



**Operational Guideline on the Prevention and Suppression of
Trafficking for Labour Purposes, and Assistance
and Protection for Trafficked Persons**

**Office of Welfare Promotion, Protection and Empowerment of Vulnerable Groups (OPP)
Ministry of Social Development and Human Security**

Preface

Human trafficking is becoming global problem and increasingly challenging to Thai Society. The Royal Government of Thailand has been putting much effort to prevent and to find solutions for this problem. The government issues revision of and brings improvement to legislations. The recent improvement of legislations can be observed from the Prevention and Suppression of Trafficking in Persons Act 2008 which enacted on 5 June 2008. The government also developed mechanism and special procedures which are important to ensure effective and efficient process to prevent and protect human trafficking suitable to current situation.

However, the magnitude of trafficking in persons in Thailand has been increasingly complex, expanding to various forms and networks. Trafficking for labour exploitation has been amplified. The Ministry of Labour is now recognize these changes, therefore, cooperated with the Ministry of Social Development and Human Security, panels of experts and specialists from both governmental and non-governmental agencies to develop the Operational Guideline to Prevent, Suppress, and Protect Persons Effected by Labour Trafficking to response to current situation.

The Ministry of Social Development and Human Security would like thank the International Labour Organization for the cooperation and supports to create this operational guideline. This guideline was a success in bringing cooperation between the Ministries. The Ministry of Social Development and Human Security expected that this guideline will lead the concern agencies both the governmental and non-governmental organizations, particularly the Ministry of Labour, to be able to operate within the same principle and in harmony to prevent and solve problems of trafficking in persons in Thailand



(Mr. Wanlop Phloytabtim)

Permanent Secretary

Ministry of Social Development and Human Security

Appreciation

The Office of Welfare Promotion, Protection, and Empowerment of Vulnerable Groups - OPP, The Ministry of Social Development and Human Security would like to express our appreciation to the Sub-Committee to Combat Trafficking in Children and Women, and the Central and the Provincial Committees, particularly the Provincial Committee in 5 lower central region provinces namely Phetchaburi, Prachuap Khiri Khan, Samut Prakan, Samut Songkhram, and Samut Sakhon for their dedication to create this Operational Guideline to Prevent, Suppress, and Protect Persons Effected by Labour Trafficking. Through series of 18 meetings, the operational guideline was drafted and went through public hearing to receive further comments from other organizations. Recommendations from all concerned agencies participating in public hearing was integrated and finalized into this operational guideline. The concerned agencies signed on their cooperation to develop the Operational Guideline on 30 April 2008 at Princeton Park Suite Hotel, Bangkok.

The process of drafting and development of the operational guideline is quite time consuming in order to allow efficient times for the members of working groups to learn from each other working experiences and have coherence understanding. The process was participatory learning for all agencies, through integrative process of analysis and synthesis. This process is, thus, as important as effective implementation of the guideline.

As a coordinating agency, the OPP would like to express sincere appreciation to Dr. Saisuree Chutikul, Chairperson of the Sub-committee to Combat Trafficking in Children and Women and members of the committee from the central and regional offices for their genuine collaboration and dedication till we have accomplished this task. We would like to thank to the International Labour Organization for their technical and financial supports. We are hoping that the guideline will be an operating manual for officials and all concerned staffs to prevent, suppress, and protect the persons who are victims and effected by trafficking, particularly trafficking for labour exploitation.



(Mr. Kitti Samanthai)

Director-General

Office of Welfare Promotion, Protection and
Empowerment of Vulnerable Groups

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Operational Guideline on the Prevention and Suppression of Trafficking for Labour Purposes, and Assistance and Protection for Trafficked Persons

1. Background and Rationale

The Thai Government has long placed importance on preventing and addressing the trafficking in persons problem. This was demonstrated firstly in the Act on Trafficking in Women and Girls, B.E. 2471, which afterwards was amended and became the Act on the Measures in Prevention and Suppression of Trafficking in Women and Children, B.E. 2540. However, in order to prevent and suppress trafficking and provide assistance and protection to trafficked persons, in accordance with the Convention and Protocol to Prevent, Suppress and Punish Trafficking in Persons and international principles on human rights, and to increase efficiency, the Thai Government has once again revised this law, now called the Anti-Trafficking in Persons Act, B.E. 2551. This law shall come into force on June 5, 2008.

Apart from the aforesaid legal mechanisms, the Thai Government has also given importance to developing other mechanisms and special measures for strengthening the effectiveness of the process of prevention and suppression of trafficking in persons, such as developing memorandums of understanding (MOUs) between state agencies and non-governmental organizations, and developing international and regional MOUs. Since it appears that the labour exploitation of trafficked persons is increasing significantly, the Ministry of Labour, being aware of the importance of the said problem, thus joins hands with the Ministry of Social Development and Human Security and other agencies concerned, both from the government and private sector, to develop this Operational Guideline on the Prevention and Suppression of Trafficking for Labour Purposes, and Assistance and Protection for Trafficked Persons. The process received support and cooperation from the International Labour Organization.

