MEMORANDUM OF UNDERSTANDING

On

Operational Procedures for Concerned Agencies in Prevention, Suppression, and Solution for Human Trafficking Problem in 9 Lower Central Provinces (Thailand) 2008

(Kanchanaburi, Nakhon Pathom, Prachuap Khiri Khan, Phetchaburi, Ratchaburi, Suphan Buri, Samut Prakan, Samut Sakhon, and Samut Songkhram

Office of Welfare Promotion, Protection and Empowerment of Vulnerable Groups (OPP)

Ministry of Social Development and Human Security
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Ministry of Social Development and Human Security
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Foreword

The human trafficking problem is not new to the Thai society but has continuously developed its process and forms for a period of time especially problems relating to prostitution and labor. In Thailand, there are both Thai and foreign damaged party. The effect has caused a critical and complex social problem and the country urgently needs cooperation among various agencies, domestically and from abroad, to solve the problem.

The Ministry of Social Development and Human Security in cooperation with the provincial working groups from 9 lower central provinces including Kanchanaburi, Nakhon Pathom, Prachuap Khiri Khan, Phetchaburi, Ratchaburi, Suphan Buri, Samut Prakan, Samut Sakhon, and Samut Songkhram prepared the 2008 MOU on Operational Procedures for Concerned Agencies in Prevention, Suppression, and Solution for Human Trafficking Problem in 9 Lower Central Provinces in order to provide guidelines for local agencies to prevent, suppress and solve the problem in correlation with the 2008 Anti-Trafficking in Persons Act which is the first law that allows the prosecution of offenders relating to human trafficking. Concerned officers and agencies in 9 lower central provinces now have effective tools and guidelines to prevent, suppress, and solve the human trafficking problem.

The Ministry would like to thank PLAN Thailand and the International Labor Organization (ILO) for their support in providing fund for this successful operation and I hope that this MOU will be a useful guideline for preventing, suppressing and solving human trafficking problem from the Thai society.

(Mr. Wanlop Phloytabtim)
Permanent Secretary
Ministry of Social Development and Human Security
Acknowledgement

The Office of Welfare Promotion, Protection and Empowerment of Vulnerable Groups (OPP) of the Ministry of Social Development and Human Security in cooperation with the provincial working groups from 9 lower central provinces (Kanchanaburi, Nakhon Pathom, Prachuap Khiri Khan, Phetchaburi, Ratchaburi, Suphan Buri, Samut Prakan, Samut Sakhon, and Samut Songkhram) drafted the 2008 Memorandum of Understanding on Operational Procedures for Concerned Agencies in Prevention, Suppression, and Solution for Human Trafficking in 9 Lower Central Provinces. The drafted MOU by the working groups is the result from 4 meetings and a public hearing before the signing on 7 May 2008 in Phetchaburi Province.

The process of formulation of an agreement on the MOU took considerable time in order to provide the working group and those concerned with sufficient opportunity to learn about one another's work, to have a common understanding and to fully participate in the consideration of the content and the procedures. These signers of the MOU and the principle actors within each province will also participate actively in such activities. Therefore, the process is equally important as its product (the MOU), which is expected to have high quality and with assurance of its practicality.

The OPP, as a coordinator for this MOU, would like to thank Dr. Saisuree Chutikul, the chairperson of the Sub-Committee on Combatting Trafficking in Children and Women, experts and resources persons, especially representatives from various organizations from central and local administration, who earnestly work together without any discouragement. The OPP also would like to thank PLAN Thailand and the International Labor Organization (ILO) who funded this operation along with the Thai Government. We hope that this MOU will be useful as a manual and as guidelines to prevent, protect the victims of human trafficking, and prosecute the offenders in the 9 lower central provinces efficiently and effectively.

(Mr. Kitti Samanthai)
Director-General
Office of Welfare Promotion, Protection and Empowerment of Vulnerable Groups
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1. BACKGROUND AND RATIONALE

1.1 The world community has agreed that the problem of human trafficking, especially in women and children, is a severe form of violation of human rights.

1.2 As one of the Mekong Region countries, Thailand has been seriously affected by the trafficking problem. It has increasingly developed into organized crime corporations that have exploited the country by using it for a place of origin, transit and destination. As the place of origin, trafficked victims are exploited both inside and outside the country. As the place of destination, foreign trafficked victims are exploited, entering the country. As the place of transit, trafficked victims are transferred through the country. However the impact has occurred not only in one country but also in the region and in the international communities around the world. It is necessary for every country to cooperate in solving this problem.

1.3 In domestic scene, the problem is still evident even though numbers of Thai child trafficked victims have decreased from 20 years ago.

1.4 Many countries have acknowledged the problem and have organized meetings at the national, bilateral and regional levels. Each meeting has resulted in a wide range of suggestions and recommendations. In Thailand, there have been many meetings from 1997 up to present. The outcome from these meetings has been used to improve anti-trafficking operations respectively.
The first global conference emphasizing in commercial sexual exploitation was held in Sweden in 1996 and the second conference was held in Japan in 2001. Thailand’s representatives participated in both conferences and implemented the outcomes for further improvement in their anti-trafficking operations. Many regional-level meetings were held afterwards.

1.5 In 1994, a Sub-Committee on Combatting Commercial Sexual Exploitation was established under the National Committee on Women’s Affairs, the Office of the Permanent Secretary of the Office of the Prime Minister. In 1999, it was renamed the Sub-Committee on Combatting Cross-Border Trafficking in Women and Children under the National Youth Bureau and later, in 2003, it was renamed the Sub-Committee on Combatting Trafficking in Children and Women under the Ministry of Social Development and Human Security. Members of the sub-committee consist of representatives from concerned government agencies, non-governmental organizations (NGOs), academics, as well as representatives from concerned international agencies in Thailand who also provide financial assistance in solving the problem.

1.6 In December 1998, police superintendents and their deputies working on women and children trafficking participated in a workshop and agreed that trafficked victims should be assisted and offenders should be prosecuted by the establishment of joint operational procedures among concerned agencies to be followed all in the same manner according to the Penal Code, the 1979 Immigration Act, the 1996 Prevention and Suppression of Prostitution Act, the 1997 Measures in Prevention and Suppression of Trafficking in Women and Children, and other relevant laws. In order to achieve the goals, the MOU on Operational Procedures for Concerned Agencies in Trafficked Women and Children Problem was signed in 1999 by the Permanent Secretary of the Office of the Prime Minister, the Commissioner-General of the Royal Thai Police, the Director-General of the Department of Public Welfare (then), Chairperson of the Thai Coordinating Committee for Migrant Children (Thai - Cord) and representatives from the network for prevention and solution for trafficking in women and children.

1.7 The Reorganization of Ministry, Bureau and Department Act was promulgated in 2002. Nearly four years have passed since the 1999 MOU was first implemented, there were some suggestions from various training sessions by provincial, metropolitan, immigration, and border patrol police, officials from the Department of Public Welfare (then), public prosecutors, judges, physicians, medical personnel from the Ministry of Public Health, representatives from relevant educational offices, representatives from the Ministry of Interior, and representatives from NGOs.
The Sub-Committee on Combatting Trafficking in Children and Women gathered these suggestions along with those from operation personnel of the first MOU and further suggestions from various meetings with concerned agencies during the course of one year to draft the Second MOU before the signing on 24 March 2003.

1.8 Later on, the MOU on Operational Procedures for Concerned Agencies in Trafficking in Women and Children in 9 Northern Provinces (Chiang Mai, Chiang Rai, Mae Hong Son, Phayao, Phrae, Nan, Lampang, Lamphun, and Tak) was signed in Chiang Mai Province on 21 August 2003.

1.9 On 1 July 2003, the Thai Cabinet approved the national policy and plan on prevention, suppression, and solution of domestic and cross-border trafficking in women and children. The National Commission on Promotion and Coordination of Youth Affairs of the Ministry of Social Development and Human Security, chaired by the Deputy Prime Minister, further approved the operation plan.

1.10 The MOU between the government of the Kingdom of Thailand and the Government of the Kingdom of Cambodia on Bilateral Cooperation for Eliminating Trafficking in Children and Women and Assisting Victims of Trafficking was signed on 31 May 2003 in Siem Reap, Kingdom of Cambodia.

1.11 The MOU on Cooperation Against Trafficking in Persons in the Greater Mekong Sub-Region, consisting of the Kingdom of Cambodia, the Lao People’s Democratic Republic, the Union of Myanmar, the Socialist Republic of Vietnam, the People’s Republic of China and the Kingdom of Thailand, was signed on 29 October 2004 in Yangon, the Union of Myanmar.

1.12 The MOU between the government of the Kingdom of Thailand and the Government of the Lao People’s Democratic Republic on Cooperation to Combat Trafficking in Persons, Especially Women and Children was signed on 13 July 2005 in Bangkok, Thailand.

1.13 The Thai Cabinet’s resolution on 14 June 2005 in Phayao Province allowed the establishment of human trafficking operation centers at 3 levels: provincial, national, and at the Thai embassies or consulate offices in foreign countries.

1.14 The MOU on Operational Procedures for Concerned Agencies in Combatting Human Trafficking in 8 Eastern Provinces, consisting of Chanthaburi, Rayong, Trat, Sa Kaeo, Prachin Buri, Chachoengsao, Chon Buri, and Nakhon Nayok, was signed on 29 May 2006 in Chon Buri Province.
1.15 The MOU on Operational Procedures for Concerned Agencies in Combatting Human Trafficking in 19 Northeastern Provinces, consisting of Kalasin, Khon Kaen, Chaiyaphum, Nakhon Phanom, Nakhon Ratchasima, Buri Ram, Maha Sarakham, Mukdahan, Yasothon, Roi Et, Loei, Si Sa Ket, Sakon Nakhon, Surin, Nong Khai, Nong Bua Lam Phu, Udon Thani, Ubon Ratchathani, and Amnat Charoen, was signed on 3 July 2006 in Khon Kaen Province.

1.16 In southern region, there are two MOUs. First, the MOU on Operational Procedures for Concerned Agencies in Human Trafficking in 6 Southwestern Provinces, consisting of Krabi, Trang, Phang - Nga, Phuket, Ranong, and Satun, was signed on 10 January 2007 in Phuket Province. Second, the MOU on Operational Procedures for Concerned Agencies in Prevention, Suppression, and Solution for Human Trafficking Problem in 8 Southeastern Provinces, consisting of Chumphon, Surat Thani, Nakhon Si Thammarat, Phatthalung, Songkhla, Pattani, Narathiwat, and Yala, was signed on 23 March 2007 in Songkhla Province.

1.17 The 2003 MOU on Operational Procedures for Concerned Agencies in Trafficking in Children and Women of 9 Northern Provinces was adapted and updated as part of the 2007 MOU on Operational Procedures for Concerned Agencies in Prevention, Suppression, and Solution for Human Trafficking Problem in 17 Northern Provinces consisting of Kamphaeng Phet, Chiang Rai, Chiang Mai, Tak, Nakhon Sawan, Nan, Phayao, Phichit, Phitsanulok, Phetchaburi, Phrae, Mae Hong Son, Lampang, Lamphun, Sukhothai, Uttaradit, and Uthai Thani which was signed on 8 May 2007 in Chiang Mai Province.

1.18 An Agreement between the Government of the Kingdom of Thailand and the Government of the Socialist Republic of Vietnam on Bilateral Cooperation for Eliminating Trafficking in Persons, Especially Women and Children, and Assisting Victims of Trafficking was signed on 24 March 2008 in Hanoi, the Socialist Republic of Vietnam.

1.19 The Sub-Committee on Combatting Trafficking in Children and Women and the Ministry of Social Development and Human Security, in cooperation with the provincial working group from 9 lower central provinces including Kanchanaburi, Nakhon Pathom, Prachuap Khiri Khan, Phetchaburi, Ratchaburi, Suphan Buri, Samut Prakan, Samut Sakon, and Samut Songkhram prepared the MOU to be an operation guideline for concerned agencies in lower central provinces in prevention, suppression and solution for human trafficking.

