

Trannational Economic Crime Organization: A Threat Of Thailand

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Abstract: This research aimed to study patterns of transnational economic crime organizations in Thailand, problem and obstacle to litigate transnational economic crime organizations in Thailand and study measures to enforce the Prevention and Suppression of Involvement in Transnational Criminal Organization Act (2013) with the litigation of transnational economic crime organizations that will lead to the improvement of legal provisions of ASEAN to be under the same standard. The researcher used a qualitative research method which is an individual in-depth interview with 24 key informants who are experts in the justice process with experiences of litigation concerning economic crimes offense, and transnational crime organizations, and conducted an in-depth interview with people who are victims by using an accidental sampling method. The results revealed that factors causing transnational crime organizations in Thailand are caused by modern communication and technology, geographic factors of Thailand, convenient transportations, and tourism policies. Characteristic of transnational economic crime organizations in Thailand are loosely structured and also linked to local crime networks. The major difficulty of litigation of transnational economic crime organizations in Thailand is caused by the lack of international cooperation that is found that most of the law enforcement officials lack both knowledge and understanding of the law regarding transnational economic crime organizations. In addition, the enforcement of Prevention and Suppression of Involvement in Transnational Criminal Organization Act (2013) was found greatly suitable to enforce specific measures to be important machinery to seek evidence and tools in stringent suppression of transnational economic crime organizations.

Keywords: Transnational crime organization, Economic crime organization, Prevention of economic crime, Suppression of transnational crime, Thailand

1. Introduction

When the world has entered into the 21st Century, communication, transportation, communication, and technology have been rapidly developed and to be up-to-date. The era of globalization enables communication and transportation to be convenient and limitless. At the same time, patterns of crimes have also developed according to the progress of society and technology to become transnational crimes (Srimuangkarn, 2019; Simmons, Lloyd & Stewart, 2018). Those transnational crime organizations integrate different aspects of business and technologies with illegal acts that are difficult to be prosecuted. As a consequence of the political, social, and economic increase of international relations caused by globalization, the process of illegal operations is created that they are networks connected in various countries which are aspects of the transnational crime organizations (United Nations Office Drugs and Crime, 2019). Over the years, wrongdoings regarding transnational crime organization have spread across the world and also made tremendous illegal incomes (United Nations Office Drugs and Crime, 2019); for example, transnational crime organization including drug trafficking worth US\$61.4 billion per year (United Nations Office Drugs and Crime, 2019). The incomes of transnational crime organization are estimated at over US\$ 100 billion a year (Watcharasakvej, 2018). These organized crimes often bring illegally acquired money to commit laundering money for expanding other businesses accordingly that extremely affect the economic system, society, and security of various countries across the world and also Thailand (United Nations Office Drugs and Crime, 2019).

Transnational crime organization is called in different terms such as white-collar-crime, business crime, economic crime, financial crime, and corporate crime, that all have similar meanings (Pornchai Charoenwong, 2018). Transnational crime organization refers to acts that are considered by at least two relevant countries as criminal offenses and imposed penalties with the manner that is committed by two or more people, or in the manner of organization with the objective to illegally seek power and benefits together. These actions are prepared with efforts and constantly committed from one country to another country or various countries (Pornchai Charoenwong, 2018). A type of transnational crime

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organization that commit through international relations with business or economic status and it is to rely on the professional relationships of those people. Such wrongdoings also cause huge damage to the business or economy of that country or state (Pornchai Charoenwong, 2018). This type of transnational crime is called or known as “transnational economic crime” (Pornchai Charoenwong, 2018). Transnational economic crime organization is likely to expand and be difficult to control. It develops patterns and methods to be complicated from applying scientific and technological advancement. Besides, the law enforcement problem causes transnational crime organizations to be committed more conveniently and quickly. This is because it is developed into strong networks, and government officials are also involved (Srimuangkanchana, n.d.).

As aforementioned, it can be considered that the act of transnational economic crime organization is much more complicated than domestic economic crime. The fact that various law enforcement officials still practice old methods or traditional patterns to deal with transnational economic crimes organization. Consequently, this is inefficacious and lead these cases still remain. Also, it is difficult to be suppressed. Therefore, the researcher is interested to study patterns of transnational economic crimes in Thailand, problems, and difficulties to litigate transnational economic crimes in Thailand as well as measures to enforce the Prevention and Suppression of Involvement in Transnational Criminal Organization Act (2013) with the litigation of transnational economic crime organizations that lead to improvement of legal provisions and effective practices.

