



มูลนิธิเพื่อสิทธิมนุษยชนและการพัฒนา (มผว.)
Human Rights and Development Foundation

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Press Release

The National Legislative Assembly Replied to the Open Letter urging "The Royal Thai Government to Review the promulgation of the draft Act on Trafficking in Persons Procedure Code B.E..."

The Human Rights and Development Foundation (HRDF) and the Migrant Working Group (MWG) submitted an open letter dated 29th March 2016 urging "The Royal Thai Government to review the promulgation of the draft Act on Trafficking in Persons Procedure Code B.E..." (Please see details: <http://hrdfoundation.org/?p=1530>)

In response to our open letter, on 25th April, 2016 HRDF received a letter from the National Legislative Assembly (NLA) dated 22th April, 2016, which stated:

"In pursuance to the open letter by the Human Rights and Development Foundation (HRDF) and the Migrant Working Group (MWG) addressing the Chairperson of the National Legislative Assembly (NLA) urging the Thai government to review the promulgation of the Human Trafficking Procedure Act B.E..., and urging the government, the National Legislative Assembly (NLA) and concerned agencies to review the principle of the Human Trafficking Procedure Bill B.E...and to conduct a public hearing to allow concerned agencies, private and government sector, and general public, to express their opinions toward the Bill to ensure the solution is harnessed toward addressing the trafficking in persons effectively and in compliance with domestic laws and international obligations.

It was further mentioned in the open letter that the Bill simply attempts to expedite the trial process by introducing the inquisitorial procedure to replace the adversarial procedure traditionally used in other cases, albeit no attempts had been made to review the existing delay as a result of the use of the Criminal Procedure Code whether it was due to the use of adversarial procedure or the enforcement of the law. Also, there had been a lack of consultation among concerned agencies, particularly among law enforcement agencies and no attempt to disseminate the content of the Bill to the public. The provisions in the Bill are also likely compromise the rights and liberties of the individuals involved with the criminal justice process. All these issues should warrant serious attention apart from the intent to suppress trafficking in persons, per the content of the letter.

"In this regard, the Office of the Secretariat of the Senate acting as the Secretariat of the National Legislative Assembly (NLA) would like to inform you that the draft Human Trafficking Procedure Act B.E has already been reviewed and endorsed as well as promulgated as a law pending only the publishing in the Government Gazette. Should the Human Trafficking Procedure Act B.E come into force and any flaws can be detected, concerned agencies shall make an attempt to have it revised in due time."

Based on the advice stated in the letter, HRDF and MWG will consider organizing an event to solicit academics' input to subsequently present to the Royal Thai Government for further amendment and strengthening of the Act.

For further information: please contact Mr. Papob Siamhan, Project Coordinator of Anti-Labour Trafficking Project, HRDF. Tel: 094 548 5306 email: mthai420@gmail.com