2. SITUATIONS (As of March, 2008)

The lower part of central Thailand is the area of diverse geographic, social and economic characteristics. It consists of 9 provinces including Kanchanaburi, Nakhon Pathom, Prachuap Khiri Khan, Phetchaburi, Ratchaburi, Suphan Buri, Samut Prakan, Samut Sakon,
and Samut Songkhram. The area is adjacent to the Union of Myanmar in the west, to the sea in the east, to other provinces in the north and south:

- along the borders, situated Kanchanaburi, Ratchaburi, Prachuap Khiri Khan, and Phetchaburi
- along the coast, situated Phetchaburi, Prachuap Khiri Khan, Samut Prakan, Samut Sakhon, and Samut Songkhram
- in the central lowland, situated Nakhon Pathom and Suphan Buri.

**Economic Situations and Human Trafficking Risk**

The lower central Thailand is an important economic area with a variety of agricultural, industrial, fishery, and service activities which generate a significant part of the country's GDP. Situated in the region are large, medium and small industrial factories and processed food factories producing seafood and agricultural products for export and domestic consumption from agricultural farms, large and medium-size, around the area. The region is also a popular tourist spots. Its population's economic status is relatively high, as well as the educational level, comparing to other parts of the country. This leads to high employment rate, attracting laborers from other regions and abroad.

In industrial areas, intensive labor is a common practice. Various forms of laboring are used in both formal and informal economy. The latter is at risk of illegal laboring through many channels of business transactions for unlawful benefits in, for example, forced labor, prostitution, sexual services, and domestic helpers. Most cases of human trafficking are for laboring, found in industrial and fishery areas.

Many business transactions are at risk of human trafficking, especially those outside the formal system and clandestine works which are also at risk of forced labor and other forms of exploitation for unlawful benefits such as activities in entertainment or tourists' places.

**Human Trafficking Situations**

Each province’s situation varies depending on its geographic condition which allows land, sea, and air transportation to transfer laborers and human beings for unlawful benefits. Some provinces have no evidence of trafficking while some are an origin, a transit or a destination or with many statuses at the same time.

For the origin status, locals are transported or trafficked to other parts of the country or abroad. As a transit, outsiders from other regions or foreigners from neighboring countries are trafficked through the province. As for the destination, most cases were found in service, tourist and entertainment places for prostitution or sexual services. While in
industrial areas, fisheries and construction sites, cases are for laboring. There are other forms of trafficking such as forced begging or domestic helpers (detained). A damaged party in this region consists of both Thais, who were trafficked inside and outside the country, and foreigners from neighboring countries.

For the purpose of operational procedures and measures to prevent and suppress trafficking in the central Thailand, differences in each province’s geographic condition, population, social and economic statuses must be considered.

**Past Measures and Procedures for Trafficking**

- Provincial operational procedures for prevention and suppression of human trafficking
- Anti-trafficking MOUs among governmental agencies
- Potential development trainings for concerned personnel to prevent and suppress trafficking
- Public relations and knowledge dissemination of trafficking
- Provincial survey, data collection and database
- Rescue and protection for damaged party from human trafficking
  (emphasized in rescue and protection for damaged party as victim of women and children trafficking)

The main human trafficking problem in the lower central Thailand stems from massive migration of Thai and foreign laborers from both domestic and abroad, who are at risk of trafficking. Special measures were established in the 2008 Anti-Trafficking in Persons Act for women, children, and men.

**3. OBJECTIVES**

3.1 To establish operational guidelines and mechanisms for concerned agencies in prevention, suppression, and solution, including protection and assistance for a damaged party or a potential damaged party in multi-disciplinary\(^1\) approach on the same foundation and principles in 9 lower central provinces: Kanchanaburi, Nakhon Pathom, Prachuap Khiri Khan, Phetchaburi, Ratchaburi, Suphan Buri, Samut Prakan, Samut Sakhon, and Samut Songkhram.

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\(^1\) Multi-disciplinary approach means a group of personnel with various skills, knowledge, and specializations work together to systematically solve the problem on the basis of the same goals and objectives by accessing the problem, planning and working together with continuous communications and responsibilities from the beginning of the operation to the end.
3.2 To provide concerned operational officers the right attitude, knowledge, understanding, and skills for efficient cooperation among every agency to combat human trafficking problem.

3.3 To facilitate explicit and systematic operations and integration among concerned agencies in the areas including cooperation in every level, domestic and abroad.

3.4 To facilitate operations among concerned agencies to take legal actions against offenders engaged in trafficking or other related offense.

4. PRINCIPLES

The operation of human trafficking prevention, suppression, assistance, protection, and solution

4.1 shall be in compliance with the provisions of this MOU, taking into account the best interest of the damaged party of human trafficking.

4.2 shall be in compliance with the Constitution of the Kingdom of Thailand, the International Covenant on Human Rights, the Convention on the Rights of the Child, the Convention on Elimination of All Forms of Discrimination Against Women, the ILO Convention on Labor No. 29: Forced or Compulsory Labor, the ILO Convention on Labor No. 138: Minimum Working Age, the ILO Convention on Labor No. 182: Worst Forms of Child Labor and any other international instruments or protocols relating to labor and human rights of which Thailand is a member.

4.3 shall be in compliance with the Penal Code, the Criminal Procedure Code, the 1965 Nationality Act, the 1979 Immigration Act, the 1985 Employment and Job-Seeker Protection Act, the 1992 International Cooperation on Criminal Matters Act, the 1996 Prevention and Suppression of Prostitution Act, the 1998 Labor Protection Act, the 1999 Money Laundering Control Act, the 2001 Damages for the Injured Person and Compensation and Expense for the Accused in the Criminal Case Act, the 2003 Witness Protection in Criminal Case Act, the 2003 Child Protection Act, the 2008 Anti-Trafficking in Persons Act, the 2008 Extradition Act, the 2008 Working of Alien Act, and other relevant amendments, laws, rules, or the Thai Cabinet’s resolutions.²

² Besides the abovementioned authority by laws in 4.3 for the benefits of the victim, the Provincial Operation Center on Prevention and Suppression of Human Trafficking (POCHT) shall coordinate to implement the 1997 Unfair Contract Terms Act and the Civil and Commercial Code: Torts.
4.4 shall be in compliance with any relevant domestic, bilateral and multilateral MOUs.

4.5 requires effective and efficient cooperation among all concerned agencies in all levels to operate in multi-disciplinary manner.

5. MEANINGS RELATING TO HUMAN TRAFFICKING

5.1 "Human Trafficking" means exploitation of a person for unlawful benefits by

1) Recruiting, purchasing, selling, distributing, transporting, detaining, confining, accommodating or harboring of a person by means of threat, use of force, abduction, fraud, deception, abuse of power, or giving or receiving of payments or benefits to achieve the consent of his or her parents or caretakers in order for the offenders to exploit him or her, or

2) Recruiting, purchasing, selling, distributing, transporting, detaining, confining, accommodating or harboring of a child.

"Exploitation for unlawful benefits" means illegally taking advantage of a child for oneself or others by prostitution; production, distribution or dissemination of pornography materials; other forms of sexual exploitations; servitude; forced begging; forced labor or services; forced removal of organs for sale or other similar actions without a person’s consent.

"Forced Labor or Services" means coercion for another person to work or give services by putting in fear of injury to life, body, liberty, reputation or property of oneself or to other persons, by means of threat, use of force, or when the person is unable to resist.

5.2 "Damaged Party" means a person who suffers from human trafficking in 5.1.

5.3 "Child" means a person under 18 years old.

6. DAMAGED PARTY FROM HUMAN TRAFFICKING There are 3 target groups:

6.1 A Thai who is a damaged party or a potential damaged party, inside or outside Thailand’s territory;

6.2 A foreigner who legally or illegally enters and resides in Thailand but later becomes a damaged party or a potential damaged party;
MEMORANDUM OF UNDERSTANDING on Operational Procedures for Concerned Agencies in Prevention, Suppression, and Solution for Human Trafficking Problem in 9 Lower Central Provinces 2008

6.3 A non-Thai who resides in Thailand\(^3\) or had been or had resided in the country\(^4\) and is a damaged party or a potential damaged party, inside or outside the country’s territory.

7. OPERATIONS TO PROTECT AND ASSIST A DAMAGED PARTY OR A POTENTIAL DAMAGED PARTY

7.1 Mechanisms to rescue and protect a damaged party or a potential damaged party.

7.1.1 Establishment of the Provincial Operation Center on Prevention and Suppression of Human Trafficking (POCHT).

According to the Thai Cabinet’s approval on 14 June 2005, each province shall establish a Provincial Operation Center on Prevention and Suppression of Human Trafficking (POCHT), chaired by the Provincial Governor or the assigned Deputy Provincial Governor. The POCHT Operation Committee shall be composed of the Commander of Provincial Police Division, Director of Provincial Public Health Office, Provincial Chief Public Prosecutor, the Deputy Governor, Chief of Provincial Labor Office, Chief of Provincial Employment Office, Chief of Provincial Labor Protection and Welfare Office, Chief of Community Development Provincial Office, Chief of Provincial Agricultural Extension Office, the Director of Provincial Center for Skill Development, the Director of Educational Service Area, Chief of Provincial Public Relations Office, Chief of Provincial Fisheries, Chief of Marine Office, Chief of Provincial Social Security Office, the District-Chief Officer, representative(s) of Provincial Office for Local Administration, Commander of Marine Police Division (if any), Border Patrol Police (if any), Immigration Officer (if any), the Director of Juvenile Observation

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\(^3\) “Non-Thai” according to this article means a person without Thai nationality or other nationalities by the Thai Cabinet’s resolution approval dated 14 June 2005, including any person belonging to 15 categories whose identification documents and biography registered by the Ministry of Interior in the appendix about minority groups of Thailand of the Letter of the Bureau of Registration Administration No. 0310.1/8, dated 31 March 1995. The following are considered non-Thais who have their domicile in Thailand but do not have Thai nationality: 1. Hill Tribes (blue cards) 2. Former Nationalist Chinese Soldiers (white cards) 3. Civil Chinese Haw Displaced Persons (yellow cards) 4. Independent Chinese Haw (orange cards) 5. Burmese Displaced Persons (pink cards) 6. Illegal Burmese Immigrants (orange cards with permanent residence) 7. Illegal Burmese Immigrants (purple cards/living with employers) 8. Vietnamese Refugees (white cards with blue border) 9. Laotian Refugees (blue cards) 10. Nepali Refugees (green cards) 11. Former Member of Communist Party of Malaya (green cards/former member of Communist Party) 12. Tai Lue (orange card) 13. Mlabri (same as hill tribes/blue) 14. Ethnic Thais from Koh Kong, Kingdom of Cambodia (green cards) 15. persons who are registered from hill tribes survey (green cards with red border).

\(^4\) By official documents or investigation.
and Protection Center (if any), the Superintendent of Provincial Welfare Shelter (if any), representative(s) from NGO(s), representative(s) from provincial business sectors, other concerned agencies and individuals, and Chief of Provincial Social Development and Human Security, serving as a committee and secretarial office.

7.1.2 The Provincial Operation Center on Prevention and Suppression of Human Trafficking (POCHT) shall have the following duties:

   a) Coordinating the concerned GOs, NGOs, and civil society network, to be a network of monitoring, finding news, establishing shifts to receive reports, rescuing and providing legal, social protection, recovery and repatriation of the damaged party to his or her domicile and community.

   b) Providing temporary safe shelters for a damaged party or a potential damaged party.

   c) Coordinating legal actions taken against offenders engaged in trafficking process.

   d) Coordinating with GOs and NGOs to enhance the capacity of their personnel in raising right attitude, knowledge and efficiency on trafficking issues, equipping them with technical skills to perform efficiently in all aspects such as rescuing and protection of victims, suppressing, taking legal actions and solving the problems of human trafficking.

   e) Collecting and storing data, managing IT system and trafficking indicators to establish strategies for prevention, suppression, protection, to monitor and assess programs for the purpose of data exchange among provinces and at national and international levels, including individual’s report relating to rescue, protection, recovery, social reintegration, repatriation, and legal actions taken against offenders.

   f) Establishing provincial strategies and coordinating the operations to protect, suppress, and solve the problems of human trafficking in provincial level, in accordance with national plans and strategies with participation from every part.

   g) Promoting research and dissemination of knowledge to concerned agencies, people who are interested, and the general public.

   h) Disseminating information in prevention and suppression of human trafficking and acknowledging local people to understand the status and duties of the POCHT.
i) Coordinating the provision of funding to support operations on prevention, suppression, and protection of human trafficking.

j) Monitoring and evaluating the operation of the POCHT including the operation of the Multi-disciplinary Operation Unit and submitting a formal annual report to the National Operation Center on Prevention and Suppression of Human Trafficking (NOCHT) and to the Office of the Permanent Secretary, the Ministry of Social Development and Human Security.

k) Appointing, if possible, sub-committees, the District Operation Center on Prevention and Suppression of Human Trafficking (DOCHT), or working groups at different levels.

l) Performing other duties as assigned by the NOCHT.

