



TRANSNATIONAL DRUG CRIME SYNDICATES IN THAILAND: A CASE STUDY OF DRUG TRAFFICKING SYNDICATES RELATED TO AUSTRALIA

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ABSTRACT

The rapid advancements in communication and technology have had a profound impact on various aspects of society, including the behaviour of individuals and the operations of transnational organized crime groups. Despite the prevalence of drug-related offenses and the existence of transnational drug crime syndicates, there is a lack of in-depth studies on the offending patterns and methods employed by these syndicates in Thailand. This study aims to fill this research gap by examining the transnational drug crime syndicates related to Australia, exploring their operational patterns, methods, and coordination procedures between Thailand and Australia. Additionally, the study aims to analyse the challenges, obstacles, and limitations faced in countering these syndicates and provide recommendations for more effective strategies. This research employs a documentary review to collect relevant data, including case studies of drug offenses committed in Thailand and connected to Australia. Individual interviews and focus group discussions were conducted with executives and practitioners from local and foreign agencies involved in countering transnational drug crimes. The interviews aimed to gather in-depth information, clarify data, and ensure objectivity in data collection. The study identified different patterns and methods of operation employed by transnational drug crime syndicates in Thailand, specifically those requiring coordination with Australia. Chinese syndicates primarily trafficked heroin, meth tablets, Ice, and ketamine to various markets. West African syndicates expanded their operations, using Thailand as a transit route for trafficking drugs to Africa, Europe, and China. These syndicates also engaged in cocaine and ecstasy trade and utilized postal services for drug shipments. Money laundering schemes were found to involve specific groups responsible for transforming drug proceeds into legitimate-looking assets. The study also revealed the involvement of Outlaw Motor Cycle Gangs (OMCGs) in drug trafficking, their coordination across different countries, and their use of technology and legal businesses for money laundering. The study shed light on the modus operandi of transnational drug crime syndicates in Thailand, particularly those connected to Australia. The coordination and cooperation between Thailand and Australia, facilitated by the Taskforce STORM and other mechanisms, have resulted in significant drug seizures and asset confiscations. These measures can enhance the effectiveness of countermeasures against transnational drug crime syndicates in Thailand, ultimately contributing to international drug control efforts.

Keywords: Transnational drug crime syndicates, Drug trafficking, Thailand, Australia, Coordination and cooperation.

INTRODUCTION

The changes of our current world in multi-facets of society, economy, among other things, within the dynamic context, particularly, the advanced communication technology and modern technology device have affected and disrupted human behaviour of all social sectors in all aspects and also the offending patterns of the international drug trafficking networks or so-called the transnational organized crime groups (TOCs). Up to present, the context of drug situation has likewise transformed. The illicit drug production has been found to be much more effective from making 2,700 tablets per hour by a single-punch machine to 163,800 tablets per hour by a 39-punch Rotary machine or 60 times higher (official documents prepared for a parliamentary non-confidence debate, ONCB, 17-18 February 2022).

Precursors and chemicals have been easier accessible. Ephedrine and pseudoephedrine were mostly used in the illicit drug production in the past. However, at present there are more than 10 chemicals often used and cheaper price. Another factor of particularly more advanced technology has also enhanced distribution channels, essentially through social media. More convenient communication and transportation including a delivery service of postal parcels have also reduced costs. Drugs have negative and serious impacts on many regions and territories around the world, not limited only ASEAN, Southeast Asia and countries in the Sub-Greater Mekong region (official documents on international cooperation, ONCB 2022).

Data from the Office of the Narcotics Control Board (ONCB) in 2021 showed that the overall situation of transnational drug crimes in Thailand during the outbreak of Coronavirus Disease 2019 (COVID-19) in January 2020, the drug smuggling into Thailand and the sale of drugs slowed down in the first 2 months right after the announcement of a royal decree on a public administration in emergency situations and a curfew resulting in the closure of entertainment venues and prohibition of aimless assembly. Nevertheless, after the Government had eased the COVID-19 prevention measures, the drug situation was still problematic to the extent that the effects were prevalent in society. Methamphetamine or meth was the most widespread in the country at 75.1 percent; meanwhile, Ice, heroin, ketamine and cannabis were also increasingly arrested because they were transited through Thailand for the third countries in a higher amount even during the COVID-19 epidemic (ONCB journal, Year 38, No. 1, 2022, p.14). The statistical data of the overall arrests in the year 2020 is shown in the table 1.

