victims requiring interview, in a shelter. The Ministry of Social Development and Human Security (MSDHS) also plays an active role in victim identification. In 2009, the Scope and Elements of Identification of Trafficked Persons pamphlet was developed for public officials involved in victim identification.

Policies and procedures for shelters
Those identified as victims of trafficking are placed in a shelter where physical and mental health is assessed. They are offered medical, legal, psychosocial, recreational and educational services, as well as livelihood training. They are also prepared for repatriation and reintegration, after which there is an evaluation of their reintegration.

For those Thais rescued by Thai Missions abroad, upon arrival in Bangkok, the multidisciplinary team which includes officers from MSDHS, Ministry of Foreign Affairs, and police conduct an interview and assess their physical and mental health. If they are identified as victims of trafficking, further assistance is offered.

Post-harm assistance
Standard operating procedures (SOPs) have been developed for the return and reintegration of victims from Lao PDR, between Thai and Lao PDR Government agencies, and between Cambodian and Thai Government agencies for victims from Cambodia.

In 2009, 513 persons were discharged from shelters housing trafficking and other vulnerable victims. Discharged may refer to:

1. Repatriated to the home country
2. Being pushed/deported back to the home country through immigration checkpoints
3. Being transferred to other agencies to receive further assistance
4. Leaving shelters without permission.

PROSECUTION

Specialist units for prosecution
The Children, Juveniles and Women Division (CWD) was established within the Royal Thai Police in 2006. The Division later changed its name to the Anti-Human Trafficking Division (AHTD) to focus solely on human trafficking, including male victims of trafficking. The Office of the Attorney General also has a Centre Against International Human Trafficking (CAHT) which is responsible for prosecuting trafficking cases. The Department of Special Investigations (DSI) under the Ministry of Justice (MOJ) is involved in investigating human trafficking cases that are deemed to be ‘special cases’.

Resources for prosecution
Thailand has an Anti-Trafficking in Persons Fund which may be used for the prosecution of cases related to cross-border human trafficking.

POLICY

Significant policies or developments which impact victims or perpetrators

• The National Policy Strategies and Measures to Prevent and Suppress Trafficking in Persons (2011-2016) following on from the National Policy and Plan on Prevention, Suppression and Combating of Domestic and Transnational Trafficking in Children and Women (2005-2010)
• National Policy and Plan to Eliminate the Worst Forms of Child Labour (2009-2015)

PREVENTION

Bilateral agreements on recruitment of migrant workers


Key awareness raising campaigns in 2009

• The Royal Thai Government through various organisations has launched several campaigns through radio, television, print, and electronic media to raise awareness among related sectors and to call for public cooperation in the fight against human trafficking with the core objectives of human rights, gender equality, and safe migration.
Key Anti-Trafficking Actors in Thailand

KEY MINISTRIES AND OFFICES RESPONSIBLE FOR ANTI-TRAFFICKING IN THAILAND

Ministry of Social Development and Human Security (MSDHS)
Lead government agency for counter-trafficking activities in Thailand, responsible for coordinating the work of other agencies and providing victim support.

Ministry of Labour (MOL)
Monitors workplace and labour standards to ensure compliance with Thai labour laws, and also registration of migrant workers.

Ministry of Foreign Affairs, Department of Consular Affairs, Thai embassies and diplomatic missions abroad
Responsible for providing assistance and support to Thai people who have been trafficked abroad.

Ministry of Tourism and Sports (MOTS)
Lead government agency on countering sexual exploitation in the tourism industry.

Department of Special Investigation (DSI) under the Ministry of Justice (MOJ)
Responsible for investigation of human trafficking cases and pursuing those deemed as ‘special cases’.

Ministry of Education (MOE)
Responsible for anti-human trafficking advocacy, awareness raising campaigns and preventative measures.

Royal Thai Police (RTP)
Responsible for law enforcement and bringing offenders to justice.

The Office of the Attorney General (OAG)
An independent government agency responsible for prosecuting human trafficking cases.

NON-GOVERNMENT ANTI-TRAFFICKING ACTORS

UN agencies and projects
- International Labour Organization (ILO)
- United Nations Children’s Fund (UNICEF)
- United Nations Educational, Scientific and Cultural Organization (UNESCO)
- United Nations Women’s Fund (UNIFEM)
- United Nations High Commission for Refugees (UNHCR)
- United Nations Inter-Agency Project on Human Trafficking (UNIAP)
- United Nations Office on Drugs and Crime (UNODC)

NGOs
- Alliance Anti Traffic (AAT)
- Asia Regional Trafficking in Persons Project (ARTIP)
- Center for the Protection of Children’s Rights (CPCR)
- End Child Prostitution, Child Pornography, and Trafficking of Children (ECPAT)
- Fight Against Child Exploitation (FACE)
- Foundation for Child Development (FCD)
- Labour Rights Promotion Network (LPN)
- Mirror Foundation, the Thai Labour Campaign (TLC)
- MTV EXIT
- Save the Children UK
- The Anti-Trafficking Coordination Unit of Northern Thailand (TRAFCORD)
- World Vision Foundation of Thailand (WVFT)

Inter-governmental Organisations
- International Organization for Migration (IOM)

THAILAND TRAFFICKING IN PERSONS CONTACT INFORMATION

Anti Human Trafficking Division (AHTD) under the Royal Thai Police (RTP)
Hotline: 1191
Tel: +66 2 – 512 2678

THAILAND TRAFFICKING IN PERSONS HOTLINES

1300
Ministry of Social Development and Human Security (MSDHS)
This hotline operates only within Thailand.

1191
+66 2 – 512 2678
Anti Human Trafficking Division

+66 2 – 659 6394
THALACC

+66 34 – 434 726
Labour Rights Promotion Network (LPN)

+66 2 – 831 9888 Ext. 8004
Anti-Trafficking Centre, Department of Special Investigation, Ministry of Justice