

**URGENT**

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**PERMANENT MISSION OF THAILAND  
GENEVA**

The Permanent Mission of Thailand to the United Nations Office and other International Organizations in Geneva presents its compliments to the Office of the United Nations High Commissioner for Human Rights (OHCHR) and has the honour to refer to the latter's Note dated 12 January 2026 conveying the report entitled 'A wicked problem' – Seeking human rights-based solutions to trafficking into cyber scam operations in South-East Asia.'

The Permanent Mission of Thailand has further the honour to transmit herewith the comments by the Government of Thailand on the above-mentioned report for the Office's further consideration.

The Permanent Mission of Thailand to the United Nations Office and other International Organizations in Geneva avails itself of this opportunity to renew to the Office of the United Nations High Commissioner for Human Rights the assurances of its highest consideration.

Permanent Mission of Thailand,  
Geneva,  
12 February (B.E. 2569) (2026)



Office of the United Nations High Commissioner for Human Rights,  
**GENEVA.**

**Comments by Thailand on the OHCHR’s draft report entitled  
“A wicked problem - Seeking human rights-based solutions to  
trafficking into cyber scam operations in South-East Asia”**

Thailand appreciates OHCHR’s initiative in preparing this report and its valuable contribution to regional and international efforts to combat trafficking in persons in the context of cyber scams. Thailand reaffirms its unwavering commitment to addressing online scams and related transnational crimes, and to working closely with OHCHR and all relevant partners to strengthen response, prevention, investigation, and victim protection, guided by a human rights-based approach.

The report draws primarily on interviews with victims as its main research methodology. While this approach provides important insight into the direct experiences of victims in the context of online scams, the report appears to lack sufficient research and references to official sources from relevant government agencies. As victims may not necessarily be aware or have knowledge of laws and government measures in place, inclusion of official information could further enhance the report’s comprehensiveness. OHCHR may therefore wish to consider incorporating more information from official sources into the preparation of future reports, in order to present a more well-rounded and balanced perspective, including a clearer reflection of the State’s legal and institutional frameworks.

In this context, Thailand wishes to offer the following comments on the content of the report.

1. **On the issue related to the ASEAN framework:** To ensure that the report reflects accurate information, it is proposed to add/amend the language as follows:

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- “In February 2024, the ASEAN Working Group on Anti-Online Scam was established ... **In January 2025**, the Working Group issued a Report of the Online Scams Activities in ASEAN (2023–2024) as well as ASEAN Recommendations on Anti-Online Scams.”

- “At the 5<sup>th</sup> ASEAN Digital Ministers’ Meeting (ADGMIN) in January 2025, ASEAN ~~m~~**Ministers** endorsed the Bangkok Digital Declaration to strengthen collaboration among **ASEAN Member States as well as between ASEAN Member States and ASEAN Dialogue Partners and International Organizations.**”

- “... (AICHR) issued a ~~statement~~ **press release** in September 2025 on **human rights**, the telecommunication network fraud and online scamming, expressing its particular concern that these crimes have resulted in human rights violations across the region.”

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- "...ASEAN Guideline on the Implementation of the Non-Punishment Principle for Protection of Victims of Trafficking in Persons which directs provides guidance for ASEAN Member States to on applying the non-punishment principle, ..."

## **2. Issue concerning the International Conference on the Global Partnership against Online Scams (Page 9):**

- To align with the format of the Global Partnership, which is a high-level intergovernmental meeting with representatives from UN Member States worldwide participating, Thailand proposes to move "Thailand hosted the International Conference on Global Partnership Against Online Scams on 17–18 December 2025." from the section *Regional Interventions* to the section *Global Interventions* on Pages 10–11.

## **3. Issue concerning victim screening and identification procedures and the non-punishment principle under the section Post-release (Pages 18–21):**

To ensure that the draft report contains more comprehensive and clearer information and better reflects Thailand's efforts to protect and assist victims of trafficking in persons in the context of online scams, Thailand proposes incorporating additional information and revised wording regarding Thailand's relevant measures and policies in this area, particularly with respect to the National Referral Mechanism (NRM) and the non-punishment principle as follows;

### (1) Proposed additional information

- Thailand has put in place a **National Referral Mechanism (NRM)** to provide appropriate protection and assistance to victims of human trafficking, including those trafficked for forced criminality, in accordance with the **trauma-informed and victim-centred approaches**, through victim screening, identification, and protection.

- Once crossed to Thailand, mental health and medical services and shelters are provided to potential victims/victims of trafficking in persons throughout the process. In accordance with Section 41 of the Anti-Trafficking in Persons Act, B.E. 2551 (2008) and **the non-punishment principle**, those who are identified as victims will also be waived from illegal entry/overstay charge under the Immigration Act, B.E. 2522 (1979). Thailand is also promoting **the principle of non-punishment** for cases of trafficking in persons for forced criminality.

### (2) Proposed revised/additional wording

- "Others were able to access victim screening and identification in Thailand through its National Referral Mechanism (NRM) and receive official recognition as victims of trafficking, thereby lifting immigration penalties and enabling them to access protection services in accordance with the non-punishment principle and Thailand's Anti-Trafficking in Persons Act, B.E. 2551 (2008) respectively."

**4. Issue concerning migrant workers entering Thailand through recruitment processes by unregistered brokers under the section Migration of Migrant Workers (Pages 29–30):**

To ensure that the draft report is balanced and better reflects Thailand's efforts, particularly in the area of prevention, Thailand proposes inclusion of additional information as follows:

- Thailand, through the Department of Employment under the Ministry of Labour, is committed to preventing human trafficking and exploitation, including through promoting the recruitment of migrant workers through registered private brokers, increasing labour inspection and seriously enforcing relevant law on illegal brokers, as well as regularly raising awareness for all workers on safe and regular labour migration pathways, as a part of preventive measure.

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