Table 1: The statistical data of the overall arrests in the year 2020

Description	Year 2019	Year 2020
1. Arrest/seizure	206,407 cases	156,340 cases
2. Offender	214,852 persons	162,533 persons
3. Meth tablets	522 million tablets	324 million tablets
4. Ice (Crystalline Meth)	14,470 kilograms	24,404 kilograms
5. Heroin	1,020 kilograms	602 kilograms

Source: Data on arrest cases of drugs and exhibits from the crimes system, Royal Thai Police, 2020

Compared with the previous year, the total number of drug cases and exhibits in 2020 decreased, except crystalline meth or Ice, a type of drugs largely traded by TOCs (Drug Law Enforcement Bureau, ONCB, 2022). Foreign criminals travelled to Thailand to seek a supply of drugs from the production areas in the Golden Triangle areas in neighboring countries before smuggling the drugs to Thailand. The drugs were stored and then concealed in the products or consumer goods for delivery to destination countries. The overall situation of the TOCs in Thailand showed that Australia had a number of arrest cases of drugs sent from Thailand as an origin country during 2019-2021 higher than other countries, totally 38 cases,

19 of which were related to heroin and the other 19 to ICE (Drug Law Enforcement Bureau, ONCB, 2022).

Furthermore, a literature review on the studies of the offenses related to transnational drug crime syndicates in Thailand showed no results of in-depth studies. Hence, the researcher had a strong interest in researching on the topic of “Transnational Drug Crime Syndicates in Thailand: A Case Study of Drug Trafficking Syndicates related to Australia” with intent to examine the offending patterns and methods of transnational drug crime syndicates in Thailand and the procedures for coordination and cooperation between countries, particularly between Thailand and Australia that so far had shown a strong and continued relations leading to a tangible success in cooperation.

The research findings can be used as a guideline for formulating policy on international drug control cooperation and applied for developing cooperation with other countries more efficiently. Research objectives for this study is to examine the offending patterns and methods of transnational drug crime syndicates in Thailand, in particular the networks that requires coordination with Australia, to study the procedures for international coordination and cooperation, in particular the cooperation between Thailand and Australia, and to analyze challenges, obstacles and limitations in tackling the transnational drug crime syndicates in Thailand, especially those related to Australia, and also make recommendations and solutions to the problems.

RESEARCH METHODOLOGY

Data for this research was collected by the documentary review. The studying all relevant documents including selected case studies on the drug offences that were committed in Thailand and related to Australia, transnational in nature, in need of international cooperation between Thailand and Australia, and with successful results in their cooperation (Intelligence report, Drug Law Enforcement Bureau, ONCB).

Individual interview and focus group discussion: by asking the interviewees to answer the questionnaires given, and then inviting each of selected interviewees for an individual in-depth interview and all for a focus group discussion to clarify data received and ensure the objectivity in data collection. For the individual interview, after analyzing the questionnaire answers, the in-depth interview of each individual interviewee was used to seek further in-depth information from 6 officers at executive level from concerned agencies, both local and foreign and directly in charge of TOC. These 6 executives were consisted of the following: Five (5) executives from local agencies in Thailand, including 2 from ONCB, 2 from Police Narcotics Suppression Bureau, and 1 from Thai Customs. One (1) executive from foreign agency, namely, Australian Federal Police (AFP).

