

THAILAND'S COMPLIANCE IN 2017-2022 WITH THE ASEAN CONVENTION AGAINST TRAFFICKING IN PERSONS, ESPECIALLY WOMEN AND CHILDREN

Humaira Safiinatunnajah

Program Studi Hubungan Internasional
Universitas Pembangunan Nasional Veteran Jakarta
Email: humairanaja@gmail.com

Dini Putri Saraswati

Program Studi Hubungan Internasional
Universitas Pembangunan Nasional Veteran Jakarta
Email: diniputrisaraswati@upnvj.ac.id

ABSTRAK

Thailand merupakan salah satu negara di wilayah Asia Tenggara dengan kasus perdagangan manusia yang cukup tinggi, baik sebagai negara tujuan, negara pengirim, maupun negara transit. Thailand berupaya untuk memerangi perdagangan manusia melalui implementasi *ASEAN Convention Against Trafficking in Persons, Especially Women and Children* yang dijalankan sebagai acuan bagi agenda nasional mereka. Pada penelitian kualitatif kali ini dilihat melalui 4P sebagai poin kunci yang di antaranya merupakan, '*prevention*' yakni pencegahan, '*protection*' berupa perlindungan, '*prosecution*' sebagai penuntutan, dan '*partnership*' yang berarti kerja sama. Komitmen yang dilaksanakan oleh Thailand pada rentang tahun 2017-2022 ini merupakan bentuk kepatuhannya untuk memerangi perdagangan manusia melalui rezim internasional tersebut. Hal ini digunakan pula sebagai salah satu upaya dalam menjaga stabilitas akan keamanan nasional secara khusus dan regional secara umum, yakni melalui sejumlah strategi pencegahan kepada masyarakat, memfasilitasi perlindungan bagi korban, memenuhi keadilan korban dengan menuntut pelaku, serta memperkuat sinergi antarlembaga dalam implementasinya.

Kata Kunci: Perdagangan Manusia, Keamanan, ASEAN, Thailand

ABSTRACT

Thailand is one of the countries in the Southeast Asia region with quite high cases of human trafficking, either as a destination, sending, or transit country. Given this, Thailand seeks to combat human trafficking through its implementation of the ASEAN Convention Against Trafficking in Persons, Especially Women and Children, which is implemented as a reference for their national agenda. In this qualitative research, the 4Ps are the key points, including prevention, protection, prosecution, and partnership. The commitment implemented by Thailand in the 2017-2022 period is a form of compliance to combat human trafficking through the international regime. This is also used to maintain stability, specifically in national security and particularly in regional security, namely through several of prevention strategies for the community, facilitating protection for victims, fulfilling justice for victims by prosecuting perpetrators, and strengthening synergy between institutions in its implementation.

Keywords: Human Trafficking, Security, ASEAN, Thailand

INTRODUCTION

Human trafficking is a crime that refers to the actions of a number of people in a group that have been designed to exploit other humans in order to gain profit for one party (Kamal, 2019). This action is a violation of Human Rights that a group of commercial intent carries out through forced labor, sexual exploitation, and other forms of crime that are not in accordance with global norms on labor. In practice, human trafficking is a form of 'modern slavery' that cruelly devalues human dignity (Andreyvelan, 2023). This refers to previous forms of slavery, which were based on exploitative actions that considered other humans as goods to be traded to buyers called 'masters' so that they could control the victims based on their will.

One of the regions that has the most cases of human trafficking is Southeast Asia. By estimation, the International Organization for Migration (IOM) said that there were around 80,000 cases that fell into the category of human trafficking, many of which were conducted through online fraud (IOM, 2023). This case is increasing, especially when the COVID-19 pandemic still underwent in 2021 because many people have lost their livelihoods, making them vulnerable to targets of exploitation (Arianto et al., 2024). The perpetrators took advantage of online media to launch the action. It has become a new approach and an effective way to get targets, considering that people's lives are centered on the internet during the COVID-19 pandemic. The online connection provides the perpetrators an effective way of conveying offers to the targets, considering that all people worldwide, without exception in Southeast Asia, are focusing their attention on the internet to get fast sources of information. Thus, this is an opportunity for perpetrators to gain the victims' trust more easily through fraudulent methods that are spread in the online media (Asia-Pacific, 2023).

The Association of Southeast Asian Nations (ASEAN) has seen human trafficking cases as one of the transnational agendas since the 1990s by adopting several commitments which were strengthened in 2015 by creating the ASEAN Convention Against Trafficking in Persons Especially Women and Children (ACTIP) as a convention which is the basis for instruments in ASEAN law to regulate matters relating to human trafficking. ACTIP is a legally binding convention through standards for understanding and applying applicable laws regarding human trafficking (ASEAN-ACT, 2023), which aims to overcome and fight human trafficking as a heinous act that violates human rights. This Convention was signed to coincide with the 27th ASEAN Summit, which took place in Kuala Lumpur, Malaysia, on November 21st, 2015. It contains a commitment to cooperation between ASEAN member countries in overcoming the problem of human trafficking and serves as a guideline when dealing with it. The substances that are the main focus in ACTIP are divided into 4Ps, namely prevention, protection, prosecution, and partnership in the form of cooperation through ASEAN member countries (Jaya et al., 2023).