2. Literature Review

2.1 Definition and Characteristic of Transnational Economic Crime Organizations

Since there is no direct definition of “transnational economic crime” and no scholar has defined it at present, it is necessary to study from the term “economic crime” first and then study the term “transnational crime organization”, and after that, definitions of these two terms are synthesized into the definition of “transnational economic crime organization (Charoenwong, 2018). Since having tried to define the term “economic crime” and “transnational crime organization” as mentioned previously, the term “transnational economic crime organization” can be defined that “acts that are against criminal law or other laws and committed by organization or group of individuals within international relations with economic status and relying on professional relationships of those individuals. The aforementioned offense causes damage to business cycles as well as economies of such states”. According to this definition, a transnational economic crime organization can be easily called fraud or the way to deceive a business partner of another state. This crime is committed by organizations or networks that have knowledge in international trade systems and have social status among the nations, based on international trust and international business systems with some flaws, by taking advantages and deceiving their own business partners (Charoenwong, 2018). According to the manner of a transnational economic crime organization, because transnational economic crime is the act with the direct objective that is to engage in illegal businesses and run by complicated structured organizations which is difficult to be traced to the manipulator with the greatest power, the manner of transnational economic crime organization are as follows (Charoenwong, 2018).

Firstly, transnational economic crime organization is run in the manner of individuals, organizations, transnational organizations with great knowledge and understanding of the system of international commercial business, and there is the application of international business trust. It is the organization with complicated structures and joint working networks, and these acts are against the law or hidden illegal acts within the lawful business by liking these acts in at least two or more countries (Charoenwong, 2018). Secondly, illegal acts committed by people with specific specialties in systemic management. Advanced equipment and technologies are used such as a computer, smartphone. Due to having studied, planned, and systemically managed, it is difficult to investigate and arrest (Charoenwong, 2018). Thirdly, there are ways to cover wrongdoings and try to destroy evidence so that there is no evidence to tie oneself. Because this transnational economic crime organization is complicated with gradual approaches and takes some time to recognize damage, it is difficult to find evidence, also delayed allowing this crime to be able to cover and destroy evidence with the power of money acquired from economic crimes, and close relationships with government officials both at the policy level and operational level in the manner of reciprocity (Charoenwong, 2018). Fourthly, it is crime that aims at money or property and the maximum benefit of business partners by tricking. The manner of violence by using force to abuse is uncommon. So, it is crime that is imperceptible and in a manner that is dangerous to public well-being and welfare. The damage of this crime is more than general crimes' damages (Charoenwong, 2018).

2.2 Theory and Thai Laws related Transnational Economic Crime Organizations

2.2.1 Conspiracy Theory

The offense of conspiracy evolved from the common law system (Athivet, 2018). The theory of conspiracy is an agreement between two or more persons to violate the law by any acts. The way that conspiracy is prescribed as a criminal is to prevent an act of crime. The countries in the common law system deem that an agreement to commit a crime is an act that is enough to be suppressed by the law from being committed. This is comparable to the proximate act which is considered an illegal act of attempting to commit an offense (Charoonroj & Buranacharoenrak, 2019). The way that conspiracy is prescribed as an offense is to prohibit an agreement to commit an offense, to prevent an occurrence of an offense, and also prevent any person from daring to conspire others to commit an offense, whether there is any conspiracy or having been already conspired. It is because allowing more people to conspire causes a larger group and becomes a dangerous criminal organization to society (Kulpreeyawat, Tansrivorarat & Worawitratanakun, 2020). To apply conspiracy theory to criminal groups or crime organizations will provide convenience to bring offenders who are crime organizations to the justice process for effective punishment. Since proof of guilt simply finds the agreement to commit an offense that is easier than a proof of guilt after an offense having been committed that who commits such offense, conspiracy theory is able to more effectively prove guilt and litigate an accomplice than other offenses which must be committed first, otherwise, an accomplice cannot be litigated. Conspiracy theory, therefore, adheres to an agreement to commit an offense as a measure for consideration (Charoonroj & Buranacharoenrak, 2019). Consequently, even if there is only an agreement without any act of wrongdoing, such an offense is considered already occurred in a resolution process which is a process before a preparation to commit an offense (Athivet, 2018).