Focus group discussion: participants in a focus group were selected from a group of questionnaire respondents who had provided the researcher with key information in their answers and had an individual interview. There were 19 attendants of the focus group discussion, including a group of practitioners at operational level with at least 5 year-experience in the field of countering transnational drug crimes. These 16 attendants were from local agencies, and the other 3 were from foreign agencies as the following: 1) Office of the Narcotics Control Board (ONCB), 8 officers, 2) Police Narcotics Suppression Bureau (PNSB), 4 officers. 3) Thai Customs, 4 officers. 4) Australian Federal Police (AFP), 2 officers. 5) Australian Border Force (ABF), 1 officer.

RESULT AND DISCUSSION

Patterns and methods of operation or Modus Operandi (M.O.) of the transnational drug crime syndicates in Thailand, particularly those requiring cooperation with Australia.

This study finds that the patterns and modus operandi of the transnational drug crime syndicates in Thailand could be characterized as transnational organized crime groups (TOCs) that had links with local and international criminal groups. The offences committed in Thailand were mostly operated by TOCs, and this was because there was no illicit drug production in Thailand. Illicit drugs were originally trafficked from the Golden Triangle or other third countries into Thailand for local distribution or transit to destination countries. These transnational drug crime syndicates had specific business patterns with rather clear division of functions that could work separately, for instance, financiers, dealers/brokers, masterminds, money collectors/ launders, couriers (drug mules), distributors or suppliers to customers.

The transnational drug crime syndicates that were active in Thailand and also linked with other countries were found to have differences in their offending patterns and methods, group members and drug types traded, as the following.

1) Chinese syndicates were the groups that had had movements in Thailand for a long time, used Thailand as an operational base for dealing, ordering, procuring and obtaining drugs. The Chinese syndicates made a clear division of labor into groups in charge of the duties of obtaining drugs able to gain access to the production areas along the borders in the North, recruiting drug mules, commanding drug mules, hiding before trafficking drugs through various channels, financing, accounting and money laundering. These syndicates traded mostly heroin, Ice, meth tablets and ketamine to the markets in many countries and territories, such as China, Hong Kong, Taiwan and Malaysia.

2) West African syndicates previously bought heroin from the border areas in the North and then sent to destination countries in Africa and Europe. Recently, they have expanded their webs and activities in China. These syndicates had often used the couriers of the same African citizens earlier but also included Asians and Thai nationals later. They traded not only heroin, but also more of Ice, meth tablets and ketamine. At present, these groups use postal services to send drugs from Thailand to destinations.

In addition, the West African syndicates also traded cocaine and ecstasy (MDMA) for the markets in Thailand. These groups worked as a broker making a purchase of illicit drugs from the drug trafficking groups and cartels in South America, Central America, Africa and Europe and then trafficking drugs into Thailand by using couriers of flight passengers, postal or cargo express delivery services. The purchase order was made by on-line applications, like WHATSAPP. Once arrived in Thailand, the drugs were distributed to users at entertaining venues. The West African networks also sent Ice and heroin from Thailand to destination countries where such drugs had higher prices. Meanwhile, Chinese syndicates and Lao nationals had roles in arranging the smuggling of drugs from production areas in Myanmar to markets outside this region by transiting through Thailand via sea transshipment, air freight, cross-border transportation, international express delivery services, as well as, small fishing boats in the area of high seas. The Chinese networks were large and widespread so that they could smuggle a large quantity of drugs and also had several Thai nationals involved. Unlike the Chinese syndicates, the West African syndicates traded drugs to and out of Thailand rather in a small amount and earned a profit margin from brokerage.

Transnational drug crime syndicates can be categorized into 3 groups; firstly, illicit drug manufacturer groups of which clandestine laboratories and production sites are located mostly outside Thailand, particularly in the area of the Golden Triangle along the borders of Thailand and Myanmar, have high production capacity in a large amount and run by ethnic minorities with armed forces; secondly, large wholesaler groups that traffic drugs into and/or transit drugs to countries outside Thailand by sea, water and air routes, medium wholesale

groups that operate domestic drug delivery at regional level, and small wholesale distributors that trade drugs at local level; thirdly, retailer groups that sells drugs directly to users.