7.1.3 The Provincial Social Development and Human Security Office shall serve as a secretarial office for the POCHT and a coordinating center.

7.1.4 POCHT shall organize a "Multi-disciplinary Operation Unit," if possible, composed of public prosecutors, police, administrative officer(s), physician(s), social worker(s), psychologist(s), lawyer(s), official(s) of the Provincial Employment Office, official(s) of the Provincial Labor Protection and Welfare Office, interpreter(s) from GOs and/or NGOs and other concerned personnel to rescue a damaged party or a potential damaged party in accordance with relating MOUs especially this MOU.

Any province found it appropriate to organize the Multi-disciplinary Operation Unit to rescue a damaged party in the district level may do so.

In the damaged party rescue operation, if there is person who is not assigned in the Operation Unit but is requested to participate in the operation, the leader of the Operation Unit shall record the person's name as evidence before the rescue. The person is a part of the Operation Unit according to the Article 27 of the 2008 Anti-Trafficking in Persons Act.

7.1.5 The Operation Unit shall have the following duties:

a) Using proactive approach cautiously and confidentially in finding news and identifying risk situation for persons that need immediate rescue for it to be a success and creating no negative effect to the damaged party, the witnesses or the person who notifies the incident.
b) Urgently receiving, investigating, gathering facts, data and evidence and providing further information for the police or other authorized officers or persons. If there is a reasonable ground to believe that there is a damaged party or a potential damaged party, the rescue must be carried out immediately.

c) Seeking advice, planning and preparing before the rescue as a multi-disciplinary team, headed by a police, an officer of local administration office, an authorized officer or a person assigned by the POCHT to immediately rescue the damaged party or the potential damaged party.

d) In an urgent case and there is a reasonable ground to believe a damaged party or a potential damaged party may be transferred to another location or the person’s safety may be jeopardized, the Operation Unit or government officials in that area shall immediately rescue the damaged party and inform the POCHT as soon as possible.

e) Interrogating for any facts to screen the damage party and collecting data systematically and networking with related agencies.

f) Coordinating the delivery of the damaged party into the protection, assistance, recovery and social reintegration system.

g) Submitting a summary report to the POCHT.

7.2 Rescue operations for a damaged party or a potential damaged party.

7.2.1 To rescue a damaged party or a potential damaged party from an entertainment place, a place where sexual services are provided, a business venue, a residential venue or any other places, there shall be an investigation for facts in the case where: the damaged party’s information is reported, information is obtained through surveillance process, the damaged party has requested for a rescue, or the damaged party coming with other persons to request for a rescue. If there is a reasonable ground to believe that there is a damaged party or a potential damaged party, the province’s Operation Unit shall immediately investigate and rescue the person and the police or other authorized officers or persons shall collect as much evidence as possible for further investigation and prosecution of the offenders.

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5 For example, officer(s)/person(s) according to the 1996 Prevention and Suppression of Prostitution Act, the 1998 Labor Protection Act, or the 2003 Child Protection Act.

6 Interrogating for any facts means an interrogation of a girl or a woman for the facts that she is a damaged party or an instrument/object of illegal actions according to laws specified by any concerned officers.
7.2.2 After the rescue of the damaged party or the potential damaged party according to 7.2.1, it is the province’s Operation Unit’s duties to primarily screen the damaged party, record any observations or opinions, and to coordinate with investigating officers for further operations.

7.2.3 Investigating officers have the duty to identify if the person is a damaged party or not according to facts collected, considering from evidences, opinions and reasons especially from social worker(s) and psychologist(s) either from GOs or NGOs whom the person is under care of.  

In case of conflict of opinions, or if necessary, the head of investigating officers of the police station shall prepare the memorandum of opinions to be reported to the POCHT immediately and forward the document with the POCHT’s opinions to the Commander of Provincial Police Division for consideration. During this process, the person shall be provided the proper protection according to the Article 29 of the 2008 Anti-Trafficking in Persons Act.

7.2.4 After screening the damaged party, authorized officer(s)/person(s) shall provide a person who is not a damaged party a protection according to related laws under human rights principles.

7.2.5 In protecting a damaged party, a potential damaged party, or a person who possibly is a witness residing in a welfare shelter of the Department of Social Development and Welfare or a governmental or NGO’s shelter when there is a reasonable ground to believe that he or she may not be safe, the chief of that shelter or the secretary of the POCHT shall request protection from police as necessary and/or according to the 2003 Witness Protection in Criminal Case Act.

7.2.6 For the protection of a damaged party or a potential damaged party, there shall be confidentiality and restrictions on the following actions:

   a) Photographing, disseminating or printing of photographs, recording or disseminating the voice or other forms of identification, in part or in full of any step of the process, of the damaged party or the potential damaged party of human trafficking.

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7 Refer to the summary of questions from the Appendix of the MOU meeting for the 1999 Operational Procedures for Concerned Agencies in Trafficking in Women and Children
b) Advertising or disseminating, by any media, documents relating to the officers' investigation or court’s contents which reveals name(s) or surname(s) of the damaged party of human trafficking or his or her family members.

c) Advertising or disseminating audio or visual documents, by any media, revealing biography, place of residence, workplace or educational institution or any other information of the damaged party of human trafficking.

There are exceptions if the action is deemed necessary for official purposes or for the best interest in protection and rescue of the damaged party or the potential damaged party, or by his or her consent.

7.2.7 In case human trafficking involves more than one province and it is necessary to coordinate the operations among different provinces, the POCHT shall coordinate with the Children, Juveniles and Women Protection Center of the Provincial Police of the region or, the Children, Juveniles and Women Protection Center of the Royal Thai Police, located at the Children, Juveniles and Women Division, or any other concerned agencies, depending on each case.

7.3 Operation for a damaged party of human trafficking who is also an offender. Operations on prevention, rescue and protection of a person in risk group or a damaged party or a potential damaged party, including assistance during legal actions by any organizations, agencies, or NGOs inside or outside Thailand, including international organizations, or international NGOs shall be in accordance with this MOU by coordinating with the POCHT.

7.4 The damaged party of human trafficking shall be assisted and prevented for his or her security according to section 4 of the 2008 Anti-Trafficking in Persons Act. The investigating officers shall not prosecute the damaged party as guilty for illegally entering, departing, or residing in the Kingdom according to immigration laws; giving false statement to the investigators; making or using counterfeit passport according to the Penal Code; communicating, persuading, introducing, pursuing or soliciting for prostitution or gathering for unlawful purposes according to laws on prevention and suppression of prostitution; illegally working as a foreigner according to working of aliens laws except permitted by documents issued by the Minister of Justice, all according to the Article 41 of the 2008 Anti-Trafficking in Persons Act.
8. OPERATIONAL PROCEDURES FOR A THAI DAMAGED PARTY OR A THAI POTENTIAL DAMAGED PARTY, INSIDE OR OUTSIDE THAILAND

8.1 In the case where there is a damaged party or a potential damaged party according to 7.2.1, investigating officers shall immediately interrogate the person for facts and gather the evidence.

During the preliminary interrogation, the investigating officers in the first paragraph shall notify the Provincial Social Development and Human Security Office or NGOs to provide or coordinate to provide social worker(s), psychologist(s), psychiatrist(s), translator(s) from GO or NGO, or officer(s) experienced in working with children and women, depending on the case, to participate in the aforementioned interrogation.

During the interrogation, the investigating officers may notify the Provincial Social Development and Human Security Office or NGOs to provide or coordinate to provide social worker(s), psychologist(s), psychiatrist(s), translator(s) from GO or NGO, or officer(s) experienced in working with children and women, depending on the case, to participate in the aforementioned interrogation and record the event, visual and audio, as evidence according to 7.2.6.

For the preliminary interrogation or the interrogation of a damaged party or a potential damaged party who is a child, the investigating officers shall proceed according to paragraph 2 and 3, and principles of child protection in criminal case of Criminal Procedure Code also shall be applied, taking into account the best interest of the child.

In a case where it is necessary for the prevention and suppression of human trafficking or the damaged party or the witness requests the testimony, the investigating officers, in coordination with the public prosecutors, or the prosecutors can apply to the court for an early deposition according to Article 31 of the 2008 Anti-Trafficking in Persons Act.

8.2 The Operation Unit or concerned officers shall interrogate the damaged party or potential damaged party for additional detailed information to evaluate the person’s physical, psychological and social conditions for screening, systematically collect and store data, and coordinate in forwarding the information so received to the investigating officers to prosecute the offenders.

8 The Amendment of the 26th Criminal Procedure Code of 2007.
In the interrogation according to paragraph 1, the damaged party or potential damaged party is able to ask the concerned officers to contact the concerned persons or agencies to participate or send representative(s) to participate in the interrogation.

8.3 The investigating officers shall prosecute offenders according to the 2008 Anti-Trafficking in Persons Act, including other laws, for example, the 1996 Prevention and Suppression of Prostitution Act, the 1999 Money Laundering Control Act, the Penal Code, laws on children and youth welfare, and labor laws.

For the criteria of the age of the children according to paragraph 1, the time of the first incident is to be used. In the case where the incident takes place when the child is under 18 years old, but it is discovered when he or she is over 18, the offenders are to be prosecuted for their crime against a child whose age is under 18 years old.

In the case where labor laws are applicable, the Provincial Labor Protection and Welfare, the Provincial Employment officers, and/or the Provincial Social Security officers shall cooperate with the POCHT.

8.4 The operation according to the Article 29 of the 2008 Anti-Trafficking in Persons Act the authorized officers shall transfer the potential damaged party to an appropriate place which is not a prison or a detention center by the ministerial regulations/orders for interrogation of facts regarding human trafficking and to protect the person but not over the period of 24 hours. The officers shall urgently report to the Commissioner-General of the Royal Thai Police, the Director-General of the Department of Special Investigation, the Director-General of the Department of Social Development and Welfare, or the Provincial Governor, depending on the case.

In case there is a reason to protect the potential damaged party or the initial interrogation can not be completed within 24 hours, the officers shall request the court to identify the place for shelter according to the ministerial regulations/orders and shall operate accordingly to the court’s decision.

If the potential damaged party shall be extended the period of stay beyond the indicated time by laws, he or she shall be provided with appropriate care.

If the damaged party is a child, the 2003 Child Protection Act shall be applied. If the child’s parents or caretakers are also a damaged party, the shelter and rescue shall be provided according to the previous paragraph with strict consideration of human rights principles.
8.5 After the interrogation of the damaged party or potential damaged party, the Provincial Social Development and Human Security officials shall coordinate with the institutions for him or her to voluntarily enroll in the occupational training sessions or any educational programs and report to the POCHT.

8.6 While the damaged party is under the custody of the offices of the Department of Social Development and Welfare or other GO or NGO shelters, the Article 33 of the 2008 Anti-Trafficking in Persons Act shall be applied, by considering to provide appropriate food, shelter, medical assistance, physical and psychological recovery, education and occupational training, assistance for legal processes, repatriation, legal actions for amercement, notification of his or her rights of protection during each process, while the damaged party's opinions must also be considered.

8.7 To identify the status of the damaged party or potential damaged party, the officials of the Ministry of Social Development and Human Security shall examine the population registration, registration of the person’s identification card, or examine from concerned agencies or persons in case the person has no identification (ID) card, the photo on the ID is not identical with the user, or there is a reasonable ground to believe that the ID is not his or hers or, it is fake or there is a modification of the ID, or it is an official temporary ID, or there is no evidence to identify the person’s status. The officials then shall inform the investigating officers of the examination results.

8.8 In case the damaged party or potential damaged party asserts that he or she is 18 years old or over without any proof of ID card or any other forms of identification, and there is a reasonable doubt that he or she is under 18, the investigating officers or the officials of the Ministry of Social Development and Human Security shall coordinate to arrange a medical examination, by dental or other physical examinations, to identify and confirm the person’s age. In case the officials of the Department of Social Development and Welfare arrange the examination, the investigating officers shall be informed immediately of the results.