This Operational Guideline is developed for officials of the Ministry of Labour and other concerned agencies, both from the government and private sector, and is intended to be used for cooperation in preventing and suppressing trafficking for labour purposes, providing assistance and protection to trafficked persons, applying a multidisciplinary approach in line with relevant domestic laws and in accord with the policies and responsibilities of the Ministry of Labour as well as international obligations, so that the same principles and procedures shall be applied with uniformity nationwide.

2. Objectives

2.1 to be used as an operational guidance for government officials of the Ministry of Labour in preventing, suppressing, prosecuting, providing assistance and protection and addressing the trafficking in persons problem, by requiring cooperation particularly with officials from the Ministry of Social Development and Human Security, police officers and staff from NGOs;

2.2 to afford line officials with a clear and systematic operational guidance in efficiently coordinating and cooperating with concerned agencies at all levels;

2.3 to enhance capability of line officials in knowledge, skills, understanding and attitude for effective prevention, suppression and prosecution of trafficking, and assistance and protection to trafficked persons, to address the trafficking in persons problem;

2.4 to promote cooperation in assisting and protecting persons trafficked for labour exploitation and to prosecute traffickers in a multidisciplinary way based upon the same bases and principles.

3. Principles

3.1 To achieve efficiency and effectiveness in preventing, suppressing and prosecuting, providing assistance and protection, and addressing labour trafficking, cooperation is required from all sectors both in the form of contributing to the multidisciplinary team and amongst concerned agencies;

3.2 The implementation under 3.1 is in accordance with human rights principles which shall be in accordance with the Constitution of the Kingdom of Thailand, the Universal Declaration of Human Rights, the Convention on the Rights of Child, the Convention on the

Elimination of All Forms of Discrimination Against Women, International Labour Organization Convention No. 182 on the Elimination of the Worst Forms of Child Labour, International Labour Organization Convention No. 138 on Minimum Age, International Labour Organization Convention No. 29 on Forced Labour, International Labour Organization Convention No. 105 on the Abolition of Forced Labour, and other International Labour Organization conventions and other conventions or protocols to which Thailand is a party;

3.3 Work which is undertaken to address the labour trafficking problem shall be in accordance with the Penal Code, the Criminal Procedure Code, the Immigration Act B.E. 2522, the Act on Employment and Protection of Job-Seekers B.E. 2528, amended by the Act on Employment and Protection of Job-Seekers (no. 2) B.E. 2537, the Act on Mutual Assistance in Criminal Matters B.E. 2535, the Prevention and Suppression of Prostitution Act B.E. 2539, the Labour Protection Act B.E. 2541, the Anti-Money Laundering Act B.E. 2542, the Act on Compensation for injured person and Restitution and Expense for the Accused in Criminal Cases B.E. 2544, the Act on Witness Protection in Criminal Cases B.E. 2546, the Child Protection Act B.E. 2546, the Anti-Trafficking in Persons Act B.E. 2551, the Extradition Act B.E. 2551, the Act on Employment of Alien B.E. 2551, the Nationality Act (no. 4) B.E. 2551 as well as other relevant laws, regulations, rules and cabinet resolutions;

Work which is undertaken to prevent, suppress, prosecute, provide protection and assistance and address the labour trafficking problem shall be carried out in accordance with this **Operational Guideline on the Prevention and Suppression of Trafficking for Labour Purposes, and Assistance and Protection for Trafficked Persons**. In this connection, the best interests of the trafficked person shall be primarily taken into consideration.

4. Target Groups

4.1 Thai labourers and Thai children who have been trafficked for labour purposes both within and outside the Kingdom.

4.2 Alien labourers and children who hold a residence certificate or who enter and stay in the Kingdom, whether lawfully or unlawfully, and are identified as having been trafficked for labour purposes within the country.

4.3 Labourers and children who are non-Thai nationals¹ but reside within the Kingdom, or previously had domicile in the Kingdom, or have residency status in the Kingdom² and have been trafficked for labour purposes both within and outside the Kingdom.

The foregoing target groups shall include labourers and children who may have been trafficked.

5. Definitions

"trafficking in persons for labour purposes" means procuring, buying, selling, vending, bringing from or sending to, detaining or confining, harboring, or receiving any person, by means of the threat or use of force, abduction, fraud, deception, abuse of power, or the giving of money or benefits to achieve the consent of a person having control over another person in allowing the offender to exploit the person under his/her control for the purpose of labour and includes procuring, buying, selling, vending, bringing from or sending to, detaining or confining, harboring, or receiving a child for labour exploitation.

"labour exploitation" means seeking benefits from forced labour or service.

"forced labour or service" means compelling a person to work or provide a service by putting such person in fear of injury to life, body, liberty, reputation or property, of such person or another person, by means of intimidation, use of force, or any other means causing such person to be in a state of being unable to resist.

"person trafficked for labour purposes" means a person who has been trafficked directly for labour exploitation.

