

**COOPERATION AND BURDEN SHARING TOWARDS
DISMANTLING SMUGGLING AND TRAFFICKING NETWORKS**

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Commander of the Sri Lanka Navy, colleagues, ladies and gentlemen.

It is a great pleasure for me to have an opportunity to participate in this International Maritime Conference – Galle Dialogue 2015, and to contribute to the proceedings in the subject of “Cooperation and Burden Sharing Towards Dismantling Smuggling and Trafficking Networks”.

It is a known fact that Thailand is a source, destination, and transit country for men, women, and children subjected to human trafficking, and forced labor. Thailand has been working hard in the past few years to tackle and attempt to dismantle the trafficking network, with efforts across government officials. The Royal Thai Navy has been tasked to intercept any trafficking and smuggling attempts at sea and coastal area, as well as to give any humanitarian assistance to the trafficking victims. The following presentations will be what Thailand’s effort in combating human trafficking and sea smuggling problems, the role of the navy, and the way forward for cooperation and burden sharing in combating the smuggling and trafficking networks.

Main Presentation:

(1) What Thailand has done in responding to human trafficking sea smuggling problems?

The problem of trafficking in person in the region is on the rise and needed to be tackled collectively from all actors. As the result Thai government consider the combating of human trafficking and forced labor as one of the national priorities. The current government has stepped up in the maximum efforts and declared zero tolerance to corruption and complicity of the crime.

Thailand shares thousands of kilometers long borders with neighboring countries and is the regional center for transportations. Economic growth of the country attracts number of labors from neighboring countries to seek for jobs. Furthermore, entrepreneurs in Thailand demand foreign labor to work in laborious work. This results in organized crime taking people to work in such industry. To make the matter worst, a long maritime border is vulnerable for sea smugglings, as well.

There is a prevalent misunderstanding, that all or most migrant workers in Thailand are illegal, and victims of human trafficking. This is not simply the case. In fact, the majority of migrant workers have registered themselves with the Ministry of Labor, and are classified into 3 groups. As of today, the first group of 442,786 persons are those who are employed in Thailand through the Memorandum of Understanding the country has signed with neighboring countries. The second group of 1,381,722 workers includes those who have already gone through the registration and national verification processes in the past and are able to work legally in Thailand. The third group of 1,062,090 workers and their dependents are those who have gone through the National Council of Peace and Order's recent migrant workers registration since May, 2014.

In total, there are 3 million migrant workers in the kingdom, of which approximately 90,000 are in fishing work. This brought about a security issue that Thailand faces today. Royal Thai Government has worked tirelessly in this matter, and has adopted "*The Anti-Human trafficking National Plan of Action*", by implementing the "5 P's" frameworks – (a) Policy and Mechanisms, (b) Prosecution and Punishment, (c) Protection, (d) Prevention, and (e) Partnership. Furthermore, Thailand has been accused of not taking serious measure against human trafficking in its fishery sector. The government has also included a chapter of TIP Action Plan for Fishery Sector, in September 2015. The action plan stipulated measures, responsible agencies, and timeframe. The current progresses are as the followings.

(a) Progress of Policy and implementation mechanism.

The policy integrated anti-human trafficking, regularized migrant workers, and stipulated the management mechanism through the National Anti-Human trafficking and Illegal Unreported, and Unregulated Fishing Policy Committee, chaired by the Prime Minister; Sub-Committee on Anti-Human trafficking, chaired by the Deputy Prime Minister; and operating agencies including law enforcements. Furthermore, the government has established a temporary ad-hoc organization, the Command Center for Combating Illegal Fishing, chaired by the Commander in Chief of the Royal Thai Navy to oversee the whole operation of combating illegal fishing and forced labors in fishery industry.

(b) Progress on Prosecution and Punishment.

The Ministerial Regulation on Labor Protection in Fishery Sector (2014) was revised to be in line with ILO Convention No.188 (The Work in Fishing Convention, 2007) in close consultation with ILO during the drafting process.

The Anti-Human trafficking Act (2015) was amended to protect informants, enhance relevant agencies' authorities on inspection, and impose a tougher punishment for infringement.

Strict enforcement of relevant legislation was carried out. Urgent measures included (1) early interception of migrants at risk, (2) strict law enforcement against trafficking syndicates and corrupted government officials, (3) in-depth investigation of all cases to prosecute syndicates, and (4) strengthening criminal justice system.

(c) Progress on Protection.

The Victim Identification Process was strengthening by (1) guarantee access to interpreter, (2) training on handling potential victims of Human trafficking for relevant officials.

Effective on-shore victim Referral System was established.

During recovery process, the victims of human trafficking in fishery sector especially woman and children will be provided with a specialized services.

(d) Progress on Prevention.