For the benefit of the child damaged party or potential damaged party, in case the result of the examination is not completed or is still unclear, it shall be presumed that such person is under 18 years old. The investigating officers shall interrogate the person in accordance with the child investigation section of the Criminal Procedure Code.
8.9 In case of the damaged party or the potential damaged party is outside his or her domicile,

a) notified officers shall report the POCHT of the notified province for primary investigation and coordinate to the POCHT of the province of the incident to urgently rescue and protect the damaged party or potential damaged party.

b) the POCHT of the province of the incident shall coordinate with the POCHT of the damaged party’s domicile for more investigation, assessment of his or her family, further appropriate assistance and protection.

After the rescue of the damaged party or potential damaged party, the POCHT of the incident shall report to the initially-notified POCHT and report the results of the operation and prosecution to the National Operation Center on Prevention and Suppression of Human Trafficking (NOCHT).

8.10 In case there is a damaged party or potential damaged party outside the country, when the POCHT is notified about the incident, the Operation Unit shall primarily investigate and access the situation and report to the POCHT and NOCHT and coordinate with concerned agencies or persons inside and outside the country in rescue operation, protection for damaged party or potential damaged party, and suppression of trafficking operation immediately. During the operation, the POCHT shall provide appropriate assistance and protection for the person’s family and person(s) who report the incident.

8.11 In the repatriation process of the damaged party back to his or her domicile or to where he or she has requested to be transferred to, the POCHT of the province of the incident shall coordinate with the POCHT of the person’s domicile or of where he or she has requested, to investigate and gather additional information, visit his or her residence, assess the readiness of his or her family and community and report to the POCHT of the incident to prepare the damaged party for the safe repatriation back to his or her domicile or take other appropriate measures.

When the damaged party arrives at his or her domicile or where he or she has requested, the POCHT shall equip him or her with the ability to live in the society and prevent him or her from returning to trafficking, and shall monitor and report results to the POCHT of the incident.

In case the damaged party is not capable to request to return to his or her domicile, the POCHT shall access the situation and provide an appropriate place, taking into account the benefit of the person.
MEMORANDUM OF UNDERSTANDING on Operational Procedures for Concerned Agencies in Prevention, Suppression, and Solution for Human Trafficking Problem in 9 Lower Central Provinces 2008

The POCHT of any province, if requested, shall urgently collect additional evidences and information useful for prosecuting the offenders.

8.12 In the repatriation process from another country of the damaged party or potential damaged party who has a domicile within Thailand’s 9 lower central provinces, when the Thai embassy or the consulate has rescued and returned the person to the country, the Ministry of Foreign Affairs shall coordinate with the Immigration Bureau, the Office of the Royal Thai Police, the Ministry of Social Development and Human Security, and other concerned agencies to inform about the process and the person’s information. The Ministry of Social Development and Human Security shall provide social worker(s) in cooperation with police officers to receive the person from the airport or border checkpoint and to preliminarily interrogate for facts, assess the problems, security, risks and needs to prepare for further assistance.

After the Ministry of Social Development and Human Security has returned the damaged party or potential damaged party, together with information so received from preliminary assessment, to the POCHT, it shall assist, protect, and provide social reintegration by his or her consent. Such information shall be used to establish prevention and suppression measures.

In case the POCHT is contacted directly from the Thai embassy or the consulate in returning the damaged party or potential damaged party back to Thailand, the POCHT shall provide social worker(s) in cooperation with police officers to receive the person from the airport or border checkpoint and to preliminarily interrogate for facts, assess the problems, security, risks and needs to prepare for further assistance.

The POCHT of any province, as requested, shall urgently collect additional evidence and information useful for prosecuting the offenders.

9. OPERATIONAL PROCEDURES FOR A FOREIGNER WHO LEGALLY ENTERS THAILAND AND LATER BECOMES A DAMAGED PARTY OR A POTENTIAL DAMAGED PARTY AND FOR A FOREIGNER WHO ILLEGALLY ENTERS THAILAND AND LATER BECOMES A DAMAGED PARTY OR A POTENTIAL DAMAGED PARTY

9.1 In the case where the foreigner is a damaged party or a potential damaged party as in 7.2.1, investigating officers shall immediately interrogate the person for facts and gather the person’s information.
In the preliminary interrogation, the operating officers in the first paragraph shall notify the Provincial Social Development and Human Security Office or NGOs to provide or coordinate to provide social worker(s), psychologist(s), psychiatrist(s), interpreter(s) from GOs/NGOs, or officer(s) experienced in working with children and women, depending on the case, to participate in the aforementioned interrogation.

During the interrogation for investigation, the investigating officers shall provide or coordinate with the Provincial Social Development and Human Security Office or NGOs to provide social worker(s), psychologist(s), psychiatrist(s), interpreter(s) from GOs/NGOs, or officer(s) experienced in working with children and women, depending on the case, to participate in the aforementioned interrogation and record the event, visual and audio, as evidence according to 7.2.6.

In preliminary interrogation and investigation a foreign child who is a damaged party or potential damaged party, paragraph 2 and 3 shall be applied. Principles of child protection in criminal case of Criminal Procedure Code also shall be applied, taking into account the best interest of the child.

In a case where it is necessary for the prevention and suppression of human trafficking or the damaged party or the witness requests the testimony, the investigating officers, in coordination with the public prosecutors, or the prosecutors can apply to the court for an early deposition according to Article 31 of the 2008 Anti-Trafficking in Persons Act.

The preliminary interrogation and investigation of the damaged party shall be completed as soon as possible. If the person illegally enters the country or the right to reside in the country expires, he or she shall be safely returned to his or her country or domicile immediately except for the purpose of the prosecution of the offenders, medical assistance, recovery, or other demands according to his or her rights. The officers shall extend a limit of temporary stay. During this period, the person shall be under custody of offices of the Department of Social Development and Welfare or other GO or NGO’s shelter.

9.2 The Operation Unit shall interrogate the foreign damaged party or potential damaged party for additional information to assess his or her physical, mental and social conditions. Officers shall then screen the damaged party, systematically collect and store all information, and coordinate to forward the information so received to the investigating officers for prosecution of offenders.
In the interrogation according to paragraph 1, the person is able to ask the officers to contact the concerned persons or agencies to participate or send representative(s) to participate in the interrogation.

9.3 The investigating officers shall prosecute offenders according to the 2008 Anti-Trafficking in Persons Act, including other laws, for example, the 1996 Prevention and Suppression of Prostitution Act, the 1999 Money Laundering Control Act, the Penal Code, laws on children and youth welfare, and labor laws.

For the criteria of the age of the children according to paragraph 1, the time of the first incident is to be used. In the case where the incident takes place when the child is under 18 years old, but it is discovered when he or she is over 18, the offenders are to be prosecuted for their crime against a child whose age is under 18 years old.

In the case where labor laws are applicable, the Provincial Labor Protection and Welfare and/or the Provincial Employment officers shall cooperate with the POCHT during the operation.

9.4 The operation according to the Article 29 of the 2008 Anti-Trafficking in Persons Act, the authorized officers shall transfer the foreign potential damaged party to an appropriate place which is not a prison or a detention center by the ministerial regulations/orders for interrogation of facts regarding human trafficking and to protect the person but not over the period of 24 hours. The officers shall urgently report to the Commissioner-General of the Royal Thai Police, the Director-General of the Department of Special Investigation, the Director-General of the Department of Social Development and Welfare, or the Provincial Governor, depending on the case.

In case there is a reason to protect the foreign potential damaged party or the initial interrogation cannot be completed within 24 hours, the officers shall request the court to identify the place for shelter according to the ministerial regulations/orders and shall operate accordingly to the court’s decision.

If the foreign potential damaged party shall be extended the period of stay beyond the indicated time by laws, he or she shall be provided with appropriate care.

If the foreign damaged party is a child, the 2003 Child Protection Act shall be applied. If the child’s parents or caretakers are also a damaged party, the shelter and rescue shall be provided according to the previous paragraph with strict consideration of human rights principles.
9.5 While the foreign damaged party is under the custody of the offices of the Department of Social Development and Welfare or other GO or NGO shelters, the Article 33 of the 2008 Anti-Trafficking in persons Act shall be applied, by considering to provide appropriate food, shelter, medical assistance, physical and psychological recovery, education and occupational training, assistance for legal processes, repatriation, legal actions for amercement, notification of his or her rights of protection during each process, while the damaged party’s opinions must also be considered.

9.6 In the case where the person has no identification document or there is a reasonable doubt concerning the authenticity of the document, the POCHT shall coordinate with the embassy or consulate of the country the person has asserted that he or she belongs to and report the results to the investigating officers.

9.7 In the case where the foreign damaged party asserts that he or she is 18 years old or over without any proof of ID card; or there is a reasonable doubt that his or her ID card is fake, modified, or not the one issued to him or her; or there is a reasonable doubt that he or she is not over 18 years old, the Ministry of Social Development and Human Security officials or the investigating officers shall coordinate to arrange a dental or physical examination to identify and confirm the person’s age. In the case the officials of the Ministry of Social Development and Human Security arrange the examination, the investigating officers shall be informed immediately of the results.

For the benefit of the child damaged party or potential damaged party, in case the result of the examination is not completed or is still unclear, it shall be presumed that such person is not over 18 years old. The investigating officers shall interrogate the person in accordance with the child investigation section of the Criminal Procedure Code.

9.8 In the case where the damaged party has no ID card, or there is a reasonable doubt concerning the authenticity of the ID card, or the nationality is in question, the POCHT shall coordinate with the Department of Social Development and Welfare to examine with the embassy or the consulate of the country which the damaged party claims that he or she belongs to. The result of the examination is to be reported to the investigating officers. If the government of the country of his or her domicile does not accept the person, the POCHT shall further investigate, gather information, and interrogate the person and record all details for further verification of his or her nationality.
9.9 For further investigation and prosecution of traffickers and human trafficking movement in the country of origin and in Thailand, the investigating officers shall propose to the POCHT to forward information of the foreign damaged party, details, witnesses or evidences leading to the offenders to the Ministry of Social Development and Human Security to further coordinate with the country of origin to prosecute the offenders.

According to paragraph 1 in the area where it is urgently needed to extend the operation to foreign countries, the investigating officers, in coordination with the POCHT, shall coordinate with concerned GOs\(^9\) and NGOs\(^10\) in combatting human trafficking.

9.10 The POCHT shall coordinate to extend the limit of temporary stay for the foreign damaged party according to the Article 37 of the 2008 Anti-Trafficking in Persons Act or other related laws, in case the permission of stay of the person who legally enters the country expires, or the person who illegally enters the country and becomes the damaged party has to extend his or her period of stay for the purpose of the prosecution of the offenders, medical assistance, recovery, or other demands according to his or her rights.

When the foreigner obtains the right to extend the period of stay and intends to work during this period, the POCHT shall coordinate with the Provincial Labor Office to give information on vacant positions and employer’s details, including coordinating for the person to obtain a working permit according to the 2008 Working of Alien Act.

The POCHT shall terminate the right to extend the period of stay when it is no longer necessary for the person to stay for the prosecution of offenders, damaged party’s medical assistance, recovery, or any other requests. The POCHT shall immediately repatriate the person back to his or her country of domicile taking into account the safety and welfare of the person. For any expenses occur from the assistance and repatriation, the POCHT shall apply for funding provided according to the 2008 Anti-Trafficking in Persons Act and the 2008 Working of Alien Act.

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\(^9\) For example, the Immigration Bureau, border checkpoints, the Royal Thai Navy, the Thai Marine Police, the Thai-Myanmar Border Affairs Division, the 13th and 14th Offices of Border Patrol Police, the First Army, the Attorney General Office, the Ministry of Foreign Affairs, the Ministry of Labor.

\(^10\) Labour Rights Promotion Network (LPN), World Vision (Thailand), Mirror Foundation.
For a foreigner who legally resides in the country, after the rescue, the officers shall not repatriate the person from the country since the right to stay and the person’s working permit is not yet expired or the person intends not to return to his or her country of domicile. The POCHT shall coordinate in providing assistance, as requested, in changing the employer and shall coordinate for the person to obtain a working permit for the new employer according to rules and operational guidelines of the 2008 Working of Alien Act. The officers are not obligated in searching for new employer for the person, thus depending on the employer’s need.