¹ "Non-Thai national" here means only normal persons whose nationalities are not Thai and not any of the nationalities prescribed by the cabinet resolution of 14 June, 2005, which includes 15 categories of people for whom the Ministry of Interior has created a registry and ID cards as appears in the annex. For ethnic minority groups in the country, according to Central Registry Bureau document no. mor tor 0310.1/wor 8 dated 31 March, 1995, non Thai nationals living in Thailand comprise: 1. highland people (holding blue cards), 2. Kuomintang veterans (holding white cards), 3. civilian Haw Chinese migrants (holding yellow cards), 4. independent Haw Chinese (holding orange cards), 5. displaced Burmese nationals (holding pink cards), 6. illegal entrants from Burma (holding orange cards/having permanent residence), 7. illegal entrants from Burma (holding purple cards/staying with employers), 8. Vietnamese migrants (holding white cards with blue frame), 9. Laotian migrants (holding light blue cards), 10. Nepalese migrants (holding green cards), 11. Malayo-Chinese Communist veterans (holding green cards/former Malayo-Chinese Communists), 12. Tai-Lue (holding orange cards), 13. Phao Tong Luang (highland people cards/holding blue cards), 14. migrants of Thai descent from Ko Kong, Cambodia (holding green cards), 15. persons who have been registered in the highland community survey (holding green cards with red frame).

² With official evidence or with proof from investigation

"child labour" means an employee who is a child whose age is 15 years but not attaining 18 years according to Section 44 and 45 in Chapter 4 of the Labour Protection Act B.E. 2541.

"a child whose labour is exploited illegally" means a person who is under 15 years of age - but does not include a person aged from 13 years upward who is engaged in agricultural work which does not consume the whole of a year³ - and is being exploited for labour, and needs to be assisted according to this operational guideline. In this circumstance, the child should be assisted regardless of whether they are a trafficked person for labour purposes, and regardless of whether the employer has violated any other laws.

6. Working Process

6.1 Mechanism at the Provincial Level

6.1.1 Provincial Operation Center on Prevention and Suppression of Human Trafficking (POCHT)

The cabinet resolution of 14 June 2005 authorized the setting up of POCHTs chaired by Provincial Governors or designated Deputy Governors, with the Chief of the Provincial Social Development and Human Security acting as committee member and secretary. The Committee consists of chiefs of relevant government agencies or the representatives of various organizations or agencies entrusted with the duty to coordinate and implement measures on the prevention and suppression of trafficking in persons (as designated in the regional Memorandum of Understanding).

6.1.2 The POCHT may set up a multidisciplinary operational team to provide assistance to trafficked persons. The team may comprise officers who are directly responsible for helping to remove the said persons from exploitative conditions such as from business establishments, workplaces, dwellings or any other places. The regional Memorandum of Understanding provides information about the responsibilities of this operational team.

³ Ministerial Regulation in the Agricultural Work, B.E. 2547, Article 8

The employer may allow a child whose age has attained 13 years to be able to work in the time period of schooling term holiday or out of schooling time especially for the work which is not harmful to health or being the work which is not against the development and encourages the child's quality of life, with the permission of parents or guardian of the child.

6.2 Operational procedure

6.2.1 Reporting of case

Upon the occurrence of labour exploitation, unjust use of labour, unlawful use of alien labour or there is a reasonable ground to believe that there are persons trafficked for labour purposes in business establishments, workplaces, dwellings or any other places, those who are informed of the incident can report it to the authorities through many channels, of which the detail is shown in the appendix.

6.2.2 Operational procedure after receiving case report

Having received a case report, the concerned agencies in the Ministry of Labour shall proceed as follows:

a. The Department of Labour Protection and Welfare

(1) Having received the report, it shall expeditiously conduct initial fact-finding (such as getting information regarding the name of the business establishment, actual location, number of employees, authorized persons in case such establishment is a juristic person, etc.). When information obtained is doubtful, the Department shall proceed with labour inspections. If there is reasonable ground to believe that there are persons trafficked for labour purposes:

- in the provinces, the Department shall report to the multidisciplinary operational team, and
- in Bangkok, the Department shall report to the competent police officer such as the Children, Juveniles and Women Division (CWD) or police units responsible for the area where the establishment or workplace is located and the Bureau of Anti-Trafficking in Women and Children, Department of Social Development and Welfare, Ministry of Social Development and Human Security (BATWC) for joining in furthering other immediate assistance.

(2) If there is a reasonable ground to cause a labour inspector, during regular labour inspections, to believe that there are persons trafficked for labour purposes:

(2.1) if the person trafficked for labour purposes is **Thai**, the case shall be reported to the Provincial Office of the Ministry of Social Development and Human Security so that contact may be made with the multidisciplinary operational team, as accorded by the regional Memorandum of Understanding, to bring persons trafficked for labour purposes out from the business establishment, workplaces or other places.

For Bangkok, the case shall be reported to the competent police officer such as the Children, Juveniles and Women Division (CWD) or the police unit responsible for the area where the business establishment or workplace is located as well as the Bureau of Anti-Trafficking in Women and Children, Department of Social Development and Welfare, Ministry of Social Development and Human Security (BATWC) for joining in furthering other immediate assistance.

(2.2) If the person trafficked for labour purposes is an **alien**, the case shall be reported to the provincial office of the Ministry of Social Development and Human Security so that contact may be made with the multidisciplinary operational team, as accorded by the regional Memorandum of Understanding, to bring persons trafficked for labour purposes out from the business establishments, workplaces or other places.