Capacity building It is to strengthen the labor inspection by providing specialized training for labor inspectors and law enforcement authorities. Specialized inspection procedure, guidelines, and form are developed in consultant with the International Labor Organization.

Raising Awareness about rights, good labor practices and good working conditions onboard for both workers and employers;

(1) Promote Code of Conduct for fishery sector, co-developed by ILO and Private sector

(2) Promote the use of Good Labor Practice, co-developed by ILO and possibility to continue the GLP project in fishing vessels, and

(3) Continue labor rights awareness campaign, in cooperation with ILO, IOM and local NGOs.

Access to complaint mechanism (1) Providing long-distance radio on vessels is mandatory and (2) access to hotline with translation services available.

Labor registration was carried out to minimize vulnerability due to their legal status. Continuous Labor registration scheme was implemented biannually to ensure the workers receiving protection and support according to Thai Laws.

Development Effective Labor Database for effective labor monitoring and inspection for near real-time inspection in coastal area and frequently synced database for inspection onboard.

(e) Progress on Partnership.

International Labor Organization Technical assistance for labor inspectors, ongoing projects including training curriculum, standardized labor inspection form, guideline for labor inspector, and multi-disciplinary inspection team.

Strengthening Partnership with other international partners, local NGOs, Civil society, and private sector especially Fishery Association.

The mechanism for Anti-Sea Smuggling

Due to geography of Thailand, sea-smuggling is one of the major security risks. The lead agency is the Custom Department, and support agencies are the Royal Thai Navy, Marine Police and Marine Department. The coordination and integration effort of anti-sea smuggling is carried out by Thailand Maritime Enforcement Coordinating Center or THAI-MECC.

The key mechanism is strengthening partnership and information sharing at the national and international level through Maritime Information Sharing Center of THAI-MECC, Singapore Information Fusion Center, INTERPOL, UNODC, and other international organizations.

(2) What are the roles of the Royal Thai Navy in combating the human trafficking and sea smuggling network?

(a) Law Enforcement at Sea and Coastal Area: Thai Government has maintained a firm stance that irregular migrants would not be allowed to Kingdom without being charged with illegal migration offences. Under the constitution and the Empowering of Naval Officers Act (1991) stipulated the duty of enforcing 29 Acts, ranging from piracy and armed robbery at sea, slavery, illegal migrants, illegal fishing to environment law. Royal Thai Navy has been operating in accordance with the internal laws, and the government guideline of intercepting the irregular migrants at sea, and preventing illegal migrants entering to the kingdom.

(b) Humanitarian Assistance to Irregular Migrants: The problem of irregular migrants in the Indian Ocean has increased significantly. Thai Government was aware of the issue and concerning the safety of life at sea. And as the result the government ordered the Ministry of Defense to take responsibility of conducting the Humanitarian Assistance to Irregular Migrants, whereby The Royal Thai Armed Forces established the Operation Center for Patrol and Humanitarian Assistance to Irregular Migrants in the Indian Ocean (OCPHAM), which functioned between May – June 2015. The center was operated by jointed task forces, comprising of personnel and equipment from the Royal Thai Army, Royal Thai Navy and Royal Thai Air Force. The jointed task forces patrolled in the Andaman Sea, and had provided HTMS Angthong, a humanitarian assistance floating platform. The forces were to provide medical aid, food, and assistance to those at sea. An investigation team was to investigate the possibility of human trafficking activities; and then a registration team to identify and prepare for possible solutions, including referrals to shelters offered by Indonesia and Malaysia. If disembarkation is absolutely necessary, the migrants will be treated first and foremost according to humanitarian principles under Thai laws.

(c) THAI-MECC and CCCIF: Another role of teRoyal Thai Navy is law enforcement at sea, and a single management of combating illegal fishing.

Thailand has various maritime laws enforcement agencies, with overlapping jurisdiction and area of responsibility. The government recognized the need to integrate these efforts effectively. Thailand Maritime Enforcement Coordinating Center or THAI-MECC was established in 1996, to coordinate the enforcement operations at sea among six agencies; Royal Thai Navy, Royal Thai Marine Police, Marine Department, Custom Department, Department of Fisheries, and Department of Coastal and Marine Resources. The center was led by the Chief of Staff of the Royal Thai Navy as the General Director, and has the navy as the main focal point. The missions of the THAI-MECC are shown on the slide, ranging from anti-piracy, slavery, human trafficking, smuggling of illegal goods, to environmental laws.

Recently Thailand has been warned by the European Union for not taking adequate action against the illegal, unreported, and unregulated fishing or IUU fishing from. The government recognized its importance, and established the Command Center for Combating Illegal Fishing or CCCIF, led by the Commander in Chief of the Royal Thai Navy. The mission of the center is to combat the illegal fishing, and forced labor in fishery sector. The navy is the focal point of its operations, and THAI-MECC is the operating body at sea and coastal area. TIP Action Plan for Fishery Sector was prepared by CCCIF and was added in the national plan of action.