Money laundering schemes of these transnational drug syndicates were found to be delegated to a specific group of members who were solely responsible for laundering and transforming a large amount of money gained from drug trade to look like it came from a legitimate source of business. In addition, transnational drug traffickers also used a virtual currency which is digital money for transactions and payments via the Internet for goods and services, like a real currency in a real world. Virtual money was introduced as a medium of exchange in a virtual world. Until now, it has been sold in hundreds of currencies; however, the most popular and predominant one is Bitcoin.

Smuggling drugs to Australia, the transnational drug crime networks were criminal gangs who conspired to commit crimes for gaining profits and interests from illegal trade and business, starting from arranging to procure drugs from clandestine production sites in the Golden Triangle, trafficking via multiple routes, both land and water/sea, to distributing drugs to the third countries. This determines that committing drug crimes is a series of actions from one country continuing to another. Moreover, modern technology was also used in their business operations.

In their structure and operations, the transnational drug crime networks embraced multi-racial members, had clear separate assignments and a cut-out method to unlink one from another, leaving no traces of their connection. These made the search for evidences to link these offenders rather difficult and a further investigation of other accomplices become complicated as one interviewee said that:

In their operational process, each group tries not to leave the evidence of linkage among them in case that there is a seizure of drugs so that such arrest cannot be investigated further to other gang members. Meanwhile, the masterminds or financiers will never get close to drugs and has connection with other transnational crime networks of other countries also (interview with Deputy Commissioner of the Police Narcotics Suppression Bureau at ONCB on 15 May 2023).

Trafficking routes started from the illicit drug production sites in the Golden Triangle through Myanmar and Laos to the regions of the North and the North East of Thailand. The drugs then were stored in the Central region at hiding places in rented houses or warehouses before being concealed in postal parcels and consumer goods, such as tea/coffee bags, electrical appliances, furniture, and car spare parts, etc. The drug-hidden packages were then sent at international delivery/shipping companies to foreign destinations, for instance, Australia, New Zealand, Japan and South Korea via airports and seaports. Representatives of shipping companies coordinated the delivery with customers through social media communication of Avatar, for example. From the past, the drug trafficking networks have been using Thailand as a transit route for sending drugs to the third countries. This is coherent with a statement by AFP at a focus group discussion as following:

Concealing patterns that Australia has detected were a body stuffing in Vietnamese people quite often, those coming from South America, and later the case that an Indian swallowed drugs during his transit from Thailand to Australia. In the past 5 years, there was no Thai national detected of body packing to Australia (a focus group discussion with AFP at ONCB on 22 May 2023).

Furthermore, the criminal networks also used dedicated encrypted communication devices (DECDs), making it harder for officers to crack. The authorities focused on the search for assets to proceed with the asset seizure. The major drug trafficking

syndicates of interest in Australia is the Outlaw Motor Cycle Gangs (OMCGs), such as Hell Angles lurking among enthusiast motorcyclists. This criminal network model has shifted away from the former yakuza and mafia groups. The OMCGs have coordination in different countries around the world, makes contact with and pays powerful local people for their protection and then seek channels to smuggle drugs to other countries. They may use lawful companies to send legal products with hidden drugs, send industry insiders who know how AFP works to the seaports and airports in order to remove the hidden drugs before a police search. Furthermore, the criminal networks have transformed their drug trade to disguise themselves in other forms of legal business in order to launder money before sending laundered money back to the financiers. They also used online transactions of digital currencies through internet, such as Bitcoin to transfer assets or tangle the financial flows in order to cover their identities or illegal sources of money to avoid leaving any traces that could be investigated.

International coordination and cooperation procedures between Thailand and Australia.