Thailand, in this case, is one of the countries in Southeast Asia that has many cases of human trafficking. This can be seen from data released by the Thai Embassy in Washington DC, which shows that in 2022, there is an increasing amount of human trafficking cases of 543 victims with a total of 206 being male victims, and another 337 being female and child victims (State, 2024). The victims who have been identified are primarily migrants who have been deceived and forced to either be sexually exploited or forced to work as laborers who are paid low wages and work excessive hours that do not meet the standards.

Human trafficking that occurs in Thailand is based on two factors, namely the pull factor and the driving factor. The first is the pull factor which makes this country seen as able to bring new prosperity in terms of an economy that is relatively better than the surrounding countries to become a receiving country which causes an increase in the number of illegal migrants while at the same time opening up opportunities for human traffickers to carry out their actions (Sitinjak et al., 2022). The second is the driving factor in the form of factors from the sending countries that make their people become victims, this is usually based on the internal conditions of the country such as corruption, poverty, and other political or social conditions that make them less likely to have a great opportunity for a prosperous life. Thus, people often believe the perpetrators' promises to be invited to work, because their situation is uncertain about the future. In fact, some abuses lead to human trafficking crimes, with agents who have previously carried out surveys due to a lack of knowledge about this issue, so that anything offered in the form of livelihood will be easily accepted (Nasir & Kamaluddin, 2018). Thailand's situation regarding these human trafficking cases has caused the country to be at a disadvantage and scored 'Tier 2' in a report that was issued by the United States Department of State in the TIP Report which shows that this country has made improvements from the previous report, but is still unable to meet the minimum standards for efforts to combat and eradicate human trafficking.

ANALYTICAL FRAMEWORK

To deepen the discussion regarding human trafficking that occurs in Southeast Asia, especially in Thailand, the author presents several previous studies as references in this research. First, an article journal entitled "The Prospect of ASEAN Migration Governance" by Sylvia Yazid and Iyan Septiyana shows that ASEAN previously still viewed the issue of human trafficking from a security perspective, but now it has started to have a new point of view from a human rights perspective so that its approach is more comprehensive. However, the role of this organization is often hampered by the principle of non-intervention which leads to the lack of binding instruments or regulations. Thus, the recommendation contained in this research is the need for ASEAN migration governance to be supported by regional bodies and other instruments more specifically. Even though it is hindered by the principle of non-intervention, it should not hinder the dialogue that can continue to take place by involving any other institutions and countries to find alternative solutions together (Yazid & Septiyana, 2019).

Second, an article journal entitled "*Upaya ASEAN Menangani Perdagangan Manusia di Asia Tenggara*" by Chika Monika Sitinjak, Shafa Maulana Dewi Kurniawan, and Sagaralange Paramahita shows that ASEAN has made efforts to create several policies as a way to eradicate human trafficking in Southeast Asia, this is done by one central vision and mission to provide protection for the community and create a sense of security. The policy also often discusses protection for victims, especially women and girls, who are considered to be groups that tend to be targets of human trafficking. In this way, ASEAN acts as a media and forum for all member countries to collectively find solutions as a way out of this problem (Sitinjak et al., 2022).

Third, an article journal entitled "Human Trafficking in Thailand: The Complex Contextual Factors" by Otto F. von Feigenblatt shows that finding credible statistical data in discussing human trafficking figures in Southeast Asia is quite tricky because each source has different data

accumulation. This argument is based on the fact that human trafficking occurs in areas that tend to be hidden from the eyes of many parties. Moreover, the author of this research discovered dirty secrets by government and non-government institutions to get funds to handle cases in their country. Thus, many cases of human trafficking cannot be handled comprehensively; this is because, on the other hand, Thailand also feels helped by migrants who work in their country to help improve their economy, despite the bitter reality that these migrants are exploited (von Feigenblatt, 2021).

Fourth, an article journal entitled "Trafficking in Thailand: An Analysis of Non-Government Organizations' Role" by Timesha A. Smith shows that the role of non-government organizations is considered to be a form of community voice that represents change, as proven by organizations that combat human trafficking that has succeeded in influencing Thailand in handling this case. This organization allows Thailand to have a new approach through collaborative units in investigating cases that occur; making things more accessible and more effective in the time required. Thus, this research found that if non-governmental organizations continue to collaborate, they will be able to reduce the number of human trafficking more significantly (Smith, 2019).

Fifth, an article from the journal entitled "*Upaya UNIAP dalam Menangani Human Trafficking di Thailand*" by Desy Lucia Ariyanti Arby, Christy Damayanti, and Dipokusumo shows that human trafficking is a form of transnational crime in which the actions cross national borders, this certainly has an impact that is not only affected one country but rather to surrounding countries due to border insecurity. Thus, Thailand cannot solve problems related to human trafficking alone; cooperation is needed, one of which has been carried out through the United Nations Inter-Agency Project on Human Trafficking (UNIAP). This collaboration aims to continuously collaborate on issues that occur across national borders (Arby et al., 2021).

