

Situation on Forced Labour and Human Trafficking year 2014-2015
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Activities

Through the rescue and aiding missions of the Labour Center and Seafarers Action Centre of LPN foundation, the evidence shows that the problems of labour rights violation are happening continuously among both Thai and immigrant workers from 2014 to 2015. Concerned organisations from both government and private sectors had launched many operations including changes in regulatory and procedures to resolve this pressing situation. However, the concerned officers have reported that many actions could not be done effectively and some workers are left out of the justice system, excluded from the rights protection program according to the law. There are also reports on Labour Rights violation in terms of wage and salary, deception in applying for a job, documents processes and threats by the community. These right-violators claim to be authorized personnel once found committing such heinous crime and often neglect to complaints filed by workers.

Human Trafficking is one of the serious complaints filed by workers. From year 2014, there have been reports on 1 human trafficking case in plantation field in Petchburi province (3 victims, Burmese) and 2 case of human trafficking in form of slavery (13 victims)

Other cases are indicated in the table below;

Table 1 Cases received by the Labour Center in year 2014-2015

Issues	Number of cases	Number of victims	Nationality	Note
- Wage and Salary	61	407	Burmese	
- Identification Documents	27	212	Burmese	Employee seized the documents 92 cases
- Health	14	14	Burmese	Accidents from work 9 cases
- Deception	18	258	Burmese	Passport and Pink Work Permit
- Extortion and Physical Abuse	7	11	Burmese	Claim to be authorized personnel
- Sexual Harassment	2	2	Burmese	Age below 18
- Forced labour Food processing Factory	1	14	Burmese	Residence of sub-district head
	1	28	Burmese	Factory in Bang Ya Prak, Samutsakorn
- Human Trafficking Labour in plantation fields Imprisoned for fishing boats				
	1	3	Burmese	Petchburi Province
	2	13	Burmese	Court judged as Slavery

Fishing boats (Indonesia)				
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The numbers of Thai fishermen rescued by the SAC who are identified as victims of Human Trafficking have not yet been confirmed because the screening process by the working team in the field comprises of various personnels from various professions.

Situation on Immigrant Labour and Human Trafficking

Immigrant labours are exploited and violated in various forms from both Thai and from their peer immigrants. The government officials who benefit from the commission received as “Broker” in the Human Trafficking business. Immigrant labours are continuously found flowing into Thailand from their origin countries, mostly Myanmar where many secret paths and smuggling methods are found. Some officials see this as an opportunity to take advantage from the immigrants and claim “entrance fee” from them. Several reports indicated that the immigrants who return home during holiday season are asked to pay the fee even though they have a valid identity cards and work permits while some laborers with pink card can travel back home easier.

The economic zones in border line areas have grown considerably due to better roads and transportations. The economic growth of these areas leads to the development of restaurants, hotels, bars and other entertainment businesses. Unfortunately, another business also come in to the areas: prostitution. Women are being delivered to hotels, some accommodations organized a bungalow to keep the women and work as a team. Some hotels have developed system where customers can pick girls from the catalog, who will later be delivered directly to the room. Most of the women are from our neighboring countries and are under 18.

These days, the situation of force labours among immigrants workers are organised by groups or gangs that work together as a team. In May 2015, the center investigated one seafood processing factory in Samutsakorn area, after their workers escaped the factory. The team found labourers who are forced to work and the use of worker who are under 18 years-old. The inconvenient truth is that there have been many cases similar to this one but the justice process could not trace back to the employers or the owner of the factory. Some are found guilty but still at large in the society.

In one case, the officers from the SAC rescued the immigrant workers who were imprisoned, waiting to be sent to work on the fishing boats en route for Indonesia. The screening process from the multi-professional working team managed to save some of the workers. However, no action could be proceeded in the arrest of the human trafficking network at the destination for the reason that the immigrants labours had not yet been delivered to the destination even though the broker and 3 others were arrested and already confessed where these workers will be delivered. Moreover, the broker also confessed that this was not the first time that they trafficked immigrants labours into Thailand.

Another similar case, the immigrants labours were held in captivity, waiting to be shipped to the boats bound for fishing in Indonesia. After the rescue mission of SAC, the broker confessed the destination and all concerned organisations in this inhumane loop. The shocking truth from this case was that the broker was able to bail the immigrants from the local police station’s jail then imprisoned them in the room with 24-hour guard surveillance. However, with this considerable number of evidences, the justice process was not able to do anything to these concerned parties, neither the owner nor the government officials.

Both cases had been filed to the court and the judge had a verdict that this was a crime of slavery. The question remains that if there's any justice process to be proceeded with the owner of this business and the corrupted government officials, what would be the final judgment of the court because the previous case always ended up in blaming the fault to the Burmese "they did that to each other" and in denial by the owner of the business.

Challenges in solving Human Trafficking Issues

The government has now given importance to the Human Trafficking issues as national concern and has paid more attention in solving this problem in order to build confidence of other countries. Many rules and policies in concerned sectors were amended. More practical procedures were implemented in solving this fishing boats issue, prostitution, child beggars including the system for the labourers from neighbouring countries in applying for the work permit in Thailand. The government also supports the concerned government officials in operating levels in learning new knowledge regarding these issues. The important elements in all these processes are;

1) Corruption by the concerned government officials - it can't be denied that the past cases of rescuing the labors from human trafficking business, accounts were found associated to the officers or more senior officials would involve in the investigation. These corrupted officials are the obstacles in resolving human trafficking issues.

2) The understanding of the concerned officials towards human trafficking in different patterns - the concerned officials lack essential knowledge in handling the issues which have become more complex. However, it is dubious whether the officials do not have the knowledge or neglect to acknowledge the problem. In several cases, the official process is inattentive and incautious towards to situation and the safety of the victims.

3) Uncertain and unsustainable direction of the solutions - The concerned sectors have been trying to solve these issues by referring the cases in Thailand with the USA Ministry of Foreign Affairs which could not solve the problem because the context is different.

These are only the observations from the existing problems. If the government really wants to end Human Trafficking problem in Thailand, one of the important element is to officials personnel management on how to work on the issues effectively, reach out to the victims efficiently including healing process, committed in proceeding with law suits. With these principles, the problem might not totally disappear but at least the human trafficking issues would be less severe.