

**SPECIAL REPORT**

## NCPO mulls border shakeup

Migrant workers could travel to border towns without passports, writes Penchan Charoensuthipan

**T**hai labour authorities are designing new regulations that would allow workers from neighbouring countries to enter Thailand and legally work in border areas without passports.

The move would work alongside the military regime's plans to develop special economic zones in border areas.

Permanent secretary for labour Irasak Sukhombhachai said the plan has been proposed to the National Council for Peace and Order (NCPO) for consideration.

The new regulations would be issued in compliance with Section 14 of the Alien Working Act, which stipulates that workers from neighbouring countries who enter Thailand may be allowed to work in border areas with an entry document in lieu of a passport.

The regulations would stipulate which documents could be substituted for passports, where the workers could work, suitable occupations and work timeframes for those foreign workers, Mr Irasak said.

The regulations must be approved by the cabinet before negotiations with neighbouring countries can go ahead, he added.

The NCPO in July approved special economic zones (SEZs) to be set up in the border towns of Sadao in Songkhla, Mue Sot in Tak, Aranyaprathet in Sa Kaeo, and other towns in the southern province.

According to Prime Minister and NCPO head Prayuth Chan-ocha, several more SEZs would be developed in the run-up to the Asean Economic Community next year.

The plan will address labour shortages in border areas.

Many business operators have complained that migrant workers leave border towns for big cities after they pass the national verification process and obtain passports.

Employment Department director-general Sumet Mahosot and Laos' director-general of the Labour Skills Development and Labour Recruitment Department, Phouvanh Chanthavong, agreed to cooperate on the regulations earlier this month at talks in Nong Khai.

Mr Sumet said both sides agreed that workers from Laos should be allowed to cross the Thai border for daily work using just border passes. Details would be ironed out in the next round of talks, he said.

Mr Phouvanh said his fellow Laoitians often come to Thailand to work in rice fields and other jobs in Thai border towns.

A source at a local business said it is common practice for workers from neighbouring countries to use border passes or temporary passes to enter Thailand for work, even though the documents are not work permits.

By law, a border pass only allows foreigners to enter Thailand to visit or trade, not to work. As a result, migrants working using border passes are illegal.

"We want to see legitimate employment where workers can be protected, while moving through the border systematically," Mr Phouvanh said.

"If not, the problems of illegal migrant workers will not end."

Out of Laos' population of 6 million, 3.6 million are of working age, and authorities have established job centres in every province for residents who are seeking employment.

A 19-year-old Lao woman, who gave her first name as Orn-anong, said she came to Thailand to earn money during the university break.

She said she earned 2,400 baht a week



Vendors hurry to cross the border from Myanmar to Chiang Rai's Mae Sai district as soon as the border checkpoint is opened. The vendors are required to apply for a border pass at the busy Mae Sai border checkpoint before they go about their business. THATCHAI KEMQUANERO

**“ We want to see legitimate employment where workers can be protected, while moving through the border systematically. ”**

**PHOUVANH CHANTHAVONG**  
LAOS' DIRECTOR-GENERAL OF THE  
LABOUR SKILLS DEVELOPMENT AND  
LABOUR RECRUITMENT DEPARTMENT

from checking cargo stocks at a Thai trading company in Nong Khai.

Ms Orn-anong insisted she had no problems working in Thailand as far as communication and culture are concerned.

She said she entered Thailand with a temporary border pass at Wat Hai Sok in Nong Khai's Muang district without paying anything, except her boat fare.

She registered her name using her Lao identification card and giving her reason of entry. No strict checks were enforced

there, she added.

Friends of Women Foundation staff member Ubon Pakpibum, who conducted a study of Lao workers in Mukdahan's Don Tan district, said Thai employers, including rice field owners, often ask Lao brokers to find workers for them.

The labourers are then taken over the border with temporary passes and employers pick them up at jetties along the border, she said.

Workers are also verified at checkpoints set up by village headmen or local leaders.

The alien workers are required to register at border crossings, while their employers and brokers must also sign off employment guarantees.

Ms Ubon said if the new regulation is invoked, workers' registration fees should not be too high, as they would burden labourers.

The fees should vary according to the type of employment, she said.

Labour Ministry officials have held talks with their counterparts from Myanmar and Cambodia about possible ways to regulate migrant workers entering Thailand for work on a daily basis.

The countries reportedly agreed with the regulation and said they would forward the issue to their governments for consideration.

A source at the Employment Department confirmed that Myanmar, Laos and Cambodia officials had agreed on the changes in bilateral talks with Thai officials.

The countries also agreed that E-border passes should be used instead of paper documents to expedite the process, the source said.

## Firms back new alien labour rules

PENCHAN CHAROENSUTHIPAN

Business operators at the border back moves to regulate alien workers who come to work there on a daily basis.

