

THAILAND

The Kingdom of Thailand's (Thailand) upper-middle-income status¹ and geographical location in South-east Asia makes the nation a prime destination, source and transit country for human trafficking among its neighbours. For this reason, the issue of human trafficking in Thailand is intertwined with the complexities accompanying migration. Women, children and migrant workers, particularly undocumented workers with irregular migrant status, remain the most vulnerable to trafficking in Thailand.



The government of Thailand recognises the issue of human trafficking and has committed to a ‘national agenda of zero tolerance towards human trafficking’.² This commitment is coupled with robust anti-trafficking legislation³ and infrastructure within Thailand to support victims. A gap however exists for migrants seeking refuge or asylum, with limited anti-trafficking services for this population, and consequently many irregular migrants are at risk of exploitation.

Interestingly, Thailand’s main human trafficking statute includes the offence of ‘production or distribution of pornographic materials’,⁴ allowing authorities to pursue certain online sexual exploitation and child sexual abuse materials (CSAM) as human trafficking cases. The government’s legal recognition of the link between the online world and human trafficking has allowed Thai authorities to successfully pursue

online exploitation cases in their anti-trafficking efforts, which The A21 Foundation (‘A21 Thailand’) has observed at times, results in evidence of related off-line hands-on offenses as well. A21 Thailand has also observed an increasing trend locally of perpetrators approaching minors via online platforms and then tricking, coercing or blackmailing the minors into sharing sexually explicit images, videos and/or other CSAM. This has become of increasing concern with more people, especially children, engaging in online use due to the COVID-19 pandemic and nationwide lockdowns, increasing an already ‘high internet usage’⁵ in Thailand and the potential risks of online abuses.

COVID-19 Impact on Human Trafficking

TRAVEL RESTRICTIONS AND ECONOMIC HARDSHIPS

Thailand was the first nation outside of China to officially confirm a local case of COVID-19 in 2020,⁶ placing the country into an early lockdown in March 2020, closing all land border points and severely restricting international travel. Likewise, restriction of interprovincial travel resulted in the cancellation of most domestic flights. Government restrictions resulted in the shutdown of most businesses in order to curtail rising COVID-19 cases. The travel restrictions and business closures resulted in increased unemployment and greater economic hardships, with an estimated reduction of 6.5% of the Thai economy in 2020.⁷

Strict lockdowns, travel restrictions and closures of certain businesses in response to COVID-19 significantly affected the migrant community. The sudden border closures prompted a mass exodus of migrant workers attempting to return home to Myanmar, Cambodia and other nations, while simultaneously leaving many others stranded in Thailand. Many migrants also lost their jobs from forced closures across businesses and the entertainment, hospitality and tourism sectors. The government attempted to mitigate this issue by extending amnesty to all migrants (including expatriates) which offered some security and protection for stranded migrants. The adverse economic ramifications of COVID-19 border closures and restrictions affected not only migrants but Thai citizens as well, with many citizens throughout Thailand suddenly unemployed. Vulnerable groups in particular, desperate to find employment, were placed in very precarious situations susceptible to high-risk, and false job opportunities.

IMPACT ON HUMAN TRAFFICKING

Due to a considerably low severity of COVID-19 transmissions throughout 2020 in comparison to other nations, the pandemic had little adverse effect on the Thai Government's efforts to monitor and coordinate their anti-trafficking efforts and responses.⁸ A21 Thailand, anti-trafficking officials and agencies, along with other stakeholders in Thailand, continued to actively monitor and collaborate on human trafficking cases and support potential victims of trafficking throughout the pandemic, even when COVID-19 cases began to increase. The Thai Government, assisted by A21 in some cases, continued to conduct victim identification operations during COVID-19, utilising strict COVID-19 safety measures. Despite efforts, the Thai Government identified a total of 131 trafficking victims in 2020, a considerably smaller number compared to 288 victims in 2019.⁹ Although the cause is unknown, the reduction in victims identified might be attributed at least in part, to a lower number of trafficking victims in Thailand or simply less overt trafficking activity as a result of the border closures, travel restrictions and closure of entertainment venues. Conversely, in 2020, A21 Thailand observed a rising trend in online child sexual exploitation cases compared to the previous year, consistent with the general increase of online activity during the pandemic.