Thailand has long been in cooperation with the AFP since the AFP sent the first police attaché to Thailand in 1979 and also under the auspice of the official bilateral cooperation mechanism between Thailand-Australia. ONCB and AFP has worked and coordinated closely in investigation, enquiry, as well as, further investigation of drug arrest cases by the establishment of Taskforce STORM between Thailand and Australia. Under the umbrella of Taskforce STORM, Thailand by ONCB, Department of Special Investigation (DSI), Anti-Money Laundering Office (AMLO), PNSB and the AFP work altogether in coordinating intelligence, investigation, targeting the transnational and serious organized crimes (TSOCs) and collecting evidences to counter against the TSOCs, particularly that have committed drug and money laundering offences in Thailand and Australia. The coordination and information-sharing are also made under the mechanisms of the Airport Interdiction Task Force (AITF) and the Seaport Interdiction Task Force (SITF), of which their operations combine forces from relevant agencies, mainly ONCB, the Armed Forces Security Center (AFSC RTARF), Thai Customs, PNSB and Royal Thai Police (RTP).

Up to present, such cooperation has resulted in a total seizure of more than 10 tons of illicit drugs and confiscation of assets worth more than 1,150 million Baht. The joint investigation, intelligence coordination and collection of evidences against the TSOCs committing the offences relating drugs and money laundering crimes in Thailand as such also led to a further investigation to make arrest the masterminds, financiers and other important syndicate members effectively in many cases as one research informant said that:

That Thailand has the development and expansion of the logistics system by land, air and sea and also is adjacent to neighboring countries where drug production sites were located inevitably becomes the target where the transnational drug crime syndicates in Australia made connection with the networks in Thailand that were found to traffic illicit drugs to Australia as a result of the coordination and information exchange of the AITF and the SITF (interview with a Deputy Commissioner of the PNSB at ONCB on 15 May 2023).

In addition, coordination on intelligence and operations were also made with the Australian Border Force (ABF) for information exchange about trafficking and concealing patterns, techniques, verification of information from source country with destination country, capacity-building and training, and support on equipment and tools necessary for investigation and drug law enforcement.

Challenges, obstacles and limitations in countering TOCs in Thailand, particularly those related to Australia and recommendations

Challenges, obstacles and limitations

The obstacles comprise the presence of death penalty in Thai laws for drugs offences and the policy of Australian Government to death penalty, The Australian Government has absolute opposition to death penalty and strong policy determination to pursuing global abolition of death penalty. That Australian legislations have no death penalty for drug offences limits the exchange of information and the handover of fugitives to be prosecuted under Thai laws. Such the conflict of laws disables the enforcement of Thai laws, particularly the Narcotics Code that prescribes the maximum penalty of death penalty for the import and export of illicit drugs in schedule 1. All these have made all the cases that require cooperation between Thailand and Australia become very challenging and complicated, essentially when relevant evidences need be used to prosecute against individuals involved with the offences for collaboration and for conspiracy, support and assistance in committing serious crimes relating to drugs outside Thailand under the Narcotic Code, 2021 in order to expand the judicial power of Thai courts for fear that Thailand would prosecute the accused with the death penalty. This is coherent to a discussion with one research informant as below:

Australia is fully aware that Thailand needs evidence for prosecuting against criminals involved, but sometimes AFP cannot give some official evidences to Thailand due to the presence of death penalty in Thai laws for drug offences and Australia's policy against the said penalty. Australian Government strongly opposes death penalty (interview with AFP commander for Asia region at ONCB on 15 May 2023).

In Thailand, the intelligence coordination and requests for permission of international operations were lack of speed and not at once because of the time differences among countries, confidentiality of data and evidence, and the procedures for a controlled delivery of drugs (CD) that requires the approval from Minister of Public Health first, etc.

Recommendations

1. Capacity-building for drug law enforcement officers

1) Strengthen knowledge and understanding on law enforcement regulations and operational procedures in terms of coordination, information exchange, investigation, and further investigation of arrest cases in order to quickly confiscate assets to gain trust and ensure confidence that such information is saved for investigation use only.

2) Have Thai officers attend the Australia's main training courses on drug law enforcement or have drug law enforcement experts as from Australia as guest lecturers train Thai officers at the International Narcotics Control College (INCC), ONCB in order to promote good relations among officers for better cooperation and rapid information exchange.

3) Assign a focal point of each country as a direct communication channel to facilitate further investigation extension of the major arrest cases effectively.