2.2.2 Rational Choice Theory

The Rational Choice Theory focuses on criminals or offenders abusing discretion or considering committing offenses against the law. There are two major hypotheses of this theory; firstly, this theory believes that a person is free to choose to break the law, and secondly, the way to choose behavior to break the law is based on the way a person receives the maximum satisfaction or benefit. Furthermore, such desired satisfaction or benefit is not only in form of property, but also psychological benefit and satisfaction. The principle that is additionally presented from the Classical School is that the way a person considers consequences after committing a crime, whether it be benefits, possibilities to be arrested, penalties that they will get if being arrested, and also other legal alternatives (Somkamnerd & Terdudomtham, 2018).

2.3 The Prevention and Suppression of Involvement in Transnational Criminal Organization Act (2013)

The Prevention and Suppression of Involvement in Transnational Criminal Organization Act (2013) is enacted to enforce and litigate an offense of participation in the transnational criminal organization since Thailand has signed the United Nations Convention against organized crime in 2000. The law has determined tools to prevent and suppress the offense of participation in transnational crime organizations under the Prevention and Suppression of Involvement in Transnational Criminal Organization Act (2013) including the imposition of other criminal offenses regarding transnational crime organizations with penalties, investigation of cases under the offense regarding participation in transnational crime organizations, and corporation which is beneficial to litigation by providing important and beneficial information for the investigation of activities and offenses of transnational crime organizations (Planwichit, 2019). The act has determined the essence of prevention and suppression of participation in transnational crime organizations as follows; definition of a transnational criminal organization (section 3), offenses of participation in transnational criminal organization both inside and outside of the Kingdom (section 5-6), investigation of cases under the offense regarding participation in transnational criminal organization (section 10-22), corporation beneficial to litigation (section 23-24), and penalty (section 25-32) (Chandang, 2013).

2.4 Research related Transnational Economic Criminal Organization

Previous research indicates that factors causing transnational economic crime organizations in Thailand are caused by geographic factors or location of Thailand that facilitate cross-border transportations. Consequently, traveling and product transportation is convenient and fast (Somkamnerd & Terdudomtham, 2018; Siripoke, 2020; Kanchanakit, 2016). Additionally, the government also has policies to promote tourism allowing getting in and out easily and freely (Chitsawang, S., Tanneekul & Chitsawang, N., 2020), and also advanced technologies and communication that people are able to communicate with each other and acknowledge the events of one another in a short time. Thus, these facilitate transnational economic crime organizations to easily commit an offense (Simmons, Lloyd & Stewart, 2018; Kanchanakit, 2016). Furthermore, transnational economic crime organizations in Thailand are also linked to local crimes that

established strong and increasing networks (United Nations Office Drugs and Crime, 2019; Kor-Udom, Wongthong & Nantaphet, 2018).

The research also found the major difficulty of litigation of transnational economic crime organizations in Thailand that is caused by the lack of knowledge and understanding of the key feature of transnational economic crime organizations, and expertise in the laws and practices in litigation of transnational economic crime organizations of most law enforcement officials (Chitsawang, S., 2015; Phoprom & Chutinanton, 2015; Sookying, n.d.). Moreover, the change and switch of roles of officials who used to work and who are proficient in dealing with foreign criminal groups cause the lack of consistency in the operation of prevention and suppression (Chitsawang, N., n.d.). Besides, there are insufficient international cooperation on the litigation of transnational economic crime organizations (Prayuda, 2019; Sathapornsermsuk 2012 as cited Kanchanakit, 2016). Because of differences in state law regarding offenses and differences of law in respect of practices and foreign language barriers, there are various procedures of coordinating a request for international cooperation, so it requires quite a long time (Kanchanakit, 2016).