9.11 The Ministry of Social Development and Human Security shall coordinate with the Immigration Bureau or border checkpoints, the Thai-Myanmar Border Affairs Division, the Thai-Cambodia Border Affairs Division, the Thai-Laos Border Affairs Division, the Ministry of Foreign Affairs, and NGOs and international agencies to safely return the foreign damaged party to his or her country of origin/domicile and shall also coordinate with concerned government agencies, NGOs of the country of his or her domicile (if any, or as approved by the country of his or her domicile) for efficient and successful repatriation, harboring and social reintegration, and also for exchange of information among countries to further assist the damaged party and prosecute the offenders.

The child damaged party who travels with a person of the same blood lineage or the damaged party who travels with a child of the same blood lineage, all should be returned to their domicile together.

From the aforementioned information, the POCHT shall apply the MOU on Cooperation Against Trafficking in Persons in the Greater Mekong Sub-Region; the MOU between the government of the Kingdom of Thailand and the Government of the Kingdom of Cambodia on Bilateral Cooperation for Eliminating Trafficking in Children and Women and Assisting Victims of Trafficking; the guidelines on repatriation and reintegration of trafficking victims For Cambodia and Thailand; the guidelines for Cooperation between Cambodia and Thailand on the Criminal Justice Process of Trafficking-Related Crimes; the MOU between the government of the Kingdom of Thailand and the Government of the Lao People’s Democratic Republic on Cooperation to Combat Trafficking in Persons, Especially Women and Children; and the Thai-Laos guidelines on harboring, delivering and recovery of human trafficked victim, especially women and children; and the MOU between the government of the Kingdom of Thailand and the Government of the Socialist Republic of Vietnam on Bilateral Cooperation for Eliminating Trafficking in Persons, Especially Women and Children and Assisting Victims of Trafficking.
10. OPERATIONAL PROCEDURES FOR A NON-THAI WHO RESIDES OR HAS HAD HIS OR HER DOMICILE OR RESIDENTIAL STATUS IN THAILAND AND LATER BECOMES A DAMAGED PARTY OR A POTENTIAL DAMAGED PARTY BOTH INSIDE AND OUTSIDE THAILAND

10.1 In the case where the foreigner is a damaged party or a potential damaged party as in 7.2.1, investigating officers shall immediately interrogate the person for facts and gather the person’s information.

In the preliminary interrogation, the operating officers in the first paragraph shall notify the Provincial Social Development and Human Security Office or NGOs to provide or coordinate to provide social worker(s), psychologist(s), psychiatrist(s), interpreter(s) from GOs/NGOs, or officer(s) experienced in working with children and women, depending on the case, to participate in the aforementioned interrogation. The police officers, the Ministry of Social Development and Welfare officials, and officers from NGOs shall coordinate to deliver the damaged party or potential damaged party to the assigned area.

During the interrogation for investigation, the investigating officers shall coordinate with the Provincial Social Development and Human Security Office or NGOs to provide or coordinate to provide social worker(s), psychologist(s), psychiatrist(s), interpreter(s) from GOs/NGOs, or officer(s) experienced in working with children and women, depending on the case, to participate in the aforementioned interrogation and record the event, visual and audio, as evidence according to 7.2.6.

In preliminary interrogation and investigation a non-Thai child who is a damaged party or potential damaged party who has resided or has had his or her domicile or residential status in the country, paragraph 2 and 3 shall be applied. Principles of child protection in criminal case of Criminal Procedure Code shall also be applied, taking into account the best interest of the child.

In a case where it is necessary for the prevention and suppression of human trafficking or the damaged party or the witness requests the testimony, the investigating officers, in coordination with the public prosecutors, or the prosecutors can apply to the court for an early deposition according to Article 31 of the 2008 Anti-Trafficking in Persons Act.

The preliminary interrogation and investigation of the damaged party shall be completed as soon as possible. He or she shall be safely returned to his or her country or domicile immediately. In case he or she is unable to do so for his or her own benefit or for the purpose of the prosecution of the offenders, the person shall be under custody of offices of the Department of Social Development and Welfare or other GO or NGO’s shelter.
10.2 The Operation Unit or concerned officers shall interrogate the damaged party or potential damaged party for additional detailed information to assess his or her physical, psychological and social conditions to screen the damaged party, systematically collect and store all information, and coordinate to forward the information so received to the investigating officers for prosecution of the offenders.

In the interrogation according to paragraph 1, the damaged party or potential damaged party is able to ask the officers to contact the concerned persons or agencies to participate or send representative(s) to participate in the interrogation.

10.3 The investigating officers shall prosecute offenders according to the 2008 Anti-Trafficking in Persons Act, including other laws, for example, the 1996 Prevention and Suppression of Prostitution Act, the 1999 Money Laundering Control Act, the Penal Code, laws on children and youth welfare, and labor laws.

For the criteria of the age of the children according to paragraph 1, the time of the first incident is to be used. In the case where the incident takes place when the child is under 18 years old, but it is discovered when he or she is over 18, the offenders are to be prosecuted for their crime against a child whose age is under 18 years old.

In the case where labor laws are applicable, the Provincial Labor Protection and Welfare and/or the Provincial Employment officers shall cooperate with the POCHT during the operation.

10.4 The operation according to the Article 29 of the 2008 Anti-Trafficking in Persons Act, the authorized officers shall transfer the potential damaged party to an appropriate place which is not a prison or a detention center by the ministerial regulations/orders for interrogation of facts regarding human trafficking and to protect the person but not over the period of 24 hours. The officers shall urgently report to the Commissioner-General of the Royal Thai Police, the Director-General of the Department of Special Investigation, the Director-General of the Department of Social Development and Welfare, or the Provincial Governor, depending on the case.

In case there is a reason to protect the potential damaged party or the initial interrogation cannot be completed within 24 hours, the officers shall request the court to identify the place for shelter according to the ministerial regulations/orders and shall operate accordingly to the court’s decision.

If the potential damaged party shall be extended the period of stay beyond the indicated time by laws, he or she shall be provided with appropriate care.
If the damaged party is a child, the 2003 Child Protection Act shall be applied. If the child’s parents or caretakers are also a damaged party, the shelter and rescue shall be provided according to the previous paragraph with strict consideration of human rights principles.

10.5 While the damaged party is under the custody of the offices of the Department of Social Development and Welfare or other GO or NGO shelters, the Article 33 of the 2008 Anti-Trafficking in Persons Act shall be applied, by considering to provide appropriate food, shelter, medical assistance, physical and psychological recovery, education and occupational training, assistance for legal processes, repatriation, legal actions for amercement, notification of his or her rights of protection during each process, while the damaged party’s opinions must also be considered.

10.6 In the case where the damaged party has no ID card or there is a reasonable doubt concerning the authenticity of the ID card, the POCHT shall examine the registration evidence or registration of the person’s ID card with the Ministry of Interior and shall immediately report the results to the investigating officers.

For a person who had resided or has had a domicile in the country and becomes a damaged party inside or outside the country, the officials of the Ministry of Social Development and Human Security shall investigate the evidence and witnesses about the person’s domicile as he or she has testified and request the verification from concerned GOs or local agencies and report the results to the investigating officers or the Ministry of Interior and the Ministry of Foreign Affairs to further operate under the resolution of the Thai Cabinet dated 14 June 2003, depending on the case.

10.7 In the case where the damaged party or potential damaged party asserts that he or she is 18 years old or over without any proof of ID card; or there is a reasonable doubt that his or her ID card is fake, modified, or not the one issued to him or her; or there is a reasonable doubt that he or she is under 18 years old, the Ministry of Social Development and Human Security officials or the investigating officers shall coordinate to arrange a dental or physical examination to identify and confirm the person's age. In the case the officials of the Ministry of Social Development and Human Security arrange the examination, the investigating officers shall be informed immediately of the results.
MEMORANDUM OF UNDERSTANDING on Operational Procedures for Concerned Agencies in Prevention, Suppression, and Solution for Human Trafficking Problem in 9 Lower Central Provinces 2008

For the benefit of the child damaged party or potential damaged party, in case the result of the examination is not completed or is still unclear, it shall be presumed that such person is under 18 years old. The investigating officers shall interrogate the person in accordance with the child investigation section of the Criminal Procedure Code.

10.8 In the repatriation process of the damaged party who had resided or has had his or her domicile in one of the 9 lower central provinces, when the POCHT is notified about the incident, it shall operate in the same manner as for the Thai damaged party or potential damaged party in 8.11 and 8.12.

The POCHT of any province, as requested, shall urgently collect additional evidence or information useful for prosecuting the offenders.

11. For efficient and successful operation according to this MOU and to increase special knowledge and cooperation among multi-disciplinary teams including networking, the POCHT or other concerned agencies shall exchange experiences in human trafficking prevention and suppression, and provide trainings for concerned personnel among provinces, regions, and countries.

12. For efficient operation and participation from every part, the POCHT or concerned agencies shall provide their personnel and the general public the awareness and the establishment of principles regarding human rights and humanitarian, the development of their personnel and the general public's potential, and the promotion of participation among GOs, local administration agencies, NGOs, business sector, mass media, and civil society in protection, suppression, assistance, recovery, preparation of the community for damaged party repatriations, and surveillance networking in the community.

13. The relevant government agencies shall apply for government funding from the Budget Bureau for the operational expenses required to implement this MOU and shall inform the Ministry of Social Development and Human Security for due support in applying for funding for each agency and shall apply for funding from other sources such as provincial budget offices, local administrative offices, human trafficking prevention and suppression funds according to the 2008 Anti-Trafficking in Persons Act, Provincial Development Strategy Funding through the provincial governor, or other foreign funding, etc.
14. The concerned agencies, both government agencies, local administrations, and NGOs, shall promulgate necessary internal criteria and regulations according to this MOU and related laws.

15. If there is any abolishment or amendment of any laws mentioned in this MOU or any promulgation of new laws, they shall all be applied to this MOU accordingly, depending on the case.

16. This MOU may be amended if necessary or if there are changes of situations, by an agreement among the 9 lower central provinces with the POCHT as a coordinator.

This MOU was signed on 7 May 2008 in Phetchaburi Province.
MEMORANDUM OF UNDERSTANDING on Operational Procedures for Concerned Agencies in Prevention, Suppression, and Solution for Human Trafficking Problem in 9 Lower Central Provinces 2008

Governor

Chaiwat Limwannatha (Mr. Chaiwat Limwannatha) Vice Governor of Kanchanaburi

Kajohnsakdi Singtokul (Mr. Kajohnsakdi Singtokul) Vice Governor of Nakhon Pathom

Panchai Borvornratanapam (Mr. Panchai Borvornratanapam) Governor of Prachuap Khiri Khan

Kiatisak Tanawatakul (Mr. Kiatisak Tanawatakul) Vice Governor of Phetchaburi

Pisit Boonchoang (Mr. Pisit Boonchoang) Vice Governor of Ratchaburi

Pongsatom Sajjacholapund (Mr. Pongsatom Sajjacholapund) Vice Governor of Suphan Buri

Gumtorn Thavornstit (Mr. Gumtorn Thavornstit) Vice Governor of Samut Prakan

Suriya Prasatbuntitya (Mr. Suriya Prasatbuntitya) Vice Governor of Samut Sakhon

Opas Svetamani (Sub.Lt. Opas Svetamani) Governor of Samut Songkhram
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Provincial Chief Public Prosecutor

Pongpaya Srinopnikom  
(Mr. Pongpaya Srinopnikom)  
Kanchanaburi Provincial Chief Public Prosecutor

Vithaya Vungpradit  
(Mr. Vithaya Vungpradit)  
Nakhon Pathom Provincial Chief Public Prosecutor

Chatchai Jaidee  
(Mr. Chatchai Jaidee)  
Prachuap Khiri Khan Provincial Chief Public Prosecutor

Pairach Chuethonghua  
(Mr. Pairach Chuethonghua)  
Phetchaburi Provincial Chief Public Prosecutor

Chinnavat Mueankawjinda  
(Mr. Chinnavat Mueankawjinda)  
Ratchaburi Provincial Chief Public Prosecutor