With this, a problem was identified, namely that the initial factor in human trafficking was initiated by migration, which is increasingly occurring with the encouragement of advances in globalization and technology. This was the beginning of the emergence of transnational crime, which created a threat to human security, so ASEAN was present as an organization that attempted to eradicate the issue of human trafficking with the sole aim of creating a sense of security for the community. However, the regional organization's implementation is often hampered by the principle of non-intervention that it adheres to. In the literature above, it is found that the role of the countries will be more decisive in determining the future of its sovereignty because ASEAN only plays a role in accommodating the interests of its members; this means that the success of adopting policies will depend on the country implementing it.

In this case, Thailand is committed to the ACTIP, which suggests a willingness to address the issue transparently. This circumstance makes it a valuable case study for understanding the complexities of human trafficking in the region despite the difficulties outlined by Feigenblatt about the challenges in obtaining accurate data on human trafficking in Southeast Asia. On the other hand, Thailand's effort in eradicating human trafficking offers a unique opportunity to research how a country could maintain transparency and accountability at the same time by balancing economic development with human rights protection. It was done with Thailand trying to make the working environment safer from human trafficking. Hence, there is an urgency for the author to examine Thailand's role in adopting ACTIP policies. Another point that makes this

research even more interesting is that Thailand has a website discussing human trafficking in its country. It is managed by the Thai Embassy in Washington DC and Thai government organizations that work in human security and employment. Meanwhile, other countries in Southeast Asia which also have many cases of human trafficking, such as Myanmar, Cambodia, Vietnam, Laos, and so on, are quite challenging to find transparency in their data regarding this issue. Therefore, this research aims to analyze how Thailand has eradicated human trafficking through compliance with ACTIP in 2017-2022, strengthened by ratifying this convention on July 24th 2016 as their national agenda.

METHOD

This qualitative research uses a case study type of research, intended so that the writing results can explain in detail the problems that occurred. Creswell (2016) in this case defines the type of case study research as a strategy in qualitative research where the researcher examines an event in depth and carefully to provide detailed information over a certain period so that a deeper understanding of the phenomenon of human trafficking is needed in order to achieve comprehensive research results regarding how Thailand is implementing the ACTIP policies as an effort to deal with human trafficking in 2017-2022.

Then the data collection technique in this research is through interviews and literature studies. Therefore, the primary data source used is from interviews with one of the journalists in the ASEAN and Migration field to gather information about this research on behalf of ASEAN's point of view, in which the interview was held via Online Meeting on March 21st, 2024. Another interview was conducted with a Diplomat of Thailand in Indonesia to gather information on Thailand's point of view regarding this issue. The interview was held at the Royal Thai Embassy on May 2nd, 2024. Secondary data sources are from books, journal articles, research reports, relevant accurate sites, and other indirect sources that have become literature material to support this research. After that, the data analysis technique used in this research aligned with Miles and Huberman's (1992) definition, which contains three key processes: data reduction, data presentation, and verification and drawing conclusions.

RESULT AND DISCUSSION

In this case, Thailand seeks security stability for its people and country through the implementation of ACTIP as an international regime, in which the benchmarks are based on crucial points, namely 4P. In the interview with one of the journalists of ASEAN and Migration, stated that:

"Nowadays, the discussion regarding human trafficking is not just about sending and receiving countries; moreover, the challenges faced by transit countries such as Thailand also need to be included in the conversation."

It shows that, geographically, Thailand is in the middle of Southeast Asia, which gives the country a high chance of being a transit country where it cannot be denied that smuggling might occur during the migration, which opens up opportunities for victims to be exposed to human

trafficking. As for the reinforcement, this was also conveyed by Thailand's Diplomat in Indonesia in an interview, who stated:

"We have to (welcome them) because we are connected to a lot of countries. So we have to manage it because if we do not, we would likely have organized crime, the golden triangle problem, and also we have the corruption issue. So, we have to clean that (human trafficking issues) up as well. We navigate this problem of irregular movement from so many different perspectives, as a transit, as a destination, as a sending (country)."

It can also be seen from the interview that Thailand must accept migrants, considering their position is connected to many countries. Thailand also believes that if issues like this are not handled properly, it will lead to organized crime, which is challenging to handle with the internal problems they face, such as corruption and regional problems related to the Golden Triangle. Therefore, they need to handle this case from three points of view: a sending, destination, and transit country. Therefore, the author will analyze the results of the report issued by the Thai Embassy in Washington DC under the title "Royal Thai Government's Country Report on Anti-Human Trafficking Reports 2017-2022" (Thailand, 2023); this was aimed to see the compliance that Thailand has carried out in the past few years when eradicating cases of human trafficking in its country that has been done by implementing various policies contained in the rules of ACTIP to jointly work with ASEAN member countries in eradicating this issue.