However, even though Thailand has legislated legal provisions concerning the prevention and suppression of transnational crime organizations in 2013, such provisions are not sufficient and relevant to litigate the transnational economic transnational (Chitsawang, S., 2015). Furthermore, such provisions are found not to be enforced much. There are only 10 cases that the Prevention and Suppression of Involvement in Transnational Criminal Organization Act (2013) is applied to enforce the offenders (Chitsawang, S., 2015). Another major difficulty is caused by the national policy which focuses on promoting tourism, so it becomes the way that transnational economic crime organizations easily take advantage of wrongdoing (Srimuangkarn, 2019). Also, the government mechanisms including administration, laws, and enforcement, government officials still lack knowledge and understanding in respect of the law and practice (Srimuangkarn, 2019; Chitsawang, S., 2015; Phoprom & Chutinanton, 2015; Sookying, n.d.). Additionally, the current problems of crime organizations are that there are advanced technologies and most people still lack awareness of the dangers and impacts of transnational crime problems (Srimuangkarn, 2019). As a result, it is difficult for the prevention, suppression, and investigation. Logistics Center and the essence of its actions

The emergence of logistic centers arose from the needs of the market economy and its principles to co-operate with foreign countries. Currently, international co-operation is associated with economic integration and can reach a global dimension. Economic integration is particularly noticeable in the European Union countries and the rules and regulations of the community greatly contribute to the integration both in industry and geography. The effect of this expansion, up to a global level, will reduce the number of suppliers and freight forwarders and bring logistics companies closer with the companies (clients) (Kościelny, 1999).

3. Methodology

This research is qualitative research that the researcher studied details of the contents of documents, textbooks, journals, academic articles, concepts, theories, related research. The researcher also conducted an in-depth interview with experts who have experiences in litigation concerning economic criminal offenses, transnational crime organizations, and transnational economic crimes, and international economic crimes. The researcher used an in-depth interview to collect data from the samples by mainly using purposeful selection. The samples in purposeful selection include 14 senior executives of agencies in the Thai justice process regarding law enforcement with a bachelor's degree or more and 10 or more years of work experience. Moreover, the researcher applied an accidental sampling method that includes 8 people who are victims of transnational economic crimes and able to provide related knowledge. There are 24 people in total.

The researcher used an in-depth interview including 2 parts; the first part is general information regarding the informants' name, backgrounds such as work experience, a period of working in this agency, education level, and age; the second part is 11 open-ended questions aiming to study problems of law enforcement on a criminal organization which is a transnational economic criminal organization that the first 6 questions are about patterns, aspects, acts of an offense, and problems of law enforcement and solutions; and the rest are the opened-ended questions concerning the causes of a criminal organization which is a transnational economic crime, biggest and smallest problems and difficulties in law enforcement, ideas and other recommendations regarding transnational economic crimes, and in-depth interview with an average of 60 minutes each. When the interviews were completed, the researcher collected the interviews to analyze data. For data analysis in qualitative research, the researcher verified the accuracy of the acquired data and then categorize the data systemically. The researcher then conducted a description approach analysis for interpreting and creating analytic induction and described them in a text to present the results.

4. Result

4.1 Factors and Patterns of Transnational Economic Crime Organizations in Thailand

The study revealed that major factors causing transnational economic criminal organization in Thailand are caused by 3 factors; the first factor is modern technology that criminals take advantage of convenient in communication as a tool to commit crimes, and the communication between each other is convenient that they have no need to travel to another country to meet each other as in the past. The second factor is transportation; Thailand is the most geographically located and bordered to neighboring countries in the ASEAN region that cause people and objects to conveniently and fast contribute over various neighboring countries. Due to this factor, Thailand is the target of transnational economic crime organizations for committing crimes in the country or using Thailand is as a base to be a more convenient passage to the third country. The last factor is government policy promoting tourism. The promotion of tourism of the government makes huge incomes to the country. Since the flexible measure of inspection of foreigners from policy promoting tourism causes the transfer of people to be freer, transnational criminals then infiltrate in a form of tourists and easily get in and out of the country.

