Open Letter to Prime Minister Yingluck Shinawatra
In solving human trafficking in Thailand
on the occasion of Anti-Human Trafficking Day, 5th June 2012

Proposed by

ANTI - HUMAN TRAFFICKING NETWORK (ATN)

Non-governmental organizations working to protect the rights of children, women, and workers both Thai and migrant in Thailand have come together and established the Anti-Human Trafficking Network (ATN) in 2009. This was to respond to human trafficking phenomenon in Thailand - which **has rapidly increased both in terms of magnitude and complexity of the problem - among others, forced labors in deep sea fishing boats and street begging. These victims were always exploited, confined, physical abused, sexual abused as well as forced into prostitution.**

The general public has been aware of this problem from the mass

media when trafficking victims were rescued. **In many cases, government officials were found to involve in the exploitation of the trafficking victims including sexual exploitation of the victims themselves, being bribed by the entrepreneurs in cash or in kind, producing false documents, concealing evidences and performing other actions that could be considered providing support to the human trafficking network – which consequentially resulted in ineffective law enforcement**
- although Thailand has been enforcing the Anti Trafficking in Persons Act BE 2551 since 2008. This has resulted in negative image of the country in the progress of trafficking victims' protection in the Thailand's Trafficking in Persons Report of 2010 and 2011 prepared by the US Department of State, which Thailand was classified in Tier II Watch List.

The Thailand's Trafficking in Persons Report, although praising that the process of trafficking victims' identification has been progressive, criticises **ineffective law enforcement of trafficking laws especially in putting traffickers into justice.** This is due to a number of factors – including the lack of knowledge and comprehensive understanding of the justice process, failure to enforce the law effectively, corruption and exploitation by state officials. All of these factors have handicapped the government to successfully protect victims of human trafficking, resulting in severe exploitation and human rights violation, as it also tremendously reflects the overall country image. Large amounts of cases since 2006 remain open due to failures to accuse the perpetrators. This includes human trafficking cases of migrants into forced prostitution in Sadao, Sungai-Kolok, Lopburi and Chantaburi. Forced labor cases such as the Ranyapraew case, Noma case, Prapasnavee case, Samsarn case, Kundung case. Other form of trafficking such as forced surrogacy of Vietnamese victims. All of these cases were procrastinated, the state failed to execute all of the perpetrators involved.

Anti Labor Trafficking - □□□□

practice in handling such human trafficking cases and cooperation between the DSI under the Ministry of Justice and the Royal Thai Police. This results in unclear roles of both agencies in terms of protection of victims and putting perpetrators as well as those behind trafficking rings into justice.

The Anti- Human Trafficking Network requests the government to develop guideline for practices for relevant law enforcement agencies to clarify their roles and responsibilities relating to human trafficking cases. In addition, other government agencies, NGOs, civil society and private sector should be encouraged to involve to monitor and follow up progress of law enforcement process to ensure transparent and fair procedure.

Secondly, the Government shall put more efforts on awareness raising and promoting code of ethic of law enforcement officers under the Anti Human Trafficking Act. As it was always found, in many localities, law enforcement authorities were not only corrupted but also lack spirit of a good civil servant and awareness on translating the government policy into practice to protect children, women and migrant workers from falling victims of human trafficking. **Therefore, if state officials were found to involve in any human trafficking crime, they must be putting into the justice system with no compromising.**

Thirdly, as we acknowledge that you are the Chair Person of the National committee on Prevention and Suppression of Human Trafficking, we would like to request you to: e**stablish a follow up and reporting mechanism of human trafficking court cases to collect updated statistics and to transparently inform the**

general public of the situation.

This could be done by - the National committee on Prevention and Suppression of Human Trafficking conducted a bimonthly meeting with civil society organisations to consult with them on the situation of human trafficking challenges and recommendations for anti- human trafficking efforts. This will contribute to the development of policy and guideline for practice that is relevant to the context.

Lastly, coordination and cooperation among other ASEAN countries should be developed. The Government should put an effort to promote an establishment of a mechanism and a fund for the prevention and suppression of human trafficking in ASEAN; develop cooperation among the ASEAN multi-disciplinary teams, establish an effective victims' identification; legal protection of victims, prevention and suppression, access to social service, rehabilitation and reintegration, as well as prevention of human trafficking at community level in all ASEAN countries.

Non-governmental organisations and civil society should also be supported to provide progress report on prevention and suppression of human trafficking problem to the government and ASEAN community. Last but not least, cooperation with countries of destination such as EU countries, Japan and the Middle East should also be strengthened to raise awareness of the citizen on anti-sex tourism campaign.

Anti- Human Trafficking Network (ATN) in cooperation with civil society working to protect the rights of children and women and the anti-corruption network will continue to closely monitor the

government's law enforcement agencies in the protection of human trafficking victims. We sincerely **hope that Thailand will strengthen its anti- human trafficking efforts at all level. The Anti- Human Trafficking Network will continue to actively involve in the anti - human trafficking efforts.**

The Anti- Human Trafficking Network which includes:

- **Labour Rights Promotion Network Foundation (LPN)**
- **Alliance Anti Traffic (AAT)**
- **The Mirror Foundation**
- **Friends of Women Foundation (FOW)**
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Association for Human Rights and Women Rights in Development (AWARD)

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Human Rights and Development Foundation (HRDF)