4) Make an agreement between Thailand and Australia on a secondment of assigned investigators on drug cases to Australia to enhance closer and faster coordination between the two countries and also overcome Australia's legal restraints on official information disclosure and sharing. On their secondment, such investigator officers can make his own intelligence report to be used as evidence to ask for the issuance of arrest warrant and prosecution against the TOCs.

2. Technology development by creating a database and a central network system or sharing platform to promote a timely coordination and information exchange and store data for use in investigation and as evidence in the future

3. Legislative Development

1) In the short-term, regulations for internal use, specifically on the international information coordination, in-depth investigation and extension of case investigation should be prescribed, and the information for use in the inquiry and prosecution must be kept totally separate in order to reduce complexities from legal discrepancies between the two countries on the death penalty subject to the Narcotics Code.

For the case coordination against each target group, if such case is not liable to death penalty, Thailand should notify Australia in writing to guarantee that the offences of such case will not be liable to death penalty in order to make Australia confident in sharing evidence with Thailand for further prosecution.

2) In the long-term, Thai Government should have well-rounded research studies on the provision of death penalty to drug offences in order to corroborate the amendment of the Narcotics Code to outlaw the said penalty like the laws of many advanced countries. Although Thailand has death penalty prescribed in the Narcotics Code, in reality the execution of death penalty has not been conducted for decades.

3) In order to extend the investigation effectively and successfully destroy the drug trafficking networks, there should be a serious discussion with Australian authorities on the cooperation guidelines of controlled delivery (CD) that can help lead to the arrest of the masterminds, leaders or commanders throughout the networks from the origin to the end.

CONCLUSION

The study on transnational drug crime syndicates in Thailand: a case study of drug trafficking networks related to Australia is aimed at studying 1) patterns and methods of operation of the transnational drug crime networks in Thailand and Australia, 2) procedures for international coordination and cooperation between Thailand and Australia, and 3) problems and obstacles in countering transnational drug crime syndicates between Thailand and Australia and recommendations. The key findings include the transnational drug trafficking networks were mostly consisted of multi-racial members with a clear division of duties and had a cut-out process to disconnect one from another. These made a search for evidence to link the offender groups rather difficult and further investigation to accomplices in the networks become complicated.

The drug trafficking routes started from the drug production sites in the Golden Triangle via Myanmar and Laos to Thailand. Smuggled drugs then were stored in the central region at rented houses or warehouses as hiding places before being concealed in postal parcels and consumer goods, such as tea/coffee bags, electric appliances, furniture and car spare parts and sent at shipping companies to foreign destination countries, for example, Australia, New Zealand, Japan and South Korea via airports and seaports, especially for heroin, Ice and ketamine.

A bilateral cooperation mechanism between Thailand and Australia was used for coordination with the AFP in exchange of information about investigation, inquiry, and case investigation extension to make arrest drug offenders involved. Furthermore, coordination and information exchange can be made under the mechanisms of Taskforce STORM, where Thailand by ONCB, Department of Special Investigation (DSI), Anti-Money Laundering Office (AMLO), PNSB and the AFP work together, the Airport Interdiction Task Force (AITF) and the Seaport Interdiction Task Force (SITF) of which the operations combine forces from relevant agencies, mainly ONCB, the Armed Forces Security Center (AFSC RTARF), Thai Customs, PNSB and Royal Thai Police (RTP).

Lastly, the key problems and obstacles encountered in Thailand -Australia cooperation include that no presence of death penalty for drug-related offences in Australian laws made the information exchange and the transfer of offenders for prosecution in Thailand

under Thai laws impossible. Such law discrepancies made the cases that required cooperation between Thailand and Australia become very challenging and complicated. In addition, in Thailand, the intelligence coordination and requests for permission of some actions were rather slow as a result of the time differences among countries, confidentiality of evidence, and the procedures for controlled delivery (CD) that needed the approval from Minister of Public Health first. The recommendation to solve the afore-mentioned limitations is that it is necessary that officials, technology and laws be developed at the same time.

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