“Nowadays, it is easier to communicate with each other through various applications such as Facebook, Messenger or Line, so this causes criminal social network. These communication systems are convenient, quick, save on expenses, and able to destroy evidence easily. Because Thailand has quite good systems of road transport, it is quick and convenient to distribute people and things to various regions, Thailand becomes the target of transnational economic crime organizations to enter the country to commit crimes or use Thailand as a base to commit crimes or a transit to travel to the third country” A key informant 1

“It is partly caused by policies promoting tourism in Thailand. So, this allows foreign criminals to hide in the form of tourists. Immigration police officers sometimes lack stringency in examining backgrounds of some suspected foreigners who enter the country as a tourist” Key informant 5

“Tourism policies are inconsistent with national security. The opening of the ASEAN community and 6 partners (ASEAN +6), including China, Japan, India, Australia and New Zealand also cause more free movement of people. If lacking stringency in examining the suspect, there are possibly some hidden criminals entering the country” A key informant 2

Furthermore, the study also revealed that important patterns of transnational economic crime organizations in Thailand is that the transnational economic crime organizations cooperate with local criminals by establishing strong and increasing networks. Also, there is a precise allocation of duties by focusing on seeking the benefits of the property. According to an in-depth study, transnational economic crime organizations are registered as juristic persons that these groups have no intention to do business. Registration as a juristic person is to set up front companies to conceal their real status, and also intend to conceal their wrongdoings or to deceive victims in order to illegally obtain property. Most of the patterns are in the forms of cases of human trafficking, the Ponzi scheme, drugs, and forged passports. In addition, they are also committed in forms of companies, direct sales, frauds. For example, in a Ponzi scheme case, this is an advertisement on the internet causing people to believe and to invest and buy shares that is against the Computer Crime Act under section 14 with the offense of false advertising. In addition, transnational criminal groups of human or drug trafficking are illegal under the Act of firearms or explosives and detention. The researcher is able to analyze factors causing transnational economic crime organizations in Thailand as follows:

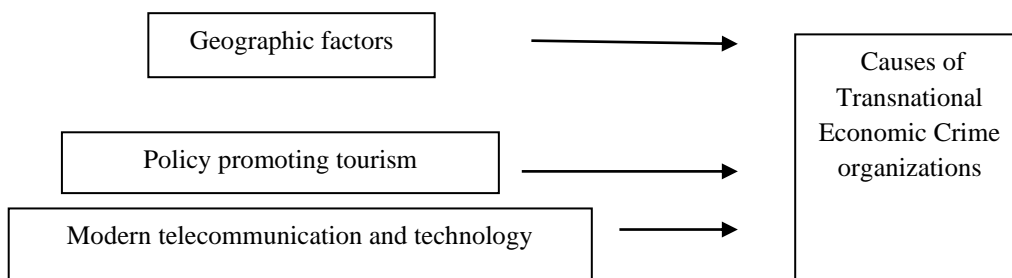


Figure 1. Factors causing transnational economic crime organizations

4.2 Obstacles in Litigation of Transnational Economic Crime Organization in Thailand

4.2.1 Public Agencies and Officers

It found that public agencies and officers are insufficient in understanding the important characteristic of transnational economic crime organization in terms of law and practice, including unsystematic of information storage, lack of foreign language skill and non-exchange information in public agencies. The key informants said that they have a limited knowledge about the offense of transnational economic crime organization and they have a little understanding about law. The key informant also explained that they were unfamiliar with legal practice toward prosecution of transnational economic crime organization. As a result, suppression of transnational economic crime organization seems to be ineffective and unsuccessful. They reasoned that in practically, legal enforcement with transnational crime organization is difficult because characteristic and structure of transnational crime organization is sophisticated and covered. Consequently, the officers hardly trace the evidence and witness to prosecute organized criminal group. “Officers still lack knowledge and understanding of countering transnational economic crime organizations. Besides, the interpretation of the law in practice in some sections lacks officers who have true knowledge that is used in the effective suppression of transnational economic crime organizations. This is because litigation of transnational economic crime organization case is difficult and complicated” A key informant 6. Moreover, officers lack of foreign language skill, especially legal English terms. Although the officers can communicate and understand in English, however, foreign language skill of the officers is only general English, that use for daily routine. The officers have limit experience in writing formal letter to communicate other states. The officers then request assistance to another international affair unit to translation and global communication, consequently, it spend much time and waiting. “Although officers can speak and understand English, it is only communication in daily life. They do not have good enough skills to draft correspondence letters requesting cooperation with foreign countries. Sometimes, it is necessary to request assistance from Foreign Affairs Division to translate documents. It has to wait for so long because the Foreign Affairs Division is also busy” A key informant Furthermore, it found that it did not have specific unit to systematically maintain information about transnational economic crime organization as central database server, that related public agencies possibly access, exchange and share data. In Thailand, each public agency keeps data of transnational crime organization itself, which is unsystematic and the data is sometime conflict and inaccurate. The data so is unreliable. Types and functions of logistics centers