Chaiwat Wuthirathamawong, president of the Federation of Thai Industries of Tak, the border province opposite Myanmar, said the federation had written to state agencies backing the policy, which will enable workers from neighbouring countries to enter and leave Thailand day by day for work.

Private firms had told him they want the workers to legally come and go on the same day, rather than labourers who need to seek a work permit through a registration process.

Under that process, migrant workers need to undergo a national verification procedure before receiving a passport, he said. The documents then allow them to travel anywhere in the country.

After receiving the passport, many workers quit and move to work in big cities, according to Mr Chaiwat.

The operators running businesses along the border suffer labour

shortages as a result.

Mr Chaiwat said the problem of illegal migrant workers has been unsolvable over the past decade because only one system governs alien labourers working in both border areas and inland.

Different systems are needed to regulate migrant workers depending on where they are, he said.

Speaking about Lao workers who cross the border to work in Mukdahan, a staff member of a private development organisation said the labourers tend to stay in the province only for short periods.

When workers obtain a passport, they travel to big cities, such as Khon Kaen, Bangkok and its surrounding provinces, where they can earn more from better jobs.

The issue raised the ire of local employees, who generally have to pay a registration fee for their workers in advance.

Many employers are still struggling with a labour shortage and some cannot reclaim the money paid for registration, he said.

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**JUSTICE**  
Key courts to speed up cases, appeals

POST REPORTERS

Courts are gearing up for judicial reforms with the Appeal Court and the Supreme Court expected to speed up case proceedings, a legal seminar in Chanthaburi was told yesterday.

Bowornsak Thawipat, spokesman of the Office of the Judiciary, said a sub-committee on the administration of the Courts of Justice has agreed to propose legal amendments to speed up criminal and civil case proceedings in the Appeal and the Supreme Courts.

Under the proposed changes, a special Appeal Court for drugs cases will be set up to fast-track trials after it turned out that about 70% of criminal cases pending in the Appeal Court are narcotics-related.

He said the changes also seek to simplify proceedings for specialised cases involving labour, bankruptcy, taxes and intellectual property and internal trade.

Under the current law, these specialised cases must be appealed to the Supreme Court. As a result, 20,000 such cases are backed-up in the court. Under the proposed reform, appeals will be heard in the Appeal Court instead.

The reforms are expected to see the formation of a Supreme Court judges panel who will decide if the cases should be appealed. If not, those cases can be dropped before they reach the court, thus reducing case backlogs.

Mr Bowornsak said some cases are unnecessarily appealed and have joined the Supreme Court pile-ups.

He said changes will not increase judges' work loads. Instead they will ensure more timely legal processes for both the courts and disputing parties.

He said that under the proposed amendments, cases in the appeal process should not take more than one year to clear either in the Appeal Court or the Supreme Court.

Draft amendments to related laws will be submitted to the committee on the administration of the Courts of Justice chaired by Supreme Court president Direk Ingkaninanda.

If approved, the proposed amendments will be submitted to the National Legislative Assembly for consideration.

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**INBrief**

**Smash-and-grab gang busted**

**THEFT:** Two alleged members of a smash-and-grab gang have been arrested in Bang Kapi district of Bangkok.

Nop Thambunsuk, 24, and Kai (real name withheld), 17, were arrested at a rented room at Soi Ramkhamhaeng 24 in Hua Mark district about 1am yesterday. Police seized an iPod, a screwdriver, a torch and a motorcycle from the suspects.

On Saturday, police responded to a smashed car window on Soi Ekamai 2 in Khlong Tan Nua of Watthana district. The thieves accidentally dropped a mobile phone at the scene, enabling officers to trace them.

**Drugs seized in undercover sting**

**NAKHON MAYOK:** Five men were arrested with 194,000 methamphetamine pills and 5kg of ice, or crystal methamphetamine, in a major drug bust in Nakhon Nayok province.

The Narcotics Suppression Bureau yesterday named the five as Wallop Yooyen, 37; Sira Benhaisalee, 31; Suriya Pradaporn, 29; Winthaya Itsook, 29; and Kowl Maliwan, 29.

They were nabbed on Saturday in a sting operation in the car park of Princess Sirindhorn Medical Centre on Rangsit-Nakhon Nayok Road in Ongkharak district after they showed up to collect money from an undercover policeman.

**Cops find B5.7m in fake US dollars**

**NONG KHAI:** Immigration police in Nong Khai province have arrested three men and a woman with 1,765 fake US\$100 notes (5.65 million baht).

Pol Col Pallop Suriyakul Na Ayutthaya, the Nong Khai immigration police chief, identified the woman as Neranchala Wisavej, 48, and the men as Saengchai Nakpuang, 64; Suradet Samkesorn, 28; and Thanet Kusa, 32.

Police nabbed them on Saturday after spotting the four behaving suspiciously in a Mercedes Benz. Police searched the vehicle and found the notes. Mr Saengchai said they bought the fake money for 200,000 baht from a man called Cheng in Lop Buri.