For Bangkok, the case shall be reported to the Inspection and Job-Seekers Protection Division, Department of Employment and the Bureau of Anti-Trafficking in Women and Children, Department of Social Development and Welfare, Ministry of Social Development and Human Security (BATWC) for joining in furthering other immediate assistance.

(2.3) If the person trafficked for labour purposes is a **non-Thai national who resides, or previously had domicile, or has residency status in the Kingdom:**

In the provinces - report to the provincial office of the Ministry of Social Development and Human Security to make contact with the multidisciplinary operational team, in accordance with the regional Memorandum of Understanding, to bring persons trafficked for labour purposes out from the business establishment or workplace.

For Bangkok - report to the competent police officer such as the Children, Juveniles and Women Division (CWD) or the police unit responsible for the area where the business establishment is located and the Bureau of Anti-Trafficking in Women and Children, Department of Social Development and Welfare, Ministry of Social Development and Human Security (BATWC) for joining in furthering other immediate assistance.

(3) The labour inspector shall cooperate with the inquiry official in searching for additional facts to complement the process of screening persons trafficked for labour purposes, prosecuting the trafficking offence and ensuring that any person trafficked for labour purposes will receive assistance as stipulated in Chapter 4 of the Anti-Trafficking Act B.E. 2551.

(4) For cases where the employer has violated or not complied with the Labour Protection Act B.E. 2541, the labour inspector will forward the facts and evidence to the relevant authority for further action.

b. Department of Employment

(5) Upon receiving a report of the employment of alien labourers which may be in violation of the law, or workers who may have been exploited, the competent official shall immediately verify initial information (such as examining computerized information of the employer and employee and investigating for leads and facts).

When there is reasonable cause to believe that the law was violated or that trafficking in persons has taken place in a business establishment, workplace, dwelling, or any other place, the competent official shall coordinate with the competent police officer to enter the place for inspection. If there is reasonable cause to believe that an alien is a person trafficked for labour purposes or is vulnerable to being trafficked for labour purposes, the rescue shall be promptly executed. In the provinces, the incident shall be reported to the Provincial Office of the Ministry of Social Development and Human Security in order to coordinate with the multidisciplinary operational team, as accorded by the regional Memorandum of Understanding. In Bangkok, the report shall be made to the Bureau of Anti-Trafficking in Women and Children, Department of Social Development and Welfare, Ministry of Social Development and Human Security (BATWC) for joining in furthering other immediate assistance.

(6) If a competent official discovers, through labour inspection of alien workers and during the performance of his regular duties, that there are persons trafficked for labour exploitation or that any labourers are vulnerable to being trafficked for labour purposes:

- in the provinces, the Provincial Office of the Ministry of Social Development and Human Security will be notified to make contact with the multidisciplinary operational team, as accorded by the regional memorandum of understanding, to bring trafficked labours out from the business establishment, workplace, dwelling place or nay other place, and

- in Bangkok, the Bureau of Anti-Trafficking in Women and Children, Department of Social Development and Welfare, Ministry of Social Development and Human Security (BATWC) will be notified to coordinate with concerned agencies.

In cases of urgency where there is reasonable cause to believe that without immediate assistance a person trafficked for labour purposes, or any person who may be trafficked for labour purposes, may be harmed, transferred or concealed, the competent authority coming across the incident must urgently coordinate with the competent police officers to provide assistance and bring the person trafficked for labour exploitation or the person who may be trafficked for labour purposes out from such business establishment immediately. The competent authority must then notify the Provincial Office of the Ministry of Social Development and Human Security, or the Bureau of Anti-Trafficking in Women and Children, Department of Social Development and Welfare, Ministry of Social Development and Human Security (BATWC) for further action, and immediately notify the inquiry officials.

(7) If the official comes across the use of alien child labour in any circumstances, in the provinces, coordination shall be made to the Provincial Labour Protection and Welfare Office. In Bangkok, the Area Labour Protection and Welfare Division shall be notified to act as authorised.

When a child is removed from a business establishment, workplace, dwelling, or any other place, contact shall be made with the Provincial Office of the Ministry of Social Development and Human Security in order to send the child to a shelter or home of the Department of Social Development and Welfare, Ministry of Social Development and Human Security, or to those run by other government or private agencies.

(8) In case where an alien labourer has been trafficked, the officials of the Department of Employment shall take action or coordinate with the Provincial Office of the Ministry of Social Development and Human Security to ensure that assistance and protection stipulated in Chapter 4 of the Anti-Trafficking in Persons Act, B.E. 2551(2008) is provided.

(9) If it is found that the rights of an alien labourer are violated under the Labour Protection Act B.E. 2541, in the provinces, the Provincial Labour Protection and Welfare Office shall be notified. In Bangkok, the area Labour Protection and Welfare Division shall be notified to act as authorised.

(10) In case where POCHT or the Department of Social Development and Welfare requests assistance in finding an employer for victim of labour trafficking, if it has been proven that such victim is the person who enters into the Kingdom lawfully and the right to stay in the Kingdom has not been terminated, or is the person who is permitted to stay in the Kingdom temporarily according to Section 37 of the Anti-Trafficking in Persons Act, B.E.