Sopon Siriratana  
(Mr. Sopon Siriratana)  
Suphan Buri Provincial Chief Public Prosecutor

Yutthakarn Sutthipong  
(Mr. Yutthakarn Sutthipong)  
Samut Prakan Provincial Chief Public Prosecutor

Surasit Muangsiri  
(Mr. Surasit Muangsiri)  
Samut Sakhon Provincial Chief Public Prosecutor

Wanida Suwanboribarn  
(Mrs. Wanida Suwanboribarn)  
Samut Songkhram Provincial Chief Public Prosecutor
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Commander of Provincial Police Division

Naiyawat Phadermchit  
(Pol.Col. Naiyawat Phadermchit)  
Deputy Commander of Kanchanaburi Provincial Police Division

Rungroj Sangkram  
Commander of Nakhon Pathom Provincial Police Division

Wirach Watcharakajorn  
Commander of Prachuap Khiri Khan Provincial Police Division

Manit Srivilard  
(Pol.Col. Manit Srivilard)  
Deputy Commander of Phetchaburi Provincial Police Division

Montri Srinopkun  
Commander of Ratchaburi Provincial Police Division

Pramot Saihornhual  
Commander of Suphan Buri Provincial Police Division

Wittaya Prayongphan  
Commander of Samut Prakan Provincial Police Division

Wichai Pongsiri  
(Pol.Maj.Gen. Wichai Pongsiri)  
Commander of Samut Sakhon Provincial Police Division

Satit Nuntavisit  
Commander of Samut Songkhram Provincial Police Division
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Director of Provincial Public Health Office

Boonnum Chaivisuth  
(Mr. Boonnum Chaivisuth)  
Director of Kanchanaburi Provincial Public Health Office

Somjit Srisuporn  
(Mr. Somjit Srisuporn)  
Director of Nakhon Pathom Provincial Public Health Office

Phipop Chensutthiwetkun  
(Mr. Phipop Chensutthiwetkun)  
Director of Prachuap Khiri Khan Provincial Public Health Office

Taweesak Watudom  
(Mr. Taweesak Watudom)  
Director of Phetchaburi Provincial Public Health Office

Boonriang Chuchaisangrat  
(Mr. Boonriang Chuchaisangrat)  
Director of Ratchaburi Provincial Public Health Office

Surin Prasithirun  
(Mr. Surin Prasithirun)  
Director of Suphan Buri Provincial Public Health Office

Verapon Nitipong  
(Mr. Verapon Nitipong)  
Director of Samut Prakan Provincial Public Health Office

Chairat Wechpanich  
(Mr. Chairat Wechpanich)  
Director of Samut Sakhon Provincial Public Health Office

Verachai Peetawon  
(Mr. Verachai Peetawon)  
Director of Samut Songkhram Provincial Public Health Office
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Chief of Provincial Social Development and Human Security Office

Chalit Cheechang  Pasavee Jitvorapun
(Mr. Chalit Cheechang)  (Mr. Pasavee Jitvorapun)
Chief of Kanchanaburi Provincial  Chief of Nakhon Pathom Provincial
Social Development and  Social Development and
Human Security Office  Human Security Office

Somsak Pooratana  Phurithat Meekaew
(Mr. Somsak Pooratana)  (Mr. Phurithat Meekaew)
Chief of Prachuap Khiri Khan Provincial  Chief of Phetchaburi Provincial
Social Development and  Social Development and
Human Security Office  Human Security Office

Nuntaka Wattanaprayoon  Anusan Thienthong
(Mrs. Nuntaka Wattanaprayoon)  (Mr. Anusan Thienthong)
Chief of Ratchaburi Provincial  Chief of Suphan Buri Provincial
Social Development and Human  Social Development and Human
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Phongpich Thonghitanuwat  Wimolmarl Setthisombat
(Mr. Phongpich Thonghitanuwat)  (Mrs. Wimolmarl Setthisombat)
Chief of Samut Prakan Provincial  Chief of Samut Sakhon Provincial
Social Development and Human  Social Development and Human
Security Office  Security Office

Phisarn Rodbangyang
(Mr. Phisarn Rodbangyang)
Chief of Samut Songkhram Provincial
Social Development and Human Security Office
Chief of Provincial Labour Protection and Welfare Office

Todsapol Kitwangviman  
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Chief of Kanchanaburi Provincial Labour Protection and Welfare Office

Damrong Premsawad  
(Mr. Damrong Premsawad)  
Chief of Nakhon Pathom Provincial Labour Protection and Welfare Office

Thatchai Urasook  
(Mr. Thatchai Urasook)  
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Thamrong Thatrinaranond  
(Mr. Thamrong Thatrinaranond)  
Chief of Phetchaburi Provincial Labour Protection and Welfare Office

Samart Nilwong  
(Mr. Samart Nilwong)  
Chief of Ratchaburi Provincial Labour Protection and Welfare Office

Kunya Medhisuwakul  
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Chief of Suphan Buri Provincial Labour Protection and Welfare Office

Sakda Thepcharoennirun  
(Mr. Sakda Thepcharoennirun)  
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Boonyarit Saenparn  
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Chief of Samut Sakhon Provincial Labour Protection and Welfare Office

Srisuda Ubol  
(Mrs. Srisuda Ubol)  
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Chief of Provincial Employment Office

Sumon Tawonwasu
(Ms. Sumon Tawonwasu)
Chief of Kanchanaburi Provincial Employment Office

Tuanjai Pongsuwan
(Mrs. Tuanjai Pongsuwan)
Chief of Nakhon Pathom Provincial Employment Office

Kriangwit Leelalertprasert
(Mr. Kriangwit Leelalertprasert)
Chief of Prachuap Khiri Khan Provincial Employment Office

Bang-on Pamaranon
(Ms. Bang-on Pamaranon)
Chief of Phetchaburi Provincial Employment Office

Pojanee Lumyong
(Mrs. Pojanee Lumyong)
Chief of Ratchaburi Provincial Employment Office

Tassana Krut-am
(Mrs. Tassana Krut-am)
Chief of Suphan Buri Provincial Employment Office

Chayapa Prasertamporn
(Mrs. Chayapa Prasertamporn)
Chief of Samut Prakan Provincial Employment Office

Yuwaree Yannatecho
(Mrs. Yuwaree Yannatecho)
Chief of Sara Buri Provincial Employment Office Act For Chief of Samut Sakhon Provincial Employment Office

Yaowares Wattanasri
(Mrs. Yaowares Wattanasri)
Chief of Samut Songkhram Provincial Employment Office
Chief Executive of Provincial Administrative Organization (PAO)

Boonyarat Sookjit  
(Mrs. Boonyarat Sookjit)  
Chief Administrator of the PAO  
Act For Chief Executive of Kanchanaburi Provincial Administrative Organization

Phayao Niahkaew  
(Mr. Phayao Niahkaew)  
Chief Executive of Nakhon Pathom Provincial Administrative Organization

Vinit Thammathavorn  
(Mr. Vinit Thammathavorn)  
Chief Administrator of the PAO  
Act For Chief Executive of Prachuap Khiri Khan Provincial Administrative Organization

Sukchai Cheinjit  
(Mrs. Sukchai Cheinjit)  
Chief Administrator of the PAO  
Act For Chief Executive of Phetchaburi Provincial Administrative Organization

Nop Pliensri  
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Chief Administrator of the PAO  
Act For Chief Executive of Ratchaburi Provincial Administrative Organization

Khanit Khongpia  
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Deputy Chief Administrator of the PAO  
Act For Chief Executive of Suphan Buri Provincial Administrative Organization

Pattanawadee Channual  
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Deputy Chief Administrator of the PAO  
Act For Chief Executive of Samut Sakhon Provincial Administrative Organization

Wandee Leksang  
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Chief of Provincial Fisheries

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Rungsan Suangchomphan
(Mr. Rungsan Suangchomphan)
Chief of Phetchaburi Provincial Fisheries

Santi Sungthong
(Mr. Santi Sungthong)
Chief of Samut Prakan Provincial Fisheries

Aree Intarasombat
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Chief of Samut Sakhon Provincial Fisheries

Kwanruethai Thanomkiat
(Mrs. Kwanruethai Thanomkiat)
Chief of Samut Songkhram Provincial Fisheries
MEMORANDUM OF UNDERSTANDING on Operational Procedures for Concerned Agencies in Prevention, Suppression, and Solution for Human Trafficking Problem in 9 Lower Central Provinces 2008

**Immigration Office**

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Superintendent, Kanchanaburi Immigration

Amomsak Sangwan  
(Pol.Lt.Col. Amomsak Sangwan)  
Inspector, Sangkhla Buri Immigration

Thikhumporn Srisung  
(Pol.Lt.Col. Thikhumporn Srisung)  
Chief Inspector, Singkhon Immigration

Suparerk Pankosol  
(Pol.Lt.Col. Suparerk Pankosol)  
Inspector, Samut Prakan Immigration

Phakapol Charoensom  
(Pol.Maj. Phakapol Charoensom)  
Inspector, Samut Sakhon Immigration
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(Mr. Prasop Khunsithi)
World Vision Foundation Thailand

Thanavadee Thajeen
(Ms. Thanavadee Thajeen)
Friends of Women Foundation

Thitima Meepan
(Ms. Thitima Meepan)
The Mirror Foundation

Promboon Panitchpakdi
(Mr. Promboon Panitchpakdi)
Raksthai Foundation

Sompong Srakaew
(Mr. Sompong Srakaew)
Labour Rights Promotion Network (LPN)
Witness

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Ministry of Social Development and Human Security

Pornchai Yooprayong  
(Mr. Pornchai Yooprayong)  
Deputy Permanent Secretary  
Ministry of Labour

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(Mrs. Saisuree Chutikul)  
Chairperson of the Sub-Committee  
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in Children and Women  
Office of Welfare Promotion, Protection  
and Empowerment of Vulnerable Groups

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Director - General  
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Deputy Director - General  
Bureau of Basic Education

Choochat Supmak  
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Senior Advisor for  
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Director - General
Regional Office of State Attorney Region 7

Comronwit Toopgrajank
Deputy Commissioner
Provincial Police Regional 1

Somboon Huabbangyang
Deputy Commissioner
Provincial Police Region 7

Minty Prabha Pande
(Mrs. Minty Prabha Pande)
PLAN International Thailand

Alcestis A. Mangahas
(Mrs. Alcestis A. Mangahas)
International Labour Organization

Tomoo Hozumi
(Mr. Tomoo Hozumi)
UNICEF

Decha Yooprot
(Adm. Decha Yooprot)
Thailand Maritime Enforcement Coordination Center
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Misakawan Buara  
Commander  
Marine Police Division

Somporn Chaibangyang  
(Mr. Somporn Chaibangyang)  
Director - General  
The Department of Local Administration

Sudarat Sereewat  
(Ms. Sudarat Sereewat)  
Director  
Fight Against Child Exploitation

Jurgen Thomas  
(Mr. Jurgen Thomas)  
AFESIP Thailand

Ratchada Jayagupta  
(Miss Ratchada Jayagupta)  
UNIAP

Edelweiss F. Silan  
(Ms. Edelweiss F. Silan)  
Save the Children UK

Monique Filsnoel  
(Ms. Monique Filsnoel)  
International Organization for Migration
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MEMORANDUM OF UNDERSTANDING on Operational Procedures for Concerned Agencies in Prevention, Suppression, and Solution for Human Trafficking Problem in 9 Lower Central Provinces 2008
Kanchanaburi Province, located on the west of the central region of Thailand, is adjacent to the Union of Myanmar. One hundred and twenty-nine kilometers from Bangkok by Petchakasem Road, it has the area of approximately 19,483 square kilometers and is adjacent to Tak, Uthai Thani, Suphan Buri, and the Union of Myanmar to the north, to Suphan Buri, Nakhon Pathom, and to Ratchaburi to the east, to Ratchaburi to the south, and to the Union of Myanmar to the west.

The province is divided into 13 districts, 95 tambons, and 949 villages with the population of 822,578, consisting of 414,969 males and 407,609 females. The average population density is 41.58 per square kilometer.

As an origin and transit for trafficking, it has 5 districts adjacent to the Union of Myanmar: Sangkhla Buri, Thong Pha Phum, Sai Yok, Mueang, and Dan Makham Tia Districts. There are 29 main and more than 100 other border entrances. Illegal migration is common because of its mountainous characteristic of the border. Most come to work as laborers, smuggled by a group of people, both Thais and foreigners who cooperate to transport them to Kanchanaburi and other nearby provinces.