4.2.2 Criminal International Cooperation

Criminal international cooperation is another obstacle. The key informants indicated that other states may have limitation of assistance to Thailand because it is not double-jeopardy. Moreover, criminal international cooperation has many processes such as privacy policy and trade secret, which each process spends much time. Consequently, it delays to send evidence from oversea and the expense is costly. The key informant further stated that the law enforcement agencies have insufficient number of officers to cooperate with international agency. Therefore, this sometime delay in global cooperation.

“Sometimes, countries that accept requests from Thailand may limit on assistance because they consider that the manner of crime requested by Thailand is not against the law of their countries” A key informant 3

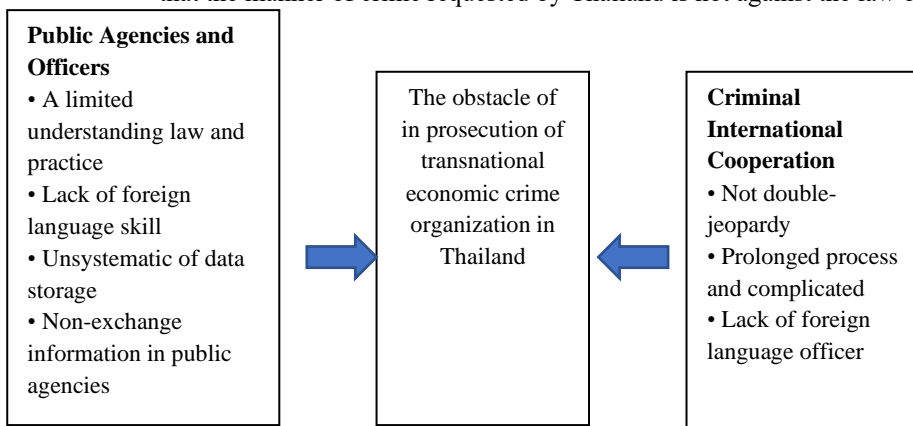


Figure 2. Obstacles in prosecution of transnational economic crime organization in Thailand

4.3 Measure of Law Enforcement toward Transnational Economic Crime Organization in Thailand

Most of the key informants noted that the Prevention and Suppression of Involvement in Transnational Criminal Organization Act (2013) is clearly and modern that can suppression and litigation with transnational crime organization in Thailand. Specific measures in the act can apply as a tool to search important evidence to prosecute transnational organized criminals because the act is both substantive law and procedural law. In particular, the specific measures aid investigator or legal officer to conduct as the tool in increase work performance effectively such as search evidence, for example wiretapping and obtaining document or information by post, telephone, fax, computer electronic devices, and online media. Those evidences are legally in prosecution in the court. Because of modern law and the act have just promulgated, it found that legal enforcement units and officers have limited understanding to apply the act with prosecution of transnational organized criminal. However, the key informant said that they will make extra time on further study in law and practice of suppression of transnational crime organization in order to clear understanding, which result in increasing effective law enforcement.

“This law is quite distinct and up-to-date to be applied as a tool in litigation of transnational economic crime organization. However, officers who are related to transnational economic crime organization suppression still lack knowledge and understanding of this law. So, this causes difficulty in applying this law as a tool in transnational economic crime organization suppression” A key informant 14

5. Discussion

It can be said that globalization links transnational economic crime organization in Thailand. The finding corresponds with the prior study that globalization is a major cause of transnational crime organization (Simmons, Lloyd & Stewart, 2018). Thailand has several components that advantage transnational economic crime organization. Thai geography, tourism policy and convenient transportation to border as well as modern technology and telecommunication attract criminals to establish transnational groups in committing crime. The result is consistent with the previous survey, which noting geophagy, tourism policy, convenient transportation, modern telecommunications and technology was factors causing transnational crime organization in Thailand (Chitsawang, S., Tannekul & Chitsawang, N., 2020; Simmons, Lloyd & Stewart, 2018; Somkamnerd & Terdudomtham, 2018; Siripoke, 2020; Kanchanakit, 2016).