2551, the Chief of the Provincial Office of Employment or the Director General of the Bangkok Employment Office shall supply information regarding job vacancy and available employers to the Provincial Social Development and Human Security Office or the Department of Social Development and Welfare and victim of labour trafficking for further action.

(11) In cases where the labourer is not a Thai national but resides in the Kingdom or used to have domicile or has resident status in the Kingdom and there is a reasonable cause to believe that they are a person trafficked for labour purposes, in the provinces, the Provincial Office of the Ministry of Social Development and Human Security will be notified to make contact with the multidisciplinary operational team, according to the regional Memorandum of Understanding, to remove such person from the business establishment, workplace, dwelling, or any other place.

For Bangkok, notification shall be made to the competent police officer such as the Children, Juveniles and Women Division (CWD) or the police unit responsible for the area where the establishment is located, and the Bureau of Anti-Trafficking in Women and Children, Department of Social Development and Welfare, Ministry of Social Development and Human Security (BATWC) for joining in furthering other immediate assistance.

(12) In cases where a Thai labourer has been permitted by the Department of Employment to work **in a foreign country**, or the Thai labourer goes to work in a foreign country without permission and is vulnerable to trafficking or has been trafficked in a foreign country, and needs assistance as well as repatriation to Thailand, such person or any informed person shall inform the officials of the Provincial Office of Labour or the Provincial Employment Office or the Provincial Office of the Ministry of Social Development and Human Security or the Office of the Permanent Secretary, Ministry of Labour or the Department of Employment or the Department of Social Development and Welfare, Ministry of Social Development and Human Security or the Protection of Thai Nationals Abroad Division, Department of Consular Affairs or the Thai Embassy or the Thai Consular Office, or the Thai Office of Labour Affairs in such country, as the case may be, to coordinate in providing assistance and cooperate in gathering evidence or additional information which is useful for the prevention and prosecution of such case (in accordance with the Anti-Trafficking in Persons Act, B.E. 2551, Section 39 para. 1 and the Act on Employment and Job-Seeker Protection, B.E. 2528).

In cases where a labourer is an alien who has been granted permission to reside in the Kingdom, or has been given permission from the Minister of Interior to stay in the Kingdom for special reasons, before leaving the Kingdom, the status of being granted permission to reside within the Kingdom remains valid. If the said person goes to work in a foreign country and may become a person trafficked for labour purposes, or the person is trafficked, should the said person wish to return to the Kingdom, the said person or an informed person shall inform the officials of the Provincial Office of Labour or the Provincial Employment Office or the Provincial Office of the Ministry of Social Development and Human Security or the Office of the Permanent Secretary, Ministry of Labour or the Department of Employment or the Department of Social Development and Welfare, Ministry of Social Development and Human Security and the Thai Embassy or the Thai Consular Office, or the Thai Office of Labour Affairs in such country, as the case may be, to verify the accuracy of documents held by the person and the residency status of the person and then coordinate in providing assistance and cooperate in gathering evidence or additional information which is useful for the prevention and prosecution of such case (in accordance with the Anti-Trafficking in Persons Act, B.E. 2551, Section 39 para. 2 and the Act on Employment and Job-Seeker Protection, B.E. 2528).

In cases of a non-Thai labourer or an alien for whom there is cause of believe that they have, or used to have, domicile or residence in the Kingdom, and they are vulnerable to being trafficked for labour purposes or being trafficked for labour purposes in a foreign country, should the said person wish to return to the Kingdom, the said person or an informed person shall inform the officials of the Provincial Office of Labour or the Provincial Employment Office or the Provincial Office of the Ministry of Social Development and Human Security or the Office of the Permanent Secretary, Ministry of Labour or the Department of Social Development and Welfare, Ministry of Social Development and Human Security and the Thai Embassy or the Thai Consular Office, or the Thai Office of Labour Affairs in such country, to coordinate in providing assistance and cooperate in gathering evidence or additional information which is useful for the prevention and prosecution of such case (in accordance with the Anti-Trafficking in Persons Act, B.E. 2551, Section 39 para. 3 pursuant to the Cabinet Resolution dated 14 June B.E. 2548 and the Act on Employment and Job-Seeker Protection, B.E. 2528).

6.3 General Implementing Principles

6.3.1 In deciding whether a person is trafficked or not, the inquiry official shall be responsible for considering this issue based on the facts gathered with the assistance of and taking into account opinions from state and private agencies as well as relevant persons (see the regional MOU).

6.3.2 Where notification is received of an incidence where there may be trafficking in persons for labour purposes committed in a workplace, or any other place that has a large site or probably has a considerable number of persons trafficked for labour purposes, the operation conducted to assist these people must consider the safety of the individuals, the procedure for victim identification, and a place where the trafficked persons should be transferred to. In this connection, the officials of the Ministry of Labour may coordinate with and request assistance from concerned agencies both at the central and regional levels.

6.3.3 Unless the Minister of Justice grants a permission in writing, the inquiry official is barred from taking criminal proceedings against any trafficked person on the offence of entering, leaving, or residing in the Kingdom without permission under the law on immigration, giving false information to an official, forging or using a forged travel document under the Penal Code, offences under the law on the prevention and suppression of prostitution particularly on contacting, persuading, introducing and soliciting a person for the purpose of prostitution and assembling together in the place of prostitution for the purpose of prostitution or offences of being an alien working without permission under the law on working of the alien (in accordance with the Anti-Trafficking in Persons Act, B.E. 2551, Section 41).