The situation of prostitution and homeless child beggars are not evident or severe in this province.

Nakhon Pathom is situated in the central lowland 58 kilometers from Bangkok. Its area of 2,168.327 square kilometers is divided into 7 districts, 106 tambons, 869 villages, 282,215 houses with the population of 821,905, consisting of 397,547 males and 424,358 females. The average population density is 379.05 per square kilometer.

**Situation and operational measures**

The trafficking situation is not severe and there is no evidence of any legal actions taken. It is merely a transit so the operation is mainly for prevention. The operational measures include:
1. An MOU for children protection between governmental agencies and music bands and dancers was signed on 21 November 2007 to allow the cooperation with the business to protect children and girls in the bands from sexual abuse or drugs and to monitor appropriate costumes and appropriate show time and schedules which might affect the children's education.

2. Seven prostitutes were arrested, with the cooperation with Nakhon Pathom Provincial Police Division, in front of the City Municipal Child Development Center and around Prapathomchedi on 12 June 2007 at 19:00. After the investigation, they were informed not to re-enter the business and advised on vocational training. Four women quit their former occupation and requested further training for other occupation.

3. The province in cooperation with the Social Development Center Number 18 conducted training projects for prevention with 2 primary schools with extended lower secondary classes: Wat Talae Bok School and Wat Takoa Soong School. The target group was 100 students of each school at ages 12-18.


5. The province produced booklets to distribute knowledge of trafficking prevention and operations of the Nakhon Pathom Human Trafficking Prevention and Suppression Center to Grade 5-6 female students in 42 primary schools with extended lower secondary classes, 100 each for the total of 4,200 booklets (3,000 more were reprinted in 2008).

**Human Trafficking Situation in Prachuap Khiri Khan**

The province is adjacent to the south of Thailand. Its area of 6,367.620 square kilometers is a long and narrow peninsula from north to south. The narrowest part from Thai-Myanmar border to the east coast is 12 kilometers at Singkom Checkpoint, Tambon Klongwan, Mueang District and the distance from north to south is 212 kilometers. It is divided into 8 districts: Mueang, Hua Hin, Pran Buri, Kui Buri, Thap Sakae, Bang Saphan Noi, and
Sam Roi Yot Districts. Most of the population works in fisheries, pineapple farms, para rubber farms, coconut farms, pineapple factories, and iron factories. Because of high labor needs, many laborers migrated to the province, both from abroad and from other provinces, legally and illegally. These include Burmese, Laotians, and Cambodians. Most are Burmese because of convenient access along the west border.

The province is a transit for human trafficking through to the south and Malaysia. It is also a destination, mostly for girls and women prostitutes. The trafficking problem is considerably not so severe since, in 2007, the POCHT helped only 2 trafficked victims of sexual exploitation. The POCHT has promoted understanding of trafficking by regularly providing various trainings and activities for students and the general public.

**Human Trafficking Situation in Phetchaburi**

**Situation**

**Geography** Phetchaburi is adjacent to Samut Songkhram to the north, Prachuap Khuri Khan to the south, the Union of Myanmar to the west, and the Gulf of Thailand to the east, with Petchakasem as a main road to 14 southern provinces.

**Economy** The economy of the province mainly depends on tourism, agriculture, fisheries and industries. There are many hotels, industrial factories and entertainment places.

**The Risk** The province is an origin, transit, and destination. But last year, there was no evidence of trafficking.

Foreign laborers are smuggled in the province from the Kingdom of Cambodia, the Union of Myanmar, the Lao People's Democratic Republic and transited through to nearby provinces. Most laborers of illegal migration work in agriculture, fisheries and industrial factories. From the investigation, the smuggling processes are cruel and merciless. Severe forced begging, prostitution, or other exploitation for unlawful benefits are not evident. In 2007, the investigation also showed that 205 cases were voluntary.

**Prevention Measures**

- Training were provided for 93 volunteers from Phetchaburi Social Development and Human Security to establish network and distribute knowledge in monitoring, preventing, and solving human trafficking.
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- The province in cooperation with the Provincial Police Division screened foreign
migrants who were victims in 2007. No evidence of human trafficking was found.
- The province has improved the website of the Phetchaburi Human Trafficking
Prevention and Suppression Center: www.phetchaburi.m-society.go.th.
- The province has surveyed and collected data relating to human trafficking for its
database in cooperation with Phetchaburi Social Development and Human Security and other
local administration offices.
  - Database of human trafficking situation in Phetchaburi society was established.
  - The province requested assistance from concerned agencies of local
administration to establish plans and projects to prevent and solve human trafficking problem.
  - Plans for prevention and solution for human trafficking was established.
  - Promotion booklets were distributed to prevent and solve human trafficking
problems.
- The province established training programs for young women to prevent them
from being lured into trafficking (according to the prevention and solution plans) in border
security area.

Human Trafficking Situation in Ratchaburi

Ratchaburi is 1 of 8 provinces of the western region. Its area is 5,196,465 square
kilometers or 3.2 million rais, 100 kilometers from Bangkok by car. It is adjacent to Kanchanaburi
to the north, Phetchaburi to the south, Nakhon Pathom to the east, and the Union of Myanmar
to the west.

In December 2006, of the 828,930, there were 810,359 registered Thais and
12,676 registered non-Thais and 3,063 registered in Central House Registration and 2,823 were
in moving process.

The risk factor in human trafficking is the province is adjacent to the Union of
Myanmar. Illegal migrants come to the province by illegal smuggling organization to stay in
Suan Phueng and Ban Kha Districts before being transferred to other areas by issued
documents indicating that they are people living in surveying area. With high needs for
laborers, in 2007 there were 10,234 registered laborers. Most were Burmese and Laotians.
These migrant laborers work in agriculture, for example, pig farms, duck farms, orchid farms,
and fruit orchards. Some pursue works in industrial sector as laborers in doll factories or jar factories. Some work in service business, for example, as domestic helpers and storekeepers. From 2005, human trafficking victims rescued were as follow:

1. One 18-year-old Thai from Ban Pong District who was lured into prostitution, 2 children from Chon Buri Province, 2 women from Ban Pong and Photharam Districts who were lured into prostitution to foreign countries.

2. Two Burmese and 45 Laotian laborers, 1 Laotian girl who was lured into prostitution.

The operations of Ratchaburi Human Trafficking Prevention and Suppression Center in the past were:

1. For personnel training, there were 2 study tours to Roi Et and Nong Khai Human Trafficking Prevention and Suppression Centers in prevention and solution for human trafficking and an operational meeting on "Prevention and Suppression of Human Trafficking" for concerned personnel, for example, police, village leaders, and volunteers of Ratchaburi Social Development and Human Security.

2. For public promotion, billboards to promote the establishment of the Human Trafficking Prevention and Suppression Center and booklets to distribute knowledge of human trafficking were produced.

3. For prevention measure, the province applied for budget from the Trafficking Victim Assistance Fund for its Human Trafficking Prevention and Suppression Project, D.A.R.E (Drug, Abuse, Resistance, Education) Operational Seminar of Ratchaburi Provincial Police Division, and surveillance, prevention and solution projects for human trafficking of Ratchaburi Sangkha Monton Social Development Center.

**Human Trafficking Situation in Suphan Buri**

Suphan Buri is a fertile plain of the central. The area of 5,358 square kilometers is divided into 10 districts, 105 tambons, 1,007 villages with the population of 843,904. The province's income of 53,915 million baht of which 17,196 million baht came from agriculture, and 36,719 million baht from non-agricultural sectors. Of the labor force of 658,359, there are 481,037 employed and 4,791 unemployed and 172,531 are non-labor force (data on 30 September 2007). There is no area adjacent to foreign countries but it is adjacent to 7 other provinces as follow:
Chai Nat to the north
Sing Buri to the northeast
Ang Thong and Phra Nakhon Si Ayutthaya to the east
Pathum Thani and Nakhon Pathom to the south and Kanchanaburi to the west.
The trafficking situation is not so severe and does not create any severe social
problems. The province holds all 3 statuses of trafficking:
As and origin, many children and women in rural area are lured to Bangkok,
Bangkok’s perimeter, or abroad to work due to poverty.
As a transit, children and women are smuggled through to nearby provinces or
abroad.
As a destination, illegal foreign and local children and women are common for labor
and sexual services. Problems of illegal labor or exploitation from prostitution are not evident
so the province has established only prevention measures and knowledge distribution. There are
still some risk disguised in entertainment places, restaurants, karaoke, bangalows, dormitories,
game shops, internet shops and other businesses including begging. Girls, women, the
handicapped and elderly are at risk of being lured to beg especially during a provincial festivals
or annual fairs.

Human Trafficking Situation in Samut Prakan

Samut Prakan is situated along the lower part of the Chao Phraya River above the
Gulf of Thailand with the area of 1,004.092 square kilometers or 627,557 rais and is divided into 6 districts. With 29 kilometers drive from Bangkok, the north and west is adjacent to Bangkok, the south to the Gulf of Thailand and the west to Chachoengsao Province.

Trafficking situation: Samut Prakan is a transit and destination since it has a high potential for industrial development. Because of its many industrial factories and coastal fisheries, high number of population from every region and abroad migrate to the province resulting in high rate of non-registered population, legal or illegal laborers. They are at risk of various forms of human trafficking especially in slavery on fishing boats, illegal use of foreign laborers, homeless people, Thai and foreign beggars and sexual services.
Human Trafficking Situation in Samut Sakhon

Samut Sakorn Province is situated on the coast of the Tha Chin River, adjacent to the eastern region of Thailand at latitude 130 degrees north and longitude 100 degrees east. It is the perimeter of Bangkok 30.1 kilometers by train from Wongwian Yai Circle to Mahachai or 30 kilometers by car on Highway number 35 (Rama 2). Its area is 872,347 square kilometers. The province is adjacent to Nakhon Pathom to the north, Bangkok and Samut Prakan to the east, the Gulf of Thailand to the south, and Samut Songkhram and Ratchaburi to the west.

Geography

The province’s 41.8 kilometers long lowland along the coast is suitable for coastal fishery and salt farm. Next to the area is fresh water irrigation canals developed for various farms and orchards, industrial, business and residential zones. With its fast economic growth, the province has gained the second highest Gross Provincial Product (GPP) rank. The expansion of fisheries, industrial factories and agriculture has created high need for labor especially in fisheries and related businesses. High number of laborers from other provinces and foreign countries (the Union of Myanmar, the Lao People’s Democratic Republic, and the Kingdom of Cambodia) migrate to the province. In 2007 alone, there were 74,531 foreign laborers filed for extension of their registration, most were Burmese. There are still continuous need for laborers in the fisheries and related business since the work is not popular among Thai laborers resulting in a high number of illegal laborers migrating from neighboring countries approximately double the number of registered ones.

The province is an origin, transit and destination for human trafficking. Most are lured into different forms of exploitation of laboring by paying low wages or using violence and inhumane treatment. In 2007, there was a meeting of the committee of the Samut Sakhon Human Trafficking Prevention and Suppression Center to report its operation in human trafficking prevention and solution and to appoint working committee for provincial prevention and surveillance process for human trafficking and working committee for provincial human trafficking database establishment.
Human Trafficking Situation in Samut Songkhram

Samut Songkhram is small with only 416.7 square kilometers or 260,422 rais area. Situated in the south part of the central Thailand on the Thai Gulf, at the mouth of Mae Klong River, it is 65 kilometers from Bangkok. It is adjacent to:

- Ratchaburi and Samut Sakhon to the north,
- Samut Sakhon to the east,
- the Thai Gulf and Phetchaburi to the south,
- and Ratchaburi and Phetchaburi to the west.

The province is divided into 3 districts: Mueang, Amphawa, and Bang Khonthi. Most of the population is in agriculture, for example, pomelo farms, lychee farms, coconut farms and other local industries, for example, coconut sugar, salt, and fisheries. Some are workers at local and nearby-province industrial factories.

The human trafficking situation in the province is not so severe. Two hundred and thirty-three illegal laborers and employers were arrested in 2007 at the only department store in the province which was used as a rendezvous.

