



มูลนิธิเพื่อสิทธิมนุษยชนและการพัฒนา (มสพ.)
Human Rights and Development Foundation

เลขที่ 109 ซอยสิทธิชน ถนนสุทธิสารวิจิตร แขวงสามเสนนอก เขตห้วยขวาง กรุงเทพฯ 10310
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Press Release

Trafficking in persons case and offences against Penal Code indicted with the Trang Provincial Court and the plea to be co-plaintiff dismissed only on offences against the Anti-Trafficking in Persons Act 2008

On 29 January 2016, the Trang provincial public prosecutor has indicted the case against Miss or Mrs. Somjit or Maesaw Srisawang and others, altogether ten, with the Trang Provincial Court. In sum, the defendants no. 1 to 9 and the Boon Lap Fishing LP with Mr. Somphon or Ko Nang Jirotemontree, as a managing partner, were accused of conspiring to commit the crime since 2000 until 19 October 2015 including for procuring, harboring, receiving any person, by means of the threat or use of force, abduction, fraud, deception, abuse of power against victims of trafficking in persons who are 15 migrant workers from Myanmar including those younger than 15 years but not older than 18 years. The act was committed as an exploitation including forced labour causing the victims to fear for their life, body and freedom and have to agree to stay in the custody of the ten defendants while being deprived of liberty and agree to work on board the fishing boats. The alleged offence also includes slavery or coercing other persons to work as slaves. Most of the victims have not received the wages in full, and some have not even paid any.

The defendant no. 2 was also indicted on offence concerning possessing an unknown size and type of firearm with unknown size and type of ammunitions which are firearms and ammunitions according to the law and can be used to fatally harm other persons and objects without permission and licenses from local registrar. The crime took place in Tambon Kantang, Kantang District, Trang and the public prosecutor pleaded to the Court to convict the ten defendants on the violation of the 2008 Anti-Trafficking in Persons Act, the 1947 Firearms, Ammunition, Explosives, Fireworks, and the Equivalent of Firearms Act, the Penal Code and the Act for the Amendment of the Penal Code no. 6 B.E. 2526's Article 4. The case was accepted by the Provincial Court of Trang as the Black Case no. KM 1/2559. Meanwhile, the attorney of the victim has asked to be co-plaintiff in this case, and permission is only granted only on matters concerning the Penal Code, but the offences against the 2008 Anti-Trafficking in Persons Act since it is the crime against the state. The Court fixed 42 hearings (30 for the plaintiff and co-plaintiff and 12 for the defendants) and the first prosecution witness examination shall take place on 13 May 2016.

Background

On 21 October 2015, officers from the Anti-Human Trafficking Center, Department of Special Investigation (DSI) and local police officers plus civil society organizations have raided and rescued 11 Myanmar migrant workers who had sought help through the civil society organizations. According to initial inquiry, it was found they had been detained, confined, subjected to physical abuse, and had their wages deducted. From the investigation of the officers, the local police, DSI and officers from the Anti-Money Laundering Office have managed to arrest Mr. Somphon or Ko Nang Jirotemontree, owner of the Boon Lap Fishing LP and Chairperson of the Trang Fishing Association with others on 7 November 2015 for conspiring to conduct trafficking in persons and with at least three individuals conspiring to commit the offence against the 2008 Anti-Trafficking in Persons Act. Prior to the indictment, the Trang public prosecutor has asked for permission from the Court to have witness examination carried out in advance during which five of the victims of trafficking in persons had given their evidence.