6.3.4 For the purpose of taking proceedings against a trafficker or providing medical treatment or rehabilitation, or assistance with claiming for compensation, to the trafficked person, the competent official according to the Anti-Trafficking in Persons Act, B.E. 2551 may assist the trafficked person to obtain permission to stay in the Kingdom temporarily and be temporarily allowed to work, in accordance with the law. In so doing, humanitarian reasons shall be taken into account (in accordance with the Anti-Trafficking in Persons Act, B.E. 2551, Section 37).

6.3.5 To protect persons trafficked for labour purposes, or any person vulnerable to trafficking for labour purposes, the concerned authority shall keep confidential and shall not allow or undertake the following acts:

(1) taking a picture, circulating a picture, printing a picture, or recording or airing the voice of any person, at any stage, which may lead to the identification of the trafficked person;

(2) publishing or disseminating the content appearing in the course of the inquiry made by the inquiry official or in the course of a court hearing, which may allow another person to know the first name and last name of the trafficked person, or the family members of the trafficked person, through whatever type of information communication media;

(3) publishing or disseminating the content, picture or voice, through whatever type of information communication media, which discloses the history, place of living, place of work or place of education of the trafficked person.

The above shall not include acts taken in the interest of government affairs in protecting and assisting the trafficked person, or where the trafficked person gives their consent in good faith (in accordance with the Anti-Trafficking in Persons Act, B.E. 2551, Section 56).

6.3.6 In cases of child labour, where a child is under 18 years old, whether it is a Thai child in the Kingdom or abroad, or a child who is not a Thai national but resides in the Kingdom or used to have a domicile or has resident status in the Kingdom, and that child has been trafficked, the official of the Ministry of Labour shall take special care of the child and arrange for the child to stay in an appropriate place, set apart from other labourers who have committed offences. Consideration shall be given to the best interests of the child and further coordination shall be made expeditiously to the provincial office of the Ministry of Social Development and Human Security or the Department of Social Development and Welfare, Ministry of Social Development and Human Security to take action in accordance with the principles of child protection in criminal cases under the Criminal Procedure Code.

In cases of unlawful child labour, even if the child is not trafficked for labour purposes, the official of the Ministry of Labour shall take care and give the child the same treatment as given to a child labourer as stated in the previous paragraph.

In cases where a child is trafficked for labour purposes, it shall be deemed as Child labour in one of the worst forms. (according to the International Labour Organization Convention no. 182) requiring immediate assistance. Legal action against the trafficker shall be taken immediately. The child being assisted must be immediately and properly treated and rehabilitated both physically and mentally, and action must be continuously taken to prevent the child from being used for labour trafficking again.

In so doing, services in education, skills training and developing quality of life from concerned agencies both in the state and private sectors shall be provided to the child. In certain cases, if it is necessary, the occupational support for the child's family shall be provided by the cooperation between the Ministry of Labour and the Ministry of Social Development and Human Security.

6.3.7 The Government supports the requirement for cooperation amongst the concerned agencies in disseminating knowledge to prevent and address the problem of trafficking in persons. Such agencies can ask for budget support from the Fund as provided in the Anti-Trafficking in Persons Act, B.E. 2551.

6.4 Monitoring and Evaluation

To increase efficiency of the implementation of this Operational Guideline, the Ministry of Labour may make a proposal to the Coordinating Committee on Anti-Trafficking in Persons to appoint a sub-committee, according to Article 25 of the Anti-Trafficking in Persons Act, B.E. 2551, entrusted with the duty to monitor and evaluate performance in activities to combat trafficking for labour purposes.

This Operational Guideline on the Prevention and Suppression of Trafficking for Labour Purposes, and Assistance and Protection for Trafficked Persons directed to guide responsible officials from The Ministry of Labour, by which the Ministry of Social Development and Human Security will be collaborating partner in operation. All the partners appeared belloved consents to this Operational Guideline and affix signature on 30 April B.E. 2551.

Witness

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Office of Welfare Promotion, Protection
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(Mrs. Saisuree Chutikul)

Chairperson of the Sub-committee
to Combat Trafficking in Children and Women

The page features a light blue background with a subtle, repeating floral pattern of stylized flowers and swirling vines. A central white rectangular box with rounded corners and a thin blue border contains the word "Appendix" in a bold, black, sans-serif font.