Interim measures are to set up 28 multi-disciplinary task forces along the 22 coastal provinces, and to improve the inspection procedure, personnel capability, instrument, jointed database and procedures. These measures are to improve, and support laws enforcement operations to be conducted effectively. The compositions of the three joined task forces are as shown on the slide with the missions covering anti-human trafficking and anti-smuggling.

(3) The Way Forward.

Multi-Dimensions Approach: Challenges to dismantle Smuggling and Trafficking Networks continue to persist and tend to increase, affecting our national security as a whole. The root causes of people smuggling and human trafficking were numerous and multi-dimensional, involving economic, social and political aspects. Poverty, economic disparities, labor market opportunities and conflict were major causes contributing to the regional increase in people smuggling and human trafficking. And these problems should be addressed cooperatively and comprehensively. The main effort to counter these challenges has to be done through National Cooperation and International Coordination.

National Cooperation

Apart from operating in the traditional roles, the law enforcement agencies have to adapt and find new approaches to this dynamic trafficking problem. In order to dismantle the smuggling and trafficking network, two key areas should be emphasized, (i) greater attention to targeting entire trafficking chains rather than just individual perpetrators; and (ii) increased emphasis on the economics of the trafficking business,

including increased confiscation of assets, greater use of disruption strategies and much wider application of financial investigation practices. One of the important lesson learnt from the operation of combating forced labor in fishery sector are:

(a) The will to coordinate and strong coordination from all parties including the officials, private sector, NGOs to the fishermen;

(b) Expertise of the boot on the ground to conduct the inspection and investigation procedure, a single agency does not have all knowledge to effectively conduct these operations. The multi-disciplinary task forces are set up to bring about the best knowledge in all areas; protection measures from the Ministry of Social Development and Human Security; labor welfare from Ministry of Labor; investigation from the Police, Immigration office, and the Royal Thai Navy; and

(c) Effective information sharing mechanism, in which a jointed database system is being developed including the biometric data of migrant workers, employers, fishing vessel, contract condition, and other related information to effectively conduct the inspection prior and during the fishing trip. Electronics inspection equipment is also being designed and developed for the enforcement officials to use on site.

Information Sharing

On the lesson learnt for anti-smuggling operations. The case study was on 10 September 2015, the Maritime Information Sharing Center of THAI-MECC received information from the French Defense Attaché in Singapore through the Information Fusion Center of Singapore navy; that there was a likelihood of cigarette smuggling by sea to Leam Chabang Port, Thailand. Then THAI-MECC coordinated with the local force and the customs in the area to intercept the suspect vessel. The result was that illegal cigarette with value of approximately 1 million US dollars were found and subsequently confiscated. The success factor for this case was an effective information sharing mechanism nationally and internationally, as well as the necessary actions were taken promptly.

International Coordination and Burden Sharing

The nature of trafficking crime is transnational one. It is necessary to cooperate with the neighboring countries and international actors through information sharing, sharing of the experiences and best practices through all levels of interactions. Regional cooperation mechanism on combating human trafficking such as the Bali Process, which was established in 2011, should be recognized and supported.

Existing framework can be used for enhancing the coordination between states such as the Regional Cooperation Framework under Bali process, which enables interested Bali Process members to establish practical arrangements aimed at enhancing the region's response to irregular movement through consistent processing of asylum claims, durable solutions for refugees, the sustainable return of those not owed protection and targeting of people smuggling enterprises.

On the other note, Royal Thai Navy also noted that this Conference provided an important opportunity to recognize the efforts made to increase cooperation (at all levels) in combating people smuggling and human trafficking, and to share the lessons and best practices with other states.

Conclusion

Human trafficking is a complex, global challenge that requires cooperation, partnership, and sustained efforts on the part of all governments to achieve tangible progress and measurable results. Royal Thai Navy will continue to work closely with other Thai government officials, law enforcement officers, and civil society actors in a spirit of partnership as Thailand works to combat human trafficking.

Closing Remark:

I would like to reiterate that the problem of human trafficking and smugglings are complex, global challenge that requires cooperation, partnership, and sustained efforts from all parties. Neither the Royal Thai Navy nor any Thai official agencies can solve this problem alone. Necessity of cooperation with the neighboring countries and international actors, sharing of the experiences and best practices, and information sharing are the key for success. I can ensure that the Royal Thai Government through the Royal Thai Navy will continue to work closely with international organizations, related states, law enforcement officers, and civil society actors to combat human trafficking and sea-smuggling problems

“We need to work together.”

This concludes the presentation, and now I am subjected to your questions.
Thank you.
