

Forfeiture of Assets

The confiscation of assets from drug dealers is one of the most powerful drug law enforcement countermeasure that has been complied by ONCB since the Act on Measures for the Suppression of Offenders in an Offence Relating to Narcotics B.E. 2534 (1991), hereafter to be mentioned as “B.E. 2534 Act,” has been entered to force². Since an enormous amount of benefits were gained from illicit drug trafficking is the main motivation of this crime, the B.E. 2534 Act is to suppress and deteriorate drug syndicate incentive. This is done by taking away their belongings as well as getting rid of all of their capital and funds used in facilitating drug criminal activities.

Recently, as the decentralization of authority policy, selected provincial police officers have been posted to be the competent authorities under the B.E. 2534 Act, in order to extend the asset forfeiture measures to be more effectively complied all across the country.

Since 1992 till April 2001, the operation of assets forfeiture from the offenders, relating to narcotics can be summarized as follows:

- 1,638 alleged cases that have undergone financial examination, typically, by the order of the Property Examination Committee or only by the Secretary-General, NCB

in some urgent cases.

- Total seized/frozen assets were 1,418 million Baht.
- 1,292 cases with 1,005.8 million Baht. Properties had been convicted under B.E. 2534 Act by the Property Examination Committee. Consequently, those 1,005.8 million Baht properties were subject to confiscation by the public prosecutor.
- 88.86 million Baht (US\$ 1.97 million, US\$ 1 ≅ 45 Baht) of assets had been confiscated and forwarded to the Narcotics Control Fund.
- Net value of Narcotics Control Fund, after deducting all

²*Act on Measures for the Suppression of offenders in an Offence Relating to Narcotics B.E.2534 (1991) has come to effect on 29 April 1992.*

expenses as allowed according to the B.E. 2534 Act, is 73.53 million Baht.

Major assets seizure case

After targeting Mr. Chairatana (or Mui Heng) Sae Ton's syndicate since 1982, ONCB has arrested all key gang members in the Andaman Sea Operation. On January 7, 2001, the joint-operation of Royal Thai Navy, Royal Thai Army, D.E.A., Malaysian Police Department, C.C.D.A.C. of Myanmar, and ONCB have seized 116 kgs. of 254 white compressed heroin bars and 779 kgs. of 7.79 million methamphetamine tablets on board of Chok-tawatchai-IV and Chok-tawatchai-V fishing trawlers on

their way from Myanmar to Thailand. Mr. Sombat Pinthong, Chok-tawatchai-IV captain, and Mr. Raksitthi Winijkul, Chok-tawatchai-V captain, have been arrested at the scene. Consequently, 4 more gang members, Mr. Prateep (or Sewlew) Tawee-apiradee-roj and Mr. Chairatana Sae Ton, gang leader, have been arrested in Bangkok as well as Mr. Suppachai Krajaawchan and Mr. Chunchung Sae Yaw who have been arrested in Ranong and Chiang Mai, respectively. Moreover, 30 million Baht, 10 million Baht, 500,000 Baht and 300,000 Baht of Mr. Tawee-apiradee-roj's, Mr. Ton's, Mr. Yaw's, and Mr. Krajaawchan's properties, have been seized, respectively.

1992-2001 assets forfeiture statistic

Year of filing	Case(s)	Froze (x million Baht)	Seized/Restrained		Discharged	
			Case(s)	x million Baht	Case(s)	x million Baht
1992	4	11	-	-	-	-
1993	38	83	8	11.2	5	0.3
1994	44	115.3	23	79.2	10	4.7
1995	57	139.3	55	117.1	10	7.1
1996	92	107	51	117.4	3	5.9
1997	188	235.7	149	146.9	12	3.6
1998	284	167.6	234	119.9	2	0.1
1999	257	155.7	283	189.7	17	5
2000	449	242.1	274	129.3	14	0.8
2001	225	161.3	215	95.1	-	-
(JAN-APR)						
Total	1638	1418	1292	1005.8	73	27.5