Preventing Human Trafficking through Labor Inspections

The authorities are prioritizing prevention strategies for workers, women and children, beggars, and other at-risk groups. With this, the government always strives to carry out preventive actions in the field of labor, either in terms of supervision, capacity building, officer training, or law enforcement, to achieve optimal preventive effects. The main thing is through management and labor inspections, which implement policies and legal actions based on training and campaigns to encourage safe migration activities verified through cooperation between sending countries and Thailand. This strategy is done to prevent cases of human trafficking due to the legalization of employment for migrant workers who wish to seek work abroad safely and legally.

Thus, Thailand made a Memorandum of Understanding (MoU) in the form of a bilateral regarding the Recruitment of Migrant Workers. This MoU is used to regulate and facilitate the supervision of migrants who come to Thailand from neighboring countries so that the Ministry of Labour always makes efforts to protect and prevent migrant workers from becoming victims of human trafficking or forced labor through this migration process. Apart from that, Thailand also increases its law enforcement capacity through inspections in the form of routine agendas of agents and workplaces to ensure that activities comply with applicable standards. On the other hand, the Ministry of Labour launched the "E-Inform" application, which is used to increase management effectiveness and protect for migrant workers. This application makes it easier for authorities to find those who make complaints and for employers to register data on migrant workers who have entered work or who are no longer working as a report to the relevant department.

In 2020, when the world was affected by the Covid-19 pandemic, a new policy in Thailand was created to implement prevention of the spread of Covid-19. This has been carried out since

May 2020, with the Thai government facilitating the return of around 80,000 migrant workers who wish to return to their country. Then, until 2021, Thailand has sought various assistance in providing additional care and services to those who wished to remain working in Thailand, such as providing food to 83,204 migrant workers who are in quarantine during the closure of construction sites, the Migrant Worker Assistance Center also remains open to serve migrant workers during the pandemic, the Department of Labor Protection and Welfare also took part in providing instructions on preventing Covid-19 in the workplace through enforcing sanitation activities to increase their awareness of the importance of maintaining health during the pandemic, and the Ministry of Health also played a role in providing access for migrant workers in health services.

Another thing that Thailand does is to establish the Thailand Overseas Employment Administration (TOEA) throughout the country as an integrated service center by providing banking, health care, and job placement in a more systematic way for migrant workers from Thailand. Apart from that, they are also provided with training and education, which includes counseling regarding human trafficking that the Ministry of Labour provides. Therefore, it showed the necessity to increase awareness regarding workers' rights by disseminating information through various media to prevent human trafficking; where it is estimated that this strategy has been effective in increasing awareness among the target group of around 12,317,025, one of which is through "Campaign Against Recruitment Fraud". On the other hand, there are 25 points spread across the country where travel documents can be checked to prevent fraudulent or identified recruitment that will lead to exploitation and human trafficking abroad.

Other efforts are also being made to help women who are victims of human trafficking to return to their families through "Family Line," which can be accessed on www.เพื่อนครอบครัว.com by collaborating with associations of Thailand's women workers and this prevention is carried out by the government by evaluating the system for preparing Thai women to work abroad. This preventive action is also carried out by holding campaigns for the main target groups, which are women and children, by discussing the threat of human trafficking related to prostitution. The main focus was to explain the efforts to overcome and eradicate it, as well as vocational and other volunteer training that would help them. This proactive campaign was attended by more than 6,000 participants who attended directly, and in 2021, there were 2.4 million viewers for the campaign, which was carried out online by creating an interactive fictional story entitled "Expose" as well as the Ministry of Labour also produced the campaign video namely "Human Trafficking is Closer than You Think" on August 17th, 2022. On the other hand, Thailand Internet Crimes Against Children (TICAC) launched the คลิปหลุดบ้าง.com as an official channel for victims of sexual exploitation to complain, and this channel is available 24 hours per day. Through this site, counseling is provided to students regarding practical knowledge of the risks of becoming a victim of prostitution and how to avoid it, which has been implemented in 18,371 schools and universities with more than 666,036 participants.

Protecting Victims of Human Trafficking with a Safety and Well-Being Review

Protection is carried out by assisting victims of human trafficking. The first step taken by the government is to identify victims to be placed either in shelters established by the Ministry of Social Development and Human Security or shelters under other Non-Governmental

Organizations (NGOs). While in the shelter, they receive protection until the victims can live life as usual, so those still in the shelter will be given non-formal education before they are finally ready to be return home to socialize. This is done as an effort to protect victims of human trafficking from instability both psychologically and physically due to the trauma experienced when the crime occurred to them.

The victims are also slowly given work opportunities inside and outside the shelter. One of them is shown through the development of handicraft products which are distributed at Wang Saphan Khao by the Ministry of Social Development and Human Security (MSDHS). Furthermore, it was distributed in the project "Dream Weaving by MSDHS" at Siam Discovery, Central Festival East Ville Shopping Center, and BigC Supercenter with the slogan "All Product, One Brand" (Khaosod, 2017).