**22 foreign gangs put down local roots**

**Bank card fraud tops transnational crime**

**KING-OUA LAOHONG**

At least 22 transnational gangs chosen Thailand as their operating base for criminal activities including identity thefts, burglaries and electronic card skimming, according to research from the Thailand Institute of Justice (TIJ).

TIJ deputy director Natthee Jitsawang said the findings were based on analysis of cases against 266 suspects from 101 countries who have arrested and imprisoned.

Their research revealed patterns of criminal activity among the citizens of various countries.

Of the foreign criminals operating in Thailand, Mr Natthee said, one Russian gang was most notorious for producing counterfeit ATM and credit cards from financial data stolen by means of card skimming, which uses hidden electronics to copy data when a card is swiped.

The Russian gang purchased the card data from a separate criminal outfit and used the information to withdraw cash from ATMs in Thailand, he said.

With the Russian suppliers' high-tech card skimming tools, it took them only 30 seconds to steal the data from their victims' cards, Mr Natthee said.

The stolen data normally was stored in a computer and then transferred onto fake cards when the gang wanted to withdraw cash from ATMs.

With the incriminating card info stored on a computer, the gang believed it could easily delete the evidence, he said.

He said they typically did this at night when it was easier to disguise themselves.

A Romanian gang was another group of transnational criminals who were adept at producing fake electronic cards for use in withdrawing cash in Thailand, Mr Natthee said.

They were found to have smuggled a fake card-making machine into Thailand from Spain, sneaking it up through southern Thailand via the postal service.

They used their fake cards to withdraw cash or to buy jewellery and computers which were later smuggled from Thailand into Romania, Mr Natthee said.

The Romanians were also found to have skimmed electronic card data in tourist districts of Thailand, including the Sukhumvit neighbourhood, he said.

A German gang stole electronic financial data from the internet by spreading malicious software called trojans.

Once the virus was inside the victims' computers, it could intercept login user names and passwords as people made financial transactions online, he said.

The Germans used the stolen information to log into their internet banking systems and transfer money to the gang's accounts in Russia, Mr Natthee said.

French and Britain gangs were found to use fake electronic cards to withdraw cash in Thailand, especially in Phuket, he said.

Their fake cards were found to contain electronic data copied from the cards of people in France and a number of Scandinavian countries, he said.

Other transnational gangs found operating in Thailand included suspects from Colombia, Mexico, Guatemala and Peru, said Mr Natthee, adding that these gangsters were usually burglars.

He said crimes committed by transnational gangs have become more rampant because Thailand has eased its immigration control on foreign visitors to attract tourists and investors.



**Just for a laugh**

A boy joins more than 300 people from the Klong Toey 4, 5, and 6 communities as they take part in laughter therapy. It is among anti-drugs activities organised by the Office of the Narcotics Control Board. **THAI WANNAMONTHA**

**MALAYSIA**

**Ex-guerrillas mark death of Chin Peng**

**ACHARA ASHAYAGACHAT**

A group of former members of the now-defunct Communist Party of Malaya (CPM) will gather at Yala's Betong district tomorrow to commemorate the death one year ago of their leader Chin Peng.

The ex-CPM members, who now live in four remote border villages, said their gathering will be a low-key one to remember Chin Peng, who died at a Bangkok hospital last year at the age of 88.

"It's a small thing we could do in gratitude for our spiritual leader. There's nothing else," said Chin Peng's former comrade-in-arms Ang King Hui, now a resident of Hat Yai, Songkhla.



Chin Peng: CPM leader died last year

He said some former members inside Malaysia might try to hold low-profile commemorations to mark the anniversary.

Before Chin Peng died, Kuala Lumpur had vehemently rejected his request to return home. After his death, the Malaysian government ensured no one carried his ashes across the Thai border into Malaysia.

After the Thai-brokered peace agreement between the CPM and Malaysia on Dec 2, 1989, the CPM fighters and their families who resided in Thailand were allowed

to live in Yala's Thanto and Kabang districts and Narathiwat's Sukhirin district.

Recently, they formed a loosely coordinated body dubbed Peace Club-Thailand. It plans to organise a ceremony marking the 25th anniversary of the peace agreement, which ended decades of guerrilla warfare between the CPM and the Malaysian government.

Chin Peng, who was born Ong Boon Hua, led the resistance against the Japanese occupation during World War II, and subsequently against the British colonial forces in the late 1940s and 1950s.

But his campaign to establish a communist state, which led to many years of civil war, also made him unpopular. He was accused of brutality that killed thousands. After the defeat of his forces, he operated near the Thai-Malaysia border until the peace agreement in 1989.

His application in 2009 to return home, and 2008 appeal, were rejected by the Malaysian high court on the grounds he could not prove his citizenship.

In his last message, read at his funeral at Wat That Thong in Bangkok last year, Chin Peng said: "It is my conviction that the flames of social justice and humanity will never die."

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