Appendix

Directory of agencies to file complaints

Governmental Agencies

- Hotline of the Department of Employment Tel. 1694
- Working of Aliens Monitoring and Inspection Section,
Tel. 02-354-1386 and 02-354-1729
- Post Box no. 8 Din Daeng, Bangkok 10407
- Bangkok Employment Office 1-10
 - Area 1 02-223-6217, 02-223-6215-6
 - Area 2 02-910-1178, 02-910-1183-4
 - Area 3 02-617-6566, 02-617-6578
 - Area 4 02-211-9584 ext. 17-19, 02-211-6205 ext. 21-23
 - Area 5 02-439-2985, 02-437-5855
 - Area 6 02-455-5359 ext. 106, 109
 - Area 7 02-427-6109 ext. 13, 26
 - Area 8 02-398-7615-6 ext. 13, 20
 - Area 9 02-948-6009 ext. 107, 109, 115
 - Area 10 02-540-7006-7
- Provincial Offices of Employment
 - Krabi 075-620368, 075-621527
 - Kanchanaburi 035-564309 ext. 11, 034-564315 ext. 13
 - Kalasin 043-813228-9
 - Kamphaeng Phet 055-705023-5 ext. 19, 22
 - Khon Kaen 043-330554
 - Chanthaburi 039-323840, 039-325914
 - Chachoengsao 038-814358, 038-514842-3
 - Chon Buri 038-398054 ext. 205, 038-398052 ext. 203, 205
 - Chai Nat 056-413035
 - Chaiyaphum 044-813506 ext. 12, 044-821088-9
 - Chumphon 077-501153 ext. 13, 077-504364 ext. 16
 - Chiang Rai 053-152053, 053-152054 ext. 211
 - Chiang Mai 053-112742 ext. 12, 053-112744-6 ext. 24
 - Trang 075-220226, 075-214027 ext. 11, 14
 - Trat 039-530840-1

- o Tak 055-514569 ext. 13, 17
- o Nakhon Nayok 037-313204, 037-313186
- o Nakhon Pathom 034-250861-2 ext. 21, 22
- o Nakhon Phanom 042-513114-5, 042-520867
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- o Nakhon Si Thammarat 075-360047, 075-360045 ext. 3
- o Nakhon Sawan 056-257036-7
- o Nonthaburi 02-580-7796, 02-580-9276 ext. 102
- o Narathiwat 073-532098, 073-532099
- o Nan 054-771362 ext. 11, 054-710363 ext. 18
- o Buri Ram 044-615004 ext. 13, 044-615004-6 ext. 20
- o Pathum Thani 02-5670633, 02-5670630-2 ext. 15-19
- o Prachuap Khiri Khan 032-602271 ext. 13, 032-602270 ext. 16
- o Prachin Buri 037-454023, 037-454021-3
- o Pattani 073-348000 ext. 17, 073-336021 ext. 11
- o Phra Nakhon Si Ayutthaya 035-213958, 035-335855
- o Phayao 054-482399 ext. 11, 054-482267-8 ext. 12
- o Phang-nga 076-460672, 076-460674
- o Phatthalung 074-620785 ext. 15, 074-614144 ext. 16
- o Phichit 056-650990, 056-612834
- o Phitsanulok 055-246257 ext. 113, 055-283045-6 ext. 105
- o Phetchaburi 032-419609 ext. 23, 032-488383 ext. 16
- o Phetchabun 056-720667-8
- o Phrae 054-511721
- o Phuket 076-219660 ext. 17, 18
- o Maha Sarakham 043-777540-1
- o Mukdahan 042-613037-8
- o Mae Hong Son 053-611972, 053-611088
- o Yasothon 045-722145, 045-711216 ext. 12, 16
- o Yala 073-211589, 073-211590
- o Roi Et 043-624166-7 ext. 106, 043-524648 ext. 108
- o Ranong 077-862026
- o Rayong 038-694022, 038-694033

- Ratchaburi 032-326706 ext. 122, 032-328439 ext. 121
 - Lop Buri 036-422906, 036-420365
 - Lampang 054-351199, 054-265049
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 - Loei 042-812594-5 ext. 12, 13
 - Si Sa Ket 045-631482-3 ext. 101, 108
 - Sakon Nakhon 042-714778-9 ext. 112, 114
 - Songkhla 074-316322, 074-314845
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 - Samut Prakan 02-7596079 ext. 43, 02-3837471-3 ext. 41-42
 - Samut Songkhram 034-714342-3 ext. 111, 103, 104
 - Samut Sakhon 034-494836-7 ext. 16, 17
 - Sa Kaeo 037-425022, 037-425020
 - Saraburi 036-212179, 036-211208
 - Sing Buri 036-507202-3 ext. 17, 18
 - Sukhothai 055-620522, 055-610218-9 ext. 14
 - Suphan Buri 035-408205 ext. 110, 035-408206 ext.107
 - Surat Thani 077-355422, 077-355423
 - Surin 044-516017-8 ext. 15, 17
 - Nong Khai 042-412860-1 ext. 14, 17
 - Nong Bua Lam Phu 042-311424, 042-312605
 - Ang Thong 035-613388, 035-613038
 - Amnat Charoen 045-511906
 - Udon Thani 042-348586, 042-348588
 - Uttaradit 055-417016-7 ext. 17, 055-4171016-7 ext. 22
 - Uthai Thani 056-510749, 056-513024-25
 - Ubon Ratchathani 045-284445-7 ext. 13, 17
- www.doe.go.th
 - Department of Labour Protection and Welfare, Tel. 02-254-4310-4
 - www.labour.go.th
 - Prevention and Labour Protection Division, the Labour Protection Office, Department of Labour Protection and Welfare, Tel. 02-254-7020

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+ means press 007 (when calling from Thailand to Malaysia)