The province has established the human trafficking prevention measures by the committee of the Samut Songkhram Human Trafficking Prevention and Suppression Center in cooperation with its network of organizations, community leaders, and volunteers from related agencies such as volunteers from the Samut Songkhram Social Development and Human Security, volunteers from the Samut Songkhram Provincial Labor, volunteers from the Samut Songkhram Provincial Public Health, to promote understanding of human trafficking to the public and to help monitoring members of the society especially women and children, not to be lured into human trafficking and abduction.
List of Working Groups
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# List of Working Groups

## Kanchanaburi

<table>
<thead>
<tr>
<th>No.</th>
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<th>Agency / Address</th>
<th>Tel. / Fax</th>
</tr>
</thead>
<tbody>
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</tr>
<tr>
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<td>2.</td>
<td>Pol. Col. Pratchai Jaichansukit Deputy Commander</td>
<td>Kanchanaburi Provincial Police Division, Mueang, Kanchanaburi</td>
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<td>Moo. 12 Kanchanaburi - Dan Makham Tia Rd., Mueang, Kanchanaburi</td>
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<td>4.</td>
<td>Mr. Chalit Cheechang Chief of Kanchanaburi Provincial Social Development and Human Security Office</td>
<td>Kanchanaburi Provincial Social Development and Human Security Office, Kanchanaburi Provincial Hall, Mueang, Kanchanaburi</td>
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<td>5.</td>
<td>Mr. Sakdidech Baichit Social Development Officer</td>
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### Nakhon Pathom

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<tr>
<td>1.</td>
<td>Pol.Lt.Col. Chalit Katesrimeak Deputy Superintendent</td>
<td>Investigation Center, Provincial Police Region 7 11/3 Kaopra Rd., Mueang, Nakhon Pathom</td>
<td>Tel. 0 3424 3751-9 ext 63 Mobile. 08 1842 3649 Fax. 0 3425 4507</td>
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<td>2.</td>
<td>Miss Siriporn Putthachat Labour Technical Officer</td>
<td>Nakhon Pathom Provincial Employment Office, 69/89-90 Moo. 8 Navaket Rd., Mueang, Nakhon Pathom</td>
<td>Tel. 0 3421 3283 Fax. 0 3421 3283</td>
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<td>3.</td>
<td>Mrs. Valaiporn Neelayothin Social Development Officer</td>
<td>Nakhon Pathom Provincial Social Development and Human Security Office, Nakhon Pathom Provincial Hall, Mueang Nakhon Pathom, Nakhon Pathom</td>
<td>Tel. 0 3434 0015-7 Mobile. 08 6054 5635 Fax. 0 3434 0015</td>
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<td>4.</td>
<td>Miss Wanchan Tongsripong Social Worker</td>
<td>Nakhon Pathom Provincial Social Development and Human Security Office, Nakhon Pathom Provincial Hall, Mueang Nakhon Pathom, Nakhon Pathom</td>
<td>Tel. 0 3434 0015-7 Fax. 0 3434 0015</td>
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<td>Miss Chotika Sabae Social Development Officer</td>
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<td>Mr. Apichart Intanachitjuy</td>
<td>Nakhon Pathom Provincial Social Development and Human Security Office, Nakhon Pathom Provincial Hall, Mueang Nakhon Pathom, Nakhon Pathom</td>
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MEMORANDUM OF UNDERSTANDING on Operational Procedures for Concerned Agencies in Prevention, Suppression, and Solution for Human Trafficking Problem in 9 Lower Central Provinces 2008

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<tr>
<td>1.</td>
<td>Pol.Col. Visit Sominthu Deputy Commander</td>
<td>Prachuap Khiri Khan Provincial Police Division, Prachuap, Mueang, Prachuap Khiri Khan</td>
<td>Tel. 0 3260 1593 Fax. 0 3260 1254</td>
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<td>2.</td>
<td>Pol.Lt.Gen. Poonsak Prasertmet Deputy Superintendent</td>
<td>Prachuap Khiri Khan Provincial Police Division, Prachuap, Mueang, Prachuap Khiri Khan</td>
<td>Tel. 0 3260 1254 Fax. 0 3260 1254</td>
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<td>3.</td>
<td>Pol.Lt.Gen. Thanapat Dorkduang Deputy Superintendent</td>
<td>Prachuap Khiri Khan Provincial Police Division, Prachuap, Mueang, Prachuap Khiri Khan</td>
<td>Tel. 0 3260 1593 Mobile. 08 9837 4221 08 6170 1221 Fax. 0 3260 1254</td>
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<td>4.</td>
<td>Pol.Lt.Gen. Phurit Doychenngam Inquiry Official</td>
<td>Prachuap Khiri Khan Provincial Police Division, Prachuap, Mueang, Prachuap Khiri Khan</td>
<td>Tel. 0 3261 1013 Mobile. 08 1007 3394 Fax. 0 3261 1438</td>
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<td>5.</td>
<td>Pol.Lt.Gen. Thikhumporn Srisung Chief Inspector</td>
<td>Singkhon Immigration Moo.6, Mueang, Prachuap Khiri Khan</td>
<td>Tel. 0 3261 9038 Mobile. 08 1833 1136 Fax. 0 3261 9038</td>
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<td>6.</td>
<td>Pol.Capt. Pichit Changkam Sub - Inspector</td>
<td>Singkhon Immigration Moo.6, Mueang, Prachuap Khiri Khan</td>
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<td>7.</td>
<td>Mr. Kriangwit Leelalertprasert Chief of Prachuap Khiri Khan Provincial Employment Office</td>
<td>Prachuap Khiri Khan Provincial Employment Office 133/1 Sukjai Rd., Mueang, Prachuap Khiri Khan</td>
<td>Tel. 0 3260 2270 Fax. 0 3260 3823</td>
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<td>8.</td>
<td>Miss Kataporn Songmuangsuk Senior Labour Technical Officer</td>
<td>Prachuap Khiri Khan Provincial Employment Office 133/1 Sukjai Rd., Mueang, Prachuap Khiri Khan</td>
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<td>9.</td>
<td>Mr. Thatchai Urasook Chief of Prachuap Khiri Khan Provincial Labour Protection and Welfare Office</td>
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<td>PolLt.Col. Saroj Pimkunakorn</td>
<td>Phetchaburi Provincial Police Division, Rachvithee Rd., Mueang, Phetchaburi</td>
<td>0 3242 2500</td>
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<td>2</td>
<td>Ms. Bang-on Pamaranon</td>
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<td>Mrs. Anothai Leetrakul</td>
<td>Phetchaburi Provincial Labour Protection and Welfare Office 2/73 - 74 Moo.1, Mueang, Phetchaburi</td>
<td>0 3242 5209</td>
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<td>4</td>
<td>Mrs. Prapa Chumkamon</td>
<td>Phetchaburi Provincial Public Health Rachvithee Rd., Mueang, Phetchaburi</td>
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<td>Mr. Phurithat Meekaew</td>
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<td>Pol.Col. Siramase Panmanee</td>
<td>Ratchaburi Provincial Police</td>
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<td>Deputy Commander</td>
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<td>Pol.Col. Somkiat Sanginsorn</td>
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<td>Mr. Manoch Sangkaew</td>
<td>Ratchaburi Provincial Labour</td>
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<td>Mrs. Nuntaka Wattanaprayoon</td>
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<td>Miss Hataichanok Yimrooplek</td>
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### Suphan Buri

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<td>1.</td>
<td>Pol.Col. Weera Budpoe</td>
<td>Suphan Buri Provincial Police Division, Suphan Buri - Chai Nat Rd., Mueang, Suphan Buri</td>
<td>Tel. 0 3553 5227 Mobile 08 1821 9807 Fax 0 3553 5227</td>
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<td>2.</td>
<td>Mrs. Kunya Medhisuwakul</td>
<td>Suphan Buri Provincial Labour Protection and Welfare Office, Government Center Hall 2 Floor Suphan Buri - Chai Nat Rd., Mueang, Suphan Buri</td>
<td>Tel. 0 3553 5392 Mobile 08 1853 2356 Fax 0 3553 5392</td>
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<td>3.</td>
<td>Mr. Anusan Thienthong</td>
<td>Suphan Buri Provincial Social Development and Human Security Office, Government Center Hall 1 Floor, Suphan Buri - Chai Nat Rd., Mueang, Suphan Buri</td>
<td>Tel. 0 3553 5386-7 Mobile 08 9836 8191 Fax 0 3553 5386</td>
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<td>4.</td>
<td>Mr. Manoch Suksa</td>
<td>Suphan Buri Provincial Social Development and Human Security Office, Government Center Hall 1 Floor, Suphan Buri - Chai Nat Rd., Mueang, Suphan Buri</td>
<td>Tel. 0 3553 5386-7 Fax 0 3553 5386</td>
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<td>1.</td>
<td>Mr. Charin Tanchatchawan</td>
<td>Samut Prakan Provincial Public Prosecutor Office, Paknam, Mueang, Samut Prakan</td>
<td>Mobile. 08 1926 8545</td>
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<td>2.</td>
<td>Mr. Narongchai Arunsaengsilp</td>
<td>Samut Prakan Provincial Public Prosecutor Office, Paknam, Mueang, Samut Prakan</td>
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<td>Pol.Maj. Siripong Wongklaahan</td>
<td>Samut Prakan Provincial Police Division, Mueang, Samut Prakan</td>
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<td>5.</td>
<td>Mr. Surapul Hampijit</td>
<td>Samut Prakan Provincial Employment Office, Srinakarin Rd., Mueang, Samut Prakan</td>
<td>Mobile. 08 6906 0877</td>
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<td>6.</td>
<td>Mr. Preecha Maneechot</td>
<td>Samut Prakan Provincial Labour Protection and Welfare Office, Thaparuk Rd., Mueang, Samut Prakan</td>
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<td>7.</td>
<td>Mrs. Chomchaba Vasavanon</td>
<td>Samut Prakan Provincial Social Development and Human Security Office, Samut Prakan Provincial Hall, Mueang, Samut Prakan</td>
<td>Tel. 0 2395 2224 Mobile. 08 9134 8287 Fax. 0 2395 2224</td>
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### Samut Sakhon

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<td>1.</td>
<td>Pol.Lt.Col. Bunlang Sudjit</td>
<td>Samut Sakhon Provincial Police Division, 921/19 Setthakit 1 Rd., Mahachai, Mueang, Samut Sakhon</td>
<td>Mobile. 08 1423 5563</td>
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<td>Pol.Lt.Col Somkid Busunukul</td>
<td>Samut Sakhon Provincial Police Division, 921/19 Setthakit 1 Rd., Mahachai, Mueang, Samut Sakhon</td>
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<td>3.</td>
<td>Mrs. Yuwaree Yannatecho</td>
<td>Samut Sakhon Provincial Employment Office 17 Moo. 3, Ekachai - Bang bon Rd., Mueang, Samut Sakhon</td>
<td>Tel. 0 3449 4836-7</td>
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<td>5.</td>
<td>Mrs. Bangon Akkapinyo</td>
<td>Samut Sakhon Provincial Labour Protection and Welfare, next to Provincial Hall, Mueang, Samut Sakhon</td>
<td>Tel. 0 3441 1040</td>
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<td>Labour Technical Officer</td>
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<td>Samut Sakhon Provincial Employment Office 17 Moo. 3, Ekachai - Bang bon Rd., Mueang, Samut Sakhon</td>
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<td>Mr. Kitti Ruangwilaiporn</td>
<td>Samut Sakhon Provincial Public Health Office, 24/87 Moo. 3, Bangyaprak, Mueang, Samut Sakhon</td>
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<td>Mr. Winai Kengsuwan</td>
<td>Samut Sakhon Provincial Social Development and Human Security Office, Samut Sakhon Provincial Hall, Mueang, Samut Sakhon</td>
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<td>4.</td>
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<td>5.</td>
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<td>6.</td>
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# MEMORANDUM OF UNDERSTANDING on Operational Procedures for Concerned Agencies in Prevention, Suppression, and Solution for Human Trafficking Problem in 9 Lower Central Provinces 2008

## NGOs

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<thead>
<tr>
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<th>Name - Surname / Position</th>
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<tr>
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<tr>
<td>1.</td>
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## Guest - Speaker

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<td>9.</td>
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<td>1.</td>
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