These craft products can also be purchased via the Facebook page "Dream Weaving by MSDHS." Through this sale, they managed to sell THB 2,456,746 or the equivalent of IDR 1,094,292,113 until 31 December 2017, which made everyone gain a profit of at least THB 3,000 - THB 3,500 or the equivalent of IDR 1,337,141 - IDR 1,559,998. Through the development of training carried out in 2022, 42 victims of human trafficking expressed their desire to work outside the shelter with preparation for developing communication and work skills, where the total income earned by these victims is THB 1,251,076 or the equivalent of IDR 555,510,327. Meanwhile, 122 victims chose to work in the shelter and were assigned to work as service personnel, chefs, gardener assistants, and cleaning assistants, which earned wages of THB 1,218,275 or the equivalent of IDR 540,709,795 (Thailand, 2018).

Other protection is also provided to children with MSDHS through "Save the Children," with a training program to improve protection standards for child victims, which aims to train officers in shelters on special needs and services that often relate to the health, physical, and mental well-being of children. This program was also created for the government and authorized officials to understand risk assessment by assisting with special procedures to refer victims to appropriate treatment and institutions. Therefore, the government prioritizes protection for vulnerable groups such as children by considering their human rights, safety, and health. On the other hand, Thailand created another mobile application called "Protect-U," this time used as an additional channel for human trafficking victims to access government protection and assistance services. In this application, not only victims can access it, but witnesses and civil society organizations can also use it with the aim of monitoring complaints to alert the authorities and asking for their help by providing more detailed information along with the location coordinates of wherever the victim is so that it can be handled quickly (Charoensuthipan, 2020).

Another form of protection the Thai government provides is for witnesses, considering that witness security is essential because it can affect the quality of the information that will be given during the trial. This protection includes guaranteeing the witness' right to access education, health, and vocational training, as well as receiving funds after the protection program to work and earn sufficient income for himself and his family. This was intended to create an environment that encourages other informants to report potential cases related to human trafficking. With this, witnesses can receive hidden accommodation as shelter, food, and other living expenses such as physical and psychological rehabilitation, vocational training, and recreational activities. In 2022, there were 35 witnesses, 11 of those are witnesses who have been given protection since 2019

with the Thai government issuing a funding allocation of THB 5,035,591 or the equivalent of IDR 2,235,997,281 (Thailand, 2023).

After going through the trial, Thailand also ensured protection in repatriation or repatriation for the victims by guaranteeing their safety from within and outside the country. Apart from that, Thailand also ensures the safety of its citizens who are victims of human trafficking abroad through coordination with the Ministry of Foreign Affairs and related institutions and then protected by MSDHS in various aspects so that the victims' safety is guaranteed until they are ready to return to their homes. In this way, the shelter management and the victims carry out reintegration, namely efforts to build or restore social trust, where in 2022, a total of 136 victims in the shelter have succeeded in returning to their families and reintegrating into society (Thailand, 2023).

Ensuring Justice for Victims: Strategies for Prosecuting Human Traffickers

In the prosecution process, the three main pillars that can take action against human trafficking cases are the Police, the Attorney General's Office, and the Court. The police investigate all identified cases of human trafficking under the guidelines issued by the government so that cases can be resolved quickly. Then, the Attorney General's Office is tasked with making decisions in indicting suspected human traffickers by requiring the Public Prosecutor to speed up the consideration time. Then, the Court established a particular unit for human trafficking in the Criminal Court so that it was reflected that human trafficking cases were considered a priority in the Court.

In 2019, based on the Emergency Decree of "The Anti-Human Trafficking ACT, B. E. 2562", the approach to prosecution centers on the trauma felt and experienced by the victim. This includes assigning an investigation officer of the same gender as the victim so that they can provide the victim's statements of witnesses and evidence. In this case, the government also held a training course that was used to increase the capacity of judges when supervising human trafficking cases that the Office of Justice held in collaboration with the International Law Academy from The Hague, Netherlands. Thus, Thailand's success in providing training based on a victim trauma information approach for law enforcement officers can be seen through an increase in compensation and restitution by 65.27%, which reached THB 54,180,366 or the equivalent IDR 24,058,845,691, so this can have a good impact on victims in the recovery period before they reintegrate into society and to help them financially.

Another achievement achieved by Thailand was through TICAC, which in 2020 was inaugurated as their permanent institution. This agency has coordinated and collaborated with several institutions, such as the Federal Bureau of Investigation (FBI), the United States Homeland Security Institute, and other partners in various related intelligence areas. In the same year, TICAC launched a nationwide cyber-attack operation in response to the increasing number of suspected exploitation cases online that target children as victims. Based on this operation, 44 perpetrators have been successfully arrested through nine search operations in 24 provinces in which more than 150,000 files of material related to sexual abuse of children were revealed, and there were around 100 children involved in the crime in the file. The public believes that this is due to the internet's easy access and the increasing ownership of mobile phones among children has

triggered an increase in cybercrime, especially in the sexual category in recent years (Wongsamuth, 2020).

Thus, these conditions place children at risk of exploitation online. This can be seen from the drastic increase in 2020, where TICAC received more than 260,000 reports regarding suspicious cases from the National Center for Missing and Exploited Children, which shows a drastic increase of 121% from 2019 of 117,232 reports. Thus, this agency succeeded in arresting 94 suspects, identified as 81 men and 16 women, of which 22 cases involved human trafficking, 65 cases related to child exploitation, and 39 other cases due to possession of pornographic content involving children. During the prosecution, 51 victims were found, which included 16 men and 35 other women, 43 of whom were children under 18 years old. Therefore, through the success of TICAC and to further increase Thailand's capacity to combat sexual abuse, especially against children, this institution was officially upgraded from a task force to a permanent organization under the protection of the Thai Police in September 2020 (Thailand, 2021).

Regarding this case, the government and authorities have attempted to respond by taking action against child exploitation networks by arresting and closing hundreds of child pornography sites. Thus, the condition of Thailand during the COVID-19 period has still succeeded in reducing prosecutions compared to 2019 from previously identified 288 cases to 131 cases in 2020. On the other hand, the perpetrators who were successfully investigated were only 179 people from the previous number of 555. The number of victims decreased from 1,821 to only 299 people (Thailand, 2021). So, the prosecution process was getting even better because this could enable the relevant authorities to increase the capacity of law enforcement agencies.

Thus, claims for compensation given to victims can be granted even before the court decides, based on the trauma arising from the victim's statement, moreover if the violations committed involve torture, detention, physical abuse, and other inhumane severe violations. In 2022, THB 4,957,660 or the equivalent of IDR 2,201,137,515 from funds for anti-human trafficking programs has been successfully paid to 1,657 victims. This allocation of funds was given to as much as 58% or, to be precise, to 1,226 victims amounting to THB 2,896,259 or the equivalent of IDR 1,285,604,478 for those in government shelters, the other 12% which includes 91 victims in private shelters were given THB 566,825 or the equivalent of IDR 251,522,982, as well as another 30% for 340 victims living outside the shelter were given funds amounting to THB 1,494,575 or the equivalent of IDR 663,401,469 (Thailand, 2023).

This compensation is paid to victims for daily living expenses, work, education and training, repatriation, treatment, compensation, essential product needs, capital to start a new life, and other costs, including legal aid and rehabilitation. Then, the Department for the Protection of Rights and Freedoms also provided additional funding allocations to compensate around 78 victims, amounting to THB 1,693,900 or the equivalent of IDR 751,881,035. On the other hand, for victims who suffer serious injuries, both physical and mental, moreover death, then the compensation will be given according to the severity of the violation and the losses suffered by the victim.

Building Synergy Between Institutions: The Key to Effective Prevention, Protection and Prosecution of Human Trafficking

Cooperation is an essential factor in Thailand's compliance when handling human trafficking cases through ACTIP. This is due to the need for handling synergy between institutions in eradicating it, especially considering that this case often involves several countries outside Thailand as a transit country for human trafficking crimes. Therefore, cooperation is needed not only within the country but also in collaboration and coordination with institutions outside Thailand. One of the collaborations in preventive action that can be shown is between governments, where at least in 2017, Thailand established bilateral relations with Taiwan to send as many as 20,068 workers to the labor market there. Through this bilateral relationship, it is believed to be able to prevent recruitment processes that are not following applicable regulations and policies, and even worse, workers could become victims of human trafficking. In other words, this intergovernmental employment channel can ensure prospective workers are safe without being deceived, coerced, or blackmailed into providing funds to agents or business owners.

Another collaborative effort undertaken by the Thai government is to build an Assistance Service Center for migrant workers by partnering with several NGOs such as IOM, Human Resources Development Fund (HRDF), Labour Rights Promotion Network Foundation (LPN), Raks Thai Foundation, Solidarity Committee for the Protection Myanmar Migrant Workers (SCPM), and so on that spread across several provinces of Thailand with translators at every point to help migrant workers. This center is then used to assist migrant workers in education, allowances, workers' rights, and other matters related to employment. Then, assistance can also be provided directly online via the Line application with channels managed by the Ministry of Labour together with civil society and several workers' organizations, where this application is not limited to providing complaints and assistance services but can also be used to monitor and serve as a reminder for the authorities to report if anything happens in a wrong term, such as labor exploitation, providing work to minors, as well as other allegations that refer to human trafficking.

Another development effort is a program funded by the European Union (EU) through "Safe and Fair," which aims to educate women workers about their rights and opportunities in the region. This program is a funding investment worth EUR 25,000,000 or equivalent to IDR 437,967,543,000, managed through a partnership between the ILO and UN Women. Through this program, relevant international institutions, together with ASEAN member countries such as Thailand, are working together to stop violence against women and children in ASEAN, especially against migrant workers who work as domestic assistants. This activity carries out an information campaign regarding labor rights to increase public awareness about violence, harassment, and forms of forced labor that can occur to them so that migrants can carry out their activities safely and fairly.

Thailand is also pursuing a form of multilateral cooperation by joining The Coordinated Mekong Ministerial Initiative against Trafficking (COMMIT), which is a high-level multilateral relationship in the Mekong sub-region, in which all governments realize that they cannot fight human trafficking effectively alone. Therefore, member countries collaborate in combining efforts to prevent human trafficking, protect victims, repatriate and reintegrate victims into social communities, and prosecute responsible perpetrators (IOM, 2024). Therefore, Thailand became the host for The 5th Inter-Ministerial Meeting (IMM) of the COMMIT Process with the theme

"Enhancing Sustainability in Multilateral Cooperation to Combat Trafficking In Persons," which aims to increase sustainability in multilateral cooperation to combat human trafficking.

Other collaborations are also established through training sites, which were inaugurated with Australia through MoU in November 2022 to combat human trafficking. This facility is named the Counter Trafficking in Persons Center of Excellence (CTIP-COE), which was established in Bangkok and officially opened on the 17th of May by the Minister of Justice, Colonel Tawee Sosdong and the Australian Ambassador to Thailand Angela Macdonald (PRD, 2024). This development is part of the human trafficking prevention program carried out by ASEAN-ACT, where in its inauguration, Tawee underlined the complexity of human trafficking as a global issue, so it requires collaboration and strong commitment between stakeholders. With this, the training facility aims to foster strategic partnerships to support ongoing efforts to combat human trafficking.

Evaluation of Thailand's Compliance with ACTIP in 2017-2022

Based on the compliance analysis that Thailand has carried out as a form of its commitment to implementing the national agenda following the policies contained therein ACTIP in 2017-2022, it can be said that Thailand continues to strive to eradicate human trafficking and has achieved its compliance. This assessment is based on most of the main points contained in "Bohol TIP Work Plan 2017-2020" as a guide to every ASEAN member country in implementing the ACTIP, which Thailand, with the government and related institutions, has made efforts to fulfill the mandates structured therein. This is considered based on the implementation of campaigns that can increase public awareness, the form of protection for victims, which is increasingly strengthened by evaluations to provide optimal services, the prosecution process, which becomes more effective every year, and other matters related to handling human trafficking cases even to victims so that they can be reintegrated into their families and society.

Although the implementation has not been able to eradicate human trafficking in Thailand or Southeast Asia completely, the commitment shown by Thailand in fulfilling the entire efforts of the government and related institutions has proven their seriousness and compliance in eradicating this issue. This compliance was also in line with Thailand's national interests in maintaining the stability of their national security and being a party that, in the future, can exchange information and experiences with ASEAN member countries and other countries or institutions that are dealing with the same issue. This is again in line with ASEAN's shared commitment to collaborate in finding solutions to the problem of human trafficking, which is still widespread. Thus, it can be seen that Thailand's compliance with ACTIP shows the country's seriousness in eradicating human trafficking, which will have an impact on its national and regional instability.

CONCLUSION

Thailand's compliance in implementing the ACTIP in 2017-2022 to eradicate human trafficking has been achieved through fulfilling its national agenda in its four key points. Firstly, in its prevention efforts, the government focuses on migrant workers, mainly women and children, through prevention strategies in the employment sector, such as management and inspection,

officer training, law enforcement, and coordination with sending countries. Therefore, increasing awareness is also provided with counseling and complaint services so that migrant workers are aware if there are indications that lead to human trafficking; this is also accompanied by increasing capacity and supervision for the authorities. Secondly, in terms of protection, Thailand is trying to build shelters by providing both physical and psychological assistance to victims before they are ready to be sent home and return to socializing with society. Apart from that, the government also provides various non-formal education programs to develop the skills of the victims so that they can work both inside and outside the shelter.

Thirdly, to ensure justice for the victims, a prosecution strategy is carried out for perpetrators of human trafficking through three main pillars that will take action, namely, the Police who are in charge of carrying out investigations, the Attorney General's Office who is responsible for indicting suspects, and the Courts which in this case form a particular unit for human trafficking to show its priority on this case in making a decision. Fourthly, cooperation is the key to Thailand's success as a form of compliance with ACTIP. Thus, Thailand, in partnership with various NGOs, has built an Assistance Service Center for migrant workers. Apart from that, Thailand is also actively joining bilateral relations that are also being constructed with neighboring countries to ensure the safety of people who exchange to become migrant workers can be maintained, as well as through the establishment of CTIP-COE with Australia as a training center and strategic partnership in fighting human trafficking more effectively.

