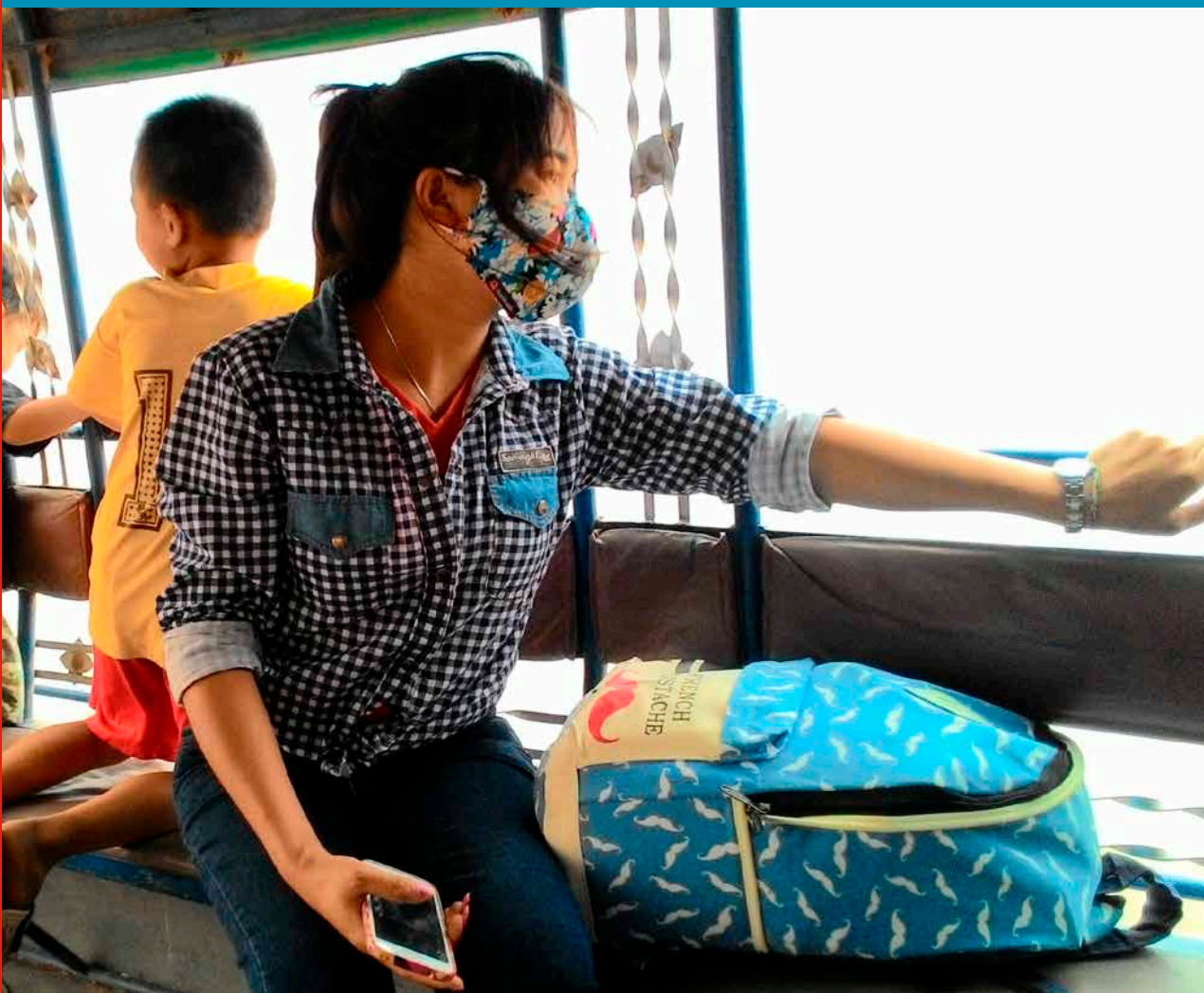


Protection of Trafficked Khmu Girls from Lao PDR

Pre-reintegration and Human Security in Thailand

Vongsa Chayavong





Consortium of Development Studies in Southeast Asia (CDSSEA)

Publication Series

Series Editor: Chayan Vaddhanaphuti

Senior Editorial Advisor: Victor T. King

Publication Officer: Kanchana Kulpisithicharoen / Charlotte Trenk-Hinterberger

About the series

The Consortium of Development Studies in Southeast Asia has drawn on primary postgraduate research undertaken for theses from the master's programs of Asian Institute of Technology's Master of Science in Gender and Development Studies (MGDS), Chiang Mai University's Master of Arts in Social Science (Development Studies) (MASS); and the Chulalongkorn University Master of Arts in International Development Studies (MAIDS). Scholarships for the students of CDSSEA has been generously provided by the International Development Research Centre (IDRC) of Canada. With a diversity of academic approaches (gender studies, political science, social sciences), the individual works of this collection have in common a focus on the increasing interconnection and regionalization of the five mainland Southeast Asian countries (Myanmar, Thailand, Laos, Cambodia and Vietnam), and examine these exchanges and encounters within the context of the Greater Mekong Sub-region (GMS).

The publication series is informed by the interface between the social sciences and development studies, specifically engaging with concepts which relate to physical and social mobility, boundary crossing, and the construction of ethnic identities. Within these concerns, the series also addresses issues of social, cultural and environmental sustainability, and the ways in which livelihoods are sustained and transformed in the mainland Southeast Asian sub-region. The series seeks to strike a balance between the experiences of both urban and rural life, and to examine the rich variety of responses and adaptations to processes of regionalization and globalization.

Protection of Trafficked Khmu Girls from Lao PDR:
Cases of Pre-reintegration Process and Human Security in
Thailand

Chayavong Vongsa



The Regional Center for Social Science
and Sustainable Development
Chiang Mai University

Protection of Trafficked Khmu Girls from Lao PDR: Cases of Pre-reintegration Process and Human Security in Thailand

Consortium of Development Studies in Southeast Asