



มูลนิธิเพื่อสิทธิมนุษยชนและการพัฒนา (มสพ.)
Human Rights and Development Foundation

เลขที่ 109 ซอยสิทธิชน ถนนสุทธิสารวินิจฉัย แขวงสามเสนนอก เขตห้วยขวาง กรุงเทพฯ 10310
109 Soi Sitthichon, Suthisarnwinichai Road, Samsennok, Huaykwang, Bangkok 10310
Tel: (+662) 277 6882 / (+662) 277 6887 Fax: (+662) 275 4261 E-mail: info@hrdfoundation.org

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Press Release

**Mae Sot Provincial Court sentencing two defendants to 12 years in jail in a human trafficking case.
Perpetrators also ordered to provide 1,256,240 baht as compensation to victims**

On 17 September 2018 at 10.00am. the Mae Sot Provincial Court ruled in the case filed against Mrs. Zarabi Abdullah, defendant no 1 and Mr. Charlie (unknown last name), defendant no. 2. Both are prosecuted for breaches of the Anti-Human Trafficking Act 2008 and the Child Protection Act 2003, in the Black Case no. 1/2561 and are asked to provide compensation to victims of human trafficking. *The Mae Sot Provincial Court convicted* both defendants for the violations of the Anti-Human Trafficking Act 2018's Sections 6 (1), (2), and 10 first and third paragraphs coupled with the Penal Code's Section 83 and are each sentenced to 12 years of imprisonment. Invoking the Civil and Commercial Code's Sections 444 and 446, they are also ordered to provide compensation to the victims for the amount of 1,256,240 baht, as determined by a multidisciplinary team.

Background

- On 22 January 2008, the Human Rights and Development Foundation (HRDF)'s Mae Sot Labor Clinic and the Confederation of Trade Unions of Myanmar (CTUM) with a migrant worker have reported the case to the Mae Sot Police Station alleging that Min (pseudonym), the migrant worker's 14-year-old-nephew, had been lured by brokers from Myanmar to work in Thailand. Min had allegedly been transferred to work for an employer in Nonthaburi since 2014 during which time he along with several other children were forced to sell flowers during night time to tourists on the Khao San Road. Once while selling flowers on Khao San Road, he managed to escape and had sought help and complained about the abuse by the employer.
- On 4 February 2018, police from Nonthaburi, the Anti-Trafficking in Persons Division (ATPD) and the Mae Sot Police Station have carried out the arrest of the employers (the defendants) at their residence in Nonthaburi. Only one of the employers was found there and no other children who had been forced to sell flowers including Min could be found during the raid. The officials only found objects used for committing physical abuse including baseball clubs and rulers according to account of Min, an injured party in this case. Another perpetrator was also taken into custody; the person who drove the children to work and pick them up after work. After an initial investigation, the case has been proposed for prosecution against the employers.

The verdict illustrates a pervasive form of trafficking in person in Thailand including the use of child labor and their being forced to sell flowers in the street. This happens in places including red light districts and tourist attractions in Bangkok. HRDF urges the Thai government to pay more attention to this problem and come up with policies for effective prevention of all forms of trafficking against children. Regarding legal remedies, it is utmost important that all steps in the justice process be designed most friendly to the underage victims, from rescue to investigation and social reintegration. After this verdict, the authorities should place an importance on the children's social reintegration and promoting their access to education which can effectively prevent them from becoming a victim of trafficking or to get involved with trafficking rings. HRDF shall offer legal assistance and collaborate with the authorities based on the best interest of the child and international human rights laws regarding the rights of the child.

For more information, please contact Jirarat Moonsiri, attorney, 089 273 471