IMPACT ON LEGAL CASES

Many court hearings in 2020 transitioned to online platforms or were postponed indefinitely due to COVID-19 restrictions, delaying the legal process for many survivors. These delays adversely affected the wellbeing of many survivors in A21's Aftercare program with pending legal cases. Some survivors cited the legal case postponement as the main source of their anxiety and frequently inquired about the status of their legal case. In one case, as a result of court delays, a survivor remained in a Thai Government shelter for over a year. In contrast, most survivors are typically housed in a government shelter for approximately six to seven months. This prolonged stay caused the survivor a considerable amount of anxiety despite receiving adequate shelter and A21 Thailand staff support.

A21's Response

A21 Thailand has operated in Thailand since 2016, opening its Bangkok office in 2016, and its Pattaya office subsequently in 2017. A21 Thailand pursues a three-pronged operational strategy in its anti-trafficking approach within the country: prevention, awareness and professional training to reduce the prevalence of trafficking; interventions to identify and assist those at-risk or currently being exploited; and restorative aftercare services and reintegration support, including repatriation services, for survivors of trafficking. The aforementioned services are tailored to both adults and children, with minors comprising approximately 63% of the survivor

population in A21 Thailand's Aftercare program in 2020. With challenges presented by COVID-19, A21 Thailand adjusted its operations accordingly with many prevention and awareness, and aftercare programs transferring online. While A21 Thailand collaborated with law enforcement throughout the year, the vast majority of joint victim identification operations occurred in the earlier part of 2020.

Throughout the peak of COVID-19, A21 Thailand continued to assist partner organisations with case support and training, as well as participating in a national crisis relief campaign, hosted by the Child Advocacy Centre (CAC) network (comprised of the five CACs across the country) and multi-disciplinary team (MDT) networks. This campaign aimed to raise funds and support for children and officials in child protection shelters, government and private welfare protection centres for victims of trafficking, hospitals and at-risk communities during the lockdown. Through this campaign, A21 Thailand, along with other organisations, provided personal protective equipment, along with human trafficking prevention and awareness materials for the targeted groups.



Prevention & Awareness

A core component of A21 Thailand's operational strategy involves conducting prevention and awareness programs with at-risk and vulnerable groups, as well as general presentations with schools and universities. Due to strict travel restrictions and school closures, A21 Thailand, precluded from conducting in-person prevention and awareness programs for more than half the year, redirected efforts to online prevention and awareness. A21 Thailand developed online safety resources, including a digital safety campaign on social media, and safety guides for children and parents. In addition to facilitating A21's Primary Prevention Program (PPP),¹⁰ A21 Thailand also conducted online safety workshops with schools, delivering child-appropriate prevention resources to more than 7,000+ children and youth, in-person and online throughout the year.

During COVID-19 lockdowns and restrictions, requests for anti-trafficking resources and workshops by schools, community and religious groups

and non-governmental organisation (NGO) partners increased, evincing the need by other stakeholders for prevention and education materials, and in particular online safety resources. In response, A21 Thailand conducted in-person and online child protection and safeguarding workshops with over 2800+ adults from organisations that work with children, as well as training more than 130+ educators to facilitate the PPP. Noting the increase of online activity worldwide as a result of COVID-19 lockdowns, in October 2020, A21 had the opportunity to broadcast one of A21's 'Can You See Me?' public awareness campaign¹¹ videos on national television, reaching more than 350,000 individuals as confirmed by the host station. This public service announcement focused on the dangers of online exploitation to minors in particular, and provided the national Thai 1300 hotline number as a reporting resource.

A21 Thailand continued to partner with the Australian Federal Police (AFP) to host online networking meetings with local and foreign law enforcement agencies and anti-trafficking NGOs working in Thailand and Myanmar. Understanding the inherent cross-border nature of trafficking, these collaborative regional meetings aim to increase communication and cooperation in prevention and awareness efforts, between law enforcement and NGOs. Participation ranged from 30 to 40 participants, and 14 to 21 NGOs and law enforcement agencies from Thailand and Myanmar, Australia and the United States. During these online meetings, participants discussed strengthening relationships generally, and more specifically, promoting both intergovernmental and NGO collaboration on prevention and resource sharing to prevent cross-border trafficking of persons. In 2020, these meetings focused specifically on strategically countering increased vulnerabilities induced by the pandemic.



Identification & Intervention Efforts

Due to the large number of child victims of trafficking and exploitation in the region, A21 Thailand operates a CAC in the coastal city of Pattaya. A21's CAC, which opened in 2017, is designed to reduce the re-traumatisation of children within a safe, child-friendly and trauma-informed environment as they undergo forensic interviews, in addition to courtroom preparation, victim advocacy, case management, and therapeutic services. In addition to providing direct services to children, the Pattaya CAC historically has hosted MDT meetings between numerous stakeholders in Pattaya bringing together law enforcement, anti-trafficking and health care professionals to support each survivor throughout their legal and criminal justice process, as well as to collaborate on aftercare efforts. In 2020, A21 Thailand, through its CAC, participated in numerous community outreaches, including victim identification operations, with both Thai and foreign law enforcement, resulting in the identification of both minor and adult victims, as well as members of the vulnerable population at risk for trafficking. A21 staff both conducted and were involved in the forensic interviews of child trafficking and exploitation victims.¹²

COVID-19 restrictions impacted A21 Thailand's victim identification efforts, with less participation in law enforcement operations than the previous year. The Thai Government in its annual report noted a decrease of trafficking victims identified compared to previous years due to the travel limitations and other barriers.¹³ A21 Thailand also noted a decrease of victims identified with its assistance in 2020 compared to the previous year, which might in part be due to COVID-19 restrictions on cross-border travel, general travel and social distancing requirements. During the pandemic, A21 Thailand observed a significant increase in online sexual exploitation crimes, accounting for almost 40% of new survivors entering into A21's Aftercare program in 2020. Likewise, the Thai Government observed a significant increase in CSAM violations originating from Thailand in 2020, as reported by the National Center for Missing and Exploited Children (NCMEC).¹⁴ The increase in online sexual exploitation cases may be attributed in part to travel restrictions and economic hardships brought on by the pandemic. In a number of cases, survivors within A21 Thailand's Aftercare program explained they went online for the purpose of finding a job, only to be groomed, manipulated and exploited by a perpetrator who lured them under false pretense to exchange their CSAM or other sexually provocative materials for a false job opportunity. This is a common tactic A21 Thailand has observed with a number of survivors in A21's Aftercare program. Despite best efforts to curtail the spread of CSAM, or other sexually explicit materials, many survivors of online sexual exploitation often experience ongoing re-victimisation as their sexual abuse images are shared repeatedly online, which

prolongs their trauma and increases their psychological distress. Many of these survivors require comprehensive aftercare services, including psychological support, to address their continuing online exploitation from such distribution.

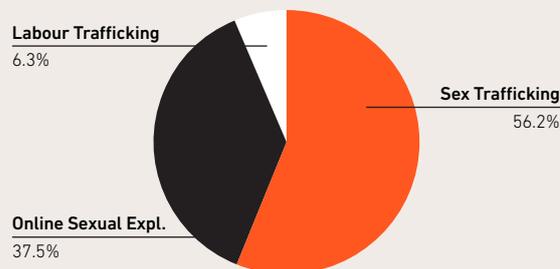
As part of A21's intervention efforts, A21 Thailand typically conducts professional training to frontline professionals most likely to encounter victims of trafficking, such as law enforcement officials, healthcare providers, hospitality staff, and teachers. Due to social distancing measures and limitations on in-person meetings, A21 Thailand facilitated a total of three in-person professional trainings in 2020, including a training for 82 educators of Chonburi Primary Educational Service Area Office 1 in cooperation with TICAC (Thailand Internet Crimes Against Children) Taskforce.

Aftercare Services

A21 Thailand offers a broad spectrum of holistic, trauma-informed restorative aftercare services to trafficking survivors. Facilitated by A21 social workers and caseworkers, A21's Aftercare program provides survivors with counselling and life skills designed to provide knowledge, skills, and strategies to overcome trauma with the ultimate goal of restoration and independent living. Aftercare services offered includes but is not limited to: accommodation, medical care, psychological treatment, education support, vocational training, employment assistance, financial support, care packages, and access to community services, with each survivor receiving individualised support tailored to specific needs and goals. Additionally, A21 Thailand facilitates both domestic relocation and international repatriations for survivors in collaboration with relevant government agencies, as well as connecting repatriated survivors to a worldwide referral network of aftercare services for their ongoing care.

In 2020, new survivors entering into A21 Thailand's Aftercare program were overwhelmingly Thai nationals (93.75%), in contrast to 2019 where Thai nationals only comprised 55.4% of new survivors. This significant difference highlights the potential impact of closed borders due to COVID-19, a possible decrease in foreign national victims in Thailand, difficulty identifying foreign national victims, or most likely, a combination of all these factors in 2020. Of the new survivors, 56.2% were survivors of sex trafficking, 37.5% of online sexual exploitation, and 6.3% labour trafficking. Minors comprised approximately one-third (31.25%) of the new survivors entering into A21's Aftercare program in 2020. By the conclusion of 2020, A21's Aftercare Program had 58.6% child survivors, 11.4% of which were online child exploitation cases. This is a decrease in child survivors from 2019 (70.5%), however the number of online child exploitation cases remained similar (11.4%).

Forms of Exploitation for Survivors Entering A21 Aftercare Program (2020)



COVID-19 restrictions and lockdown prevented A21 Thailand social workers from visiting survivors in distant provinces, or from obtaining visitation permission for survivors in temporary government shelters. In response, A21 staff transitioned to remote services, including coordinating with government shelter partners or other local service providers when necessary to facilitate certain services, as well as engaging with each survivor and/or their respective family members by phone and through online means. Remote case management of child-survivors under the age of 12 proved to present additional challenges due to lack of phone access, difficulty with virtual communication, or dependence on their guardians in order to engage with A21 staff. Despite these challenges, A21 staff found alternative ways to maintain continuous communication with the very young child-survivors, including conducting video calls and, with a survivor's permission, communicating periodically with the survivor's trusted friend/family member who provided updates on the child-survivor's wellbeing, as well as coordination with trusted service provider partners in the area when possible.

The border closures and restrictions on travel also significantly delayed the repatriation of foreign national survivors. In one instance, due to the cancellation of most international flights, A21 Thailand facilitated a repatriation via a specially arranged charter flight, which required extensive coordination with relevant government agencies, immigration and the embassy of the origin country. Thai survivors awaiting repatriation back to Thailand experienced similar delays and hardships. Moreover, upon repatriation, survivors were required to quarantine. Some survivors, originally prepared to phase out of A21 Thailand's programs into independence, were delayed due to unexpected financial hardship as a result of the economic impact of COVID-19. Repatriation delays and financial hardship contributed to an increase in anxiety and distress for survivors and necessitated an extension of A21 Aftercare support.

National Collaboration with the Ministry of Education

In July 2020, A21 Thailand presented A21's work in prevention, awareness and education, and in particular, A21's Primary Prevention Program (PPP), to the National Director of Student Protection and Rescue Centre, under the Office of the Basic Education Commission (OBEC) of the Ministry of Education.

The Director highlighted the importance of educating children on human trafficking and exploitation, and the need for resource programs such as the PPP to be made available for Thailand's education staff who are most likely to encounter victims and potential victims in the course of their daily work. Thereafter, A21 Thailand was invited to provide a training on human trafficking and the PPP to 130 student council presidents, 43 head teachers and 42 government officials from all around Thailand at an OBEC organised workshop in August 2020. At that training A21 Thailand provided

information on current trends and patterns of trafficking in Thailand, and the role of educators in working symbiotically to find a solution to this very issue. The overwhelmingly positive feedback resulted in another OBEC invitation for A21 to facilitate a workshop in September 2020 to a targeted audience of 250 school psychologists from across Thailand. At this workshop, A21 conducted a full facilitator training of the PPP to school psychologists to enhance understanding and increase their ability to identify instances of child trafficking and exploitation in their respective educational service areas. These school psychologists work daily with children and families experiencing situations of abuse and violence, including exploitation and trafficking, and therefore are in key positions to function as first responders. Notwithstanding the many other challenges of the pandemic, A21 Thailand was able to forge its first national partnership with the Ministry of Education in 2020.

- ¹ The World Bank, Thailand Overview, last modified September 2020 <https://www.worldbank.org/en/country/thailand/overview>
- ² Royal Thai Embassy, Thailand's Country Report on Anti-Human Trafficking Efforts 2020 (1 January - 31 December 2020). <http://www.thaianti-humantraffickingaction.org/Home/wp-content/uploads/2021/02/Thailand-country-report-on-anti-trafficking-efforts-2020-FINAL-1-Feb-2020.pdf>.
- ³ The "Anti-Trafficking Act" is a combination of: The Prevention and Suppression of Human Trafficking Act, B.E. 2551 (2008), as amended by the Prevention and Suppression of Human Trafficking (No.2) Act, B.E. 2558 (2015) and the Prevention and Suppression of Human Trafficking (No.3) Act, B.E. 2560 (2017). Also see, Child Protection Act B.E. 2546, Labor Protection Act B.E. 2541, Prevention and Suppression of Prostitution Act B.E. 2539, and the Computer-Related Crime Act B.E. 2550.
- ⁴ Section 4, The Prevention and Suppression of Human Trafficking Act, B.E. 2551 (2008).
- ⁵ UNICEF Thailand, Keeping Children Safe Online During the Covid-19 Pandemic, <https://www.unicef.org/thailand/media/4181/file/Guidance%20for%20mobile%20operator%20and%20online%20content%20providers.pdf>.
- ⁶ World Health Organisation (WHO). Archived: WHO Timeline - COVID-19. <https://www.who.int/news/item/27-04-2020-who-timeline---covid-19#:~:text=Officials%20confirm%20a%20case%20of,cases%20outside%20of%20China>.
- ⁷ The World Bank, Thailand Economic Monitor January 2021: Restoring Incomes; Recovering Jobs, January 2021, <https://www.worldbank.org/en/country/thailand/publication/key-findings-thailand-economic-monitor-january-2021-restoring-incomes-recovering-jobs>.
- ⁸ Thailand had a total of 6,690 reported cases and 61 deaths at the end of 2020. See World Health Organisation (WHO) 'Coronavirus (COVID-19) dashboard' December 2020 <https://covid19.who.int/table?tableChartType=heat&tableDay=yesterday>.
- ⁹ Royal Thai Embassy, Thailand's Country Report on Anti-Human Trafficking Efforts 2020 (1 January - 31 December 2020). <http://www.thaianti-humantraffickingaction.org/Home/wp-content/uploads/2021/02/Thailand-country-report-on-anti-trafficking-efforts-2020-FINAL-1-Feb-2020.pdf>.
- ¹⁰ The PPP is designed to empower children ages 6-12 to protect themselves and others from human trafficking and other risks to children, through child-centred and play-based activities.
- ¹¹ The 'Can You See Me?' (CYSM) campaign is a global anti-human trafficking public awareness campaign of A21. The concept behind CYSM focuses on the "hidden but in plain sight" reality that underlies modern-day slavery. This campaign seeks to educate the public with the subtle indicators of human trafficking in order to expose a seemingly innocuous situation with the reality of the human trafficking that is occurring. As the campaign is country or region-specific, various iterations of the campaign exist specific to the country/region of distribution. CYSM focuses on collaborating with relevant stakeholders in the particular country. In each country, CYSM has a call to action, and provides the relevant hotline for that country.
- ¹² A21 social workers were involved with forensic interviews of potential victims of trafficking and exploitation to various degrees. Only A21 social workers who received proper child forensic interviewing training conducted interviews of potential child-victims and witnesses. Interviews conducted by these A21 social workers at A21's Pattaya CAC were done in accordance with A21's guidelines. Many interviews were conducted by Thai officials in accordance with the governing Thai laws and regulations with the participation or support of A21 social workers.
- ¹³ Royal Thai Embassy, Thailand's Country Report on Anti-Human Trafficking Efforts 2020 (1 January - 31 December 2020). <http://www.thaianti-humantraffickingaction.org/Home/wp-content/uploads/2021/02/Thailand-country-report-on-anti-trafficking-efforts-2020-FINAL-1-Feb-2020.pdf>.
- ¹⁴ Office of the Prime Minister's Policy Administration, Prime Minister Delivery Unit, Timeline the Royal Thai government combating CSAM and OCSE, last updated April 2020 <https://www.pmda.go.th/timeline-ticac/>.