BIBLIOGRAPHY

- Andreyvelan, A. S. (2023). Perdagangan Orang di Sektor Pariwisata: Peran Industri Pariwisata dalam Menangani Perdagangan Orang. *Seminar Nasional Hukum Dan Pancasila*, 2, 45–54. <https://conference.untag-sby.ac.id/index.php/snhp/article/view/2412>
- Arby, D. L., Damayanti, C., & Dipokusumo. (2021). UPAYA UNIAP DALAM MENANGANI HUMAN TRAFFICKING DI THAILAND. *Solidaritas: Jurnal Ilmu-Ilmu Sosial*, 4(2), 1–13. <https://ejurnal.unisri.ac.id/index.php/sldrts/article/view/5513>
- Arianto, N. T., Sofie, J. N., Mallu, N. Z. Z., Surayya, D. P., & Prakoso, S. G. (2024). CURRENT SOCIO-ECONOMIC RISK FACTORS WITHIN CHILD TRAFFICKING IN SOMALIA. *Jurnal Studi Diplomasi Dan Keamanan*, 16(1), 79–101. <https://doi.org/10.31315/jsdk.v16i1.10937>
- ASEAN-ACT. (2023, March 7). *Trafficking Victim Protection in ASEAN*. ASEAN-Australia Counter Trafficking. <https://www.aseanact.org/resources/trafficking-victim-protection-in-asean>
- Asia-Pacific. (2023, August 15). *Asia-Pacific Migration Data Report 2022*. IOM UN Migration Publications Platform. <https://publications.iom.int>
- Charoensuthipan, P. (2020, January 16). "Protect-U" App Gives Big Boost to Victims. Bangkok Post. <https://www.bangkokpost.com>
- Creswell, J. W. (2016). *Research Design Pendekatan Metode Kualitatif Kuantitatif dan Campuran Edisi ke-4*. Pustaka Pelajar.
- IOM. (2023, March 28). *Situation Analysis on Trafficking In Persons for the Purpose of Forced Criminality in Southeast Asia*. IOM Regional Office for Asia and The Pacific. <https://roasiapacific.iom.int>
- IOM. (2024, June 12). *Coordinated Mekong Ministerial Initiative Against Trafficking (COMMIT Process)*. IOM UN Migration. <https://www.iom.int>

- Jaya, B. M., Ridwan, Mucharom, R. S., Wibowo, D. E., Aisah, S. N., Sulastri, & Alifvia, N. B. (2023). Criticising the Implementation of the ACTIP in Southeast Asia. *Sriwijaya Law Review*, 7(2), 350–367. <https://doi.org/10.28946/slrev.Vol7.Iss2>
- Kamal, M. (2019). *Human Trafficking: Penanggulangan Tindak Pidana Perdagangan Manusia di Indonesia*. CV. Social Politic Genius (SIGn).
- Khaosod. (2017, August 31). *Dream Weaving By MSDHS' Creating Opportunities For Trafficking Victims*. Khaosod English. <https://www.khaosodenglish.com>
- Miles, M. B., & Huberman, A. M. (1992). *Qualitative Data Analysis: A Sourcebook of New Method*. Sage Publication.
- Nasir, N. M., & Kamaluddin, M. R. (2018). Tinjauan Literatur Pemerdagangan dan Eksploitasi Kanak-Kanak di Asia Tenggara (Literature Review on Trafficking and Exploitation of Children in Southeast Asia). *Jurnal Pembangunan Sosial*, 21, 135–154. <https://doi.org/10.32890/jps.21.2018.11560>
- PRD. (2024, May 21). *Anti-Trafficking Training Center Launched in Bangkok*. Thailand Public Relations Department. <https://thailand.prd.go.th>
- Sitinjak, M., Kurniawan, C. M. D., Paramahita, S., & Sagaralange. (2022). UPAYA ASEAN MENANGANI PERDAGANGAN MANUSIA DI ASIA TENGGARA. *Jurnal Pena Wimaya*, 2(2), 1–17. <https://doi.org/10.31315/jpw.v2i2.7183>
- Smith, T. A. (2019). TRAFFICKING IN THAILAND: AN ANALYSIS OF NON-GOVERNMENT ORGANIZATIONS' ROLE. *Texas Law University*, 1-93.
- State. (2024, February 26). *2023 Trafficking in Persons Report: Thailand*. U.S. Department of State. <https://www.state.gov/reports/2023-trafficking-in-persons-report/thailand>
- Thailand. (2018). *Thailand's Country Report on Anti-Human Trafficking Respons (1 January - 31 December 2017)*. <https://www.thaianti-humantraffickingaction.org/Home/wp-content/uploads/2014/12/Thailands-TIP-Country-Report-2017-FINAL.pdf>
- Thailand. (2021). *Royal Thai Government's Country Report on Anti-Human Trafficking Efforts (1 January - 31 December 2020)*. <https://www.thaianti-humantraffickingaction.org/Home/wp-content/uploads/2021/02/Thailand-country-report-on-anti-trafficking-efforts-2020-FINAL-1-Feb-2020.pdf>
- Thailand. (2023, February). *Royal Thai Government's Country Report on Anti-Human Trafficking Reports 2017-2022*. Thailand Anti-Human Trafficking. <https://www.thaianti-humantraffickingaction.org/Home/country-reports>
- von Feigenblatt, O. F. (2021). Human Trafficking in Thailand: The Complex Contextual Factors. *Journal of Asia Pacific Studies*, 6(1), 137–146. <https://scholar.google.com/citations?user=G84X8-sAAAAJ&hl=en>
- Wongsamuth, N. (2020, June 19). *Online Child Sex Abuse in Thailand Nears Record High with Coronavirus*. Reuters. <https://www.reuters.com>
- Yazid, S., & Septiyana, I. (2019). THE PROSPECT OF ASEAN MIGRATION GOVERNANCE. *Journal of Indonesian Social Sciences and Humanities*, 9(2), 95–112. <https://doi.org/10.14203/jissh.v9i2.155>