In addition, characteristic of transnational economic crime organization correlate with conspiracy theory. This is because the group set an unlawful plan secretly to seek benefit that harm society, nation, international relation and politics. Moreover, transnational organized offenders commit crime in Thailand because the criminal agree that benefit from crime reward over the punishment, therefore, they decided to commit crime. This is connected with rational choice theory. Theory explains that before committing an offense considers that transnational economic crime organizations are rational people. A predetermination before committing an offense is to weigh between benefits or costs from committing a crime. So, criminals mainly maximize their own benefit or satisfaction (Somkamnerd & Terdudomtham, 2018).

Although most of findings correspond with pervious study, however, a finding contrasts the early data. Prior research said that the Prevention and Suppression of Involvement in Transnational Criminal Organization Act (2013) is unsuitable and ineffective to suppression and prosecution transnational economic crime organization because the law applied only 10 cases of transnational crime organization since 2013. On the other hand, this result reveals that the law is appropriate to deal with suppression and litigation of transnational organized criminals. It has two important reason to support this finding. Firstly, nowadays, the law is ineffective to deal with offense of transnational crime organization. Therefore, it needs to regulate special law like the Prevention and Suppression of Involvement in Transnational Criminal Organization Act (2013) to enforce (Chandang, 2013). Another reason is that transnational economic crime organization is not general offense. Thus, specific legal measure must be applied in order to effective enforcement. Previously, Thailand Criminal Code was mainly applied to cases of transnational crime organization because it was similar to offense of criminal association. However, transnational crime group is sophisticated to search evidence and proof guilty of head of transnational organized crime as well as many states are involved. Therefore, this characteristic is unrelated with general offense. Hence, it needs specific legal measure that is modern and covering suppression and prosecution transnational economic crime organization.

Another different finding is obstacles in litigation of transnational economic crime organization in Thailand. According to obstacle in litigation of transnational economic crime group, it found that law enforcement agencies and

legal officers lack of understanding to characteristics, law and practice toward transnational crime organization, including inadequacy of criminal international cooperation. The finding disagrees with the early data that a limited knowledge in law and practice as well as lack of international cooperation was problem of Thailand to prosecute trinationl organized criminals (Prayuda, 2019; Sathapornsermsuk 2012 as cited Kanchanakit, 2016; Chitsawang, S., 2015; Phoprom & Chutinanton, 2015; Sookying, n.d.). This study showed that in addition to having no understanding in the manner of transnational economic crime organization and lacking international cooperation, officers cannot communicate in foreign languages or are unskilled at communicating foreign languages with law enforcement officers of other states. Consequently, officers cannot explain the purposes of various operations regarding transnational economic crime organization. This lack of skill causes the ineffectiveness of litigation of transnational economic crime organization in Thailand. The way officers are unable to communicate in foreign languages is possibly caused by the fact that officers do not use the English language in their daily life, have no confidence in using English, do not know vocabularies and grammar, and do not have knowledge in using English (Hunnoi, 2018).

6. Conclusion

The study aimed to investigate problems and obstacle in litigation of transnational economic crime organization in Thailand as well as study legal measures such the Prevention and Suppression of Involvement in Transnational Criminal Organization Act (2013). The research concluded that modern telecommunication, geophagy, convenient for transportation and tourism policy are factors that casing transnational economic crime groups in Thailand. The structure of transnational economic crime groups in Thailand is not tightly fixed and connect with local crime organization. Moreover, although the law in suppression of transnational economic crime group is clearly and modern, however, the problems in prosecution of transnational economic crime organization in Thailand still occur. The obstacles in litigation of transnational economic crime groups are from criminal international cooperation as well as performance of law enforcement unit and legal officers.

It suggests that it must establish specific unit to respond and deal with transnational economic crime organization such as investigation and prosecution. Also, law enforcement unit and officers must be educated additional knowledge about transnational crime organization as well as training foreign language skill. A clear understanding of law and foreign language expertise can increase effective work performance and criminal international cooperation. Moreover, the number foreign language officers must be increased in order to deal with criminal international cooperation and reduce workload. Although ASEAN nations have different legal system, however law and practice in suppression of trinationl crime organization must be the same direction and consistency with the United Nations Convention Against Transnational Organized Crime (2000). This will make cooperation between ASEAN nations to be effective and successful.

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