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• Division of Labour Protection and Welfare 1-10

- o Area 1 02-221-1893, 02-221-0947
- o Area 2 02-513-5160, 02-513-8430
- o Area 3 02-245-3374, 02-245-5606
- o Area 4 02-212-9881, 02-212-0652
- o Area 5 02-221-0986, 02-221-1362
- o Area 6 02-448-5764, 02-884-1728
- o Area 7 02-453-2401-5
- o Area 8 02-3287672, 02-328-8179
- o Area 9 02-378-1835-6
- o Area 10 02-540-5198-9

• Provincial Office of Labour Protection and Welfare

- o Krabi 075-611997, 075-611798
- o Kanchanaburi 034-511253, 034-512599
- o Kalasin 043-811092, 043-812746
- o Kamphaeng Phet 055-710026-7
- o Khon Kaen 043-236737, 043-236277
- o Chanthaburi 039-311574, 039-313666
- o Chachoengsao 038-511600, 038-514760

- o Chon Buri 038-311305, 038-323665
- o Chai Nat 056-411202, 056-415329
- o Chaiyaphum 044-811738, 044-812906
- o Chumphon 077-511471, 077-503381
- o Chiang Rai 053-711634, 053-750515-6
- o Chiang Mai 053-890472-3, 053-112720
- o Trang 075-212864, 075-218964
- o Trat 039-511942
- o Tak 055-511505, 055-513642
- o Nakhon Nayok 037-311683
- o Nakhon Pathom 034-340067, 034-340068-9
- o Nakhon Phanom 042-511390, 042-520952
- o Nakhon Ratchasima 044-242961, 044-257102
- o Nakhon Si Thammarat 075-347300, 075-356534
- o Nakhon Sawan 056-222766, 056-223922
- o Nonthaburi 02-580-0717-8
- o Narathiwat 073-511298
- o Nan 054-710957
- o Buri Ram 044-611462, 044-611872
- o Pathum Thani 02-567-6943-4
- o Prachuap Khiri Khan 032-611354, 032-604011
- o Prachin Buri 037-454019-20
- o Pattani 073-333014, 073-349354
- o Phra Nakhon Si Ayutthaya 035-336547, 035-213821-3
- o Phayao 054-431444
- o Phang-nga 076-412142
- o Pattalung 074-611958
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- o Phitsanulok 055-258869, 055-282191
- o Phetchaburi 032-411040-1
- o Phetchabun 056-721411, 056-721529
- o Phrae 054-511643, 054-534424
- o Phuket 076-211995, 076-220760
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o Yasothon	045-711654
o Yala	073-274485-6
o Roi Et	043-513019, 043-511452
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o Lop Buri	036-411801, 036-412385
o Lampang	054-265037, 054-265035-6
o Lamphun	053-537703-4
o Loei	042-811212, 042-833298
o Si Sa Ket	045-612569, 045-612524
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o Songkhla	074-313056-7, 074-311435
o Satun	074-711162, 074-730983
o Samut Prakan	02-394-6972, 02-394-6645-7
o Samut Songkhram	034-711899
o Samut Sakhon	034-411040, 034-425951
o Sa Kaeo	037-421034-5
o Saraburi	036-212553, 036-230348
o Sing Buri	036-512098, 036-507200
o Sukhothai	055-611481
o Suphan Buri	035-535694, 035-535392
o Surat Thani	077-355414, 077-355415
o Surin	044-518890, 044-513981
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o Nong Bua Lam Phu	042-312040
o Ang Thong	035-611331
o Amnat Charoen	045-551950, 045-451516
o Udon Thani	042-243329, 042-222284
o Uttaradit	055-442535, 055-411965
o Uthai Thani	056-520844, 056-511907
o Ubon Ratchathani	045-255459

- Immigration Bureau, Tel. 1178
- Metropolitan Police Bureau, Tel. 191
- Highway Police, Tel. 1193
- Children, Juveniles and Women Division (CWD), Tel. 1191, 02-511-0724
- Hotline of the Ministry of Social Development and Human Security, Tel. 1300
- The Bureau of Anti-Trafficking in Women and Children, Tel. 02-659-61159 (Foreigners) 02-659-6161 (Thai national)
- The Protection of Thai Nationals Abroad Division, Department of Consular Affairs, Tel. 02-5751049, 02-5751053

Non - governmental Agencies

- Foundation for Child Development (FCD), Tel. 02-433-6292
- The Center for the Protection of Children's Right Foundation (CPCR), Tel. 02-412-1196, 02-412-0739
- World Vision Foundation of Thailand, Tel. 02-381-8863-5
- Fight against Child Exploitation Foundation (FACE), Tel. 02-509-5782
- Labour Rights Promotion Network (LPN), Tel. 034-434726
- Backtohome, Mirror Foundation, Tel. 02-642-7991 ext. 11

The page features a light blue background with a subtle, intricate floral and vine pattern. A central white rectangular box with rounded corners and a thin blue border contains the text. The text is in a bold, black, sans-serif font.

List of Working Group

List of Working Group

Operational Guideline on the Prevention and Suppression of Trafficking for Labour Purposes, and Assistance and Protection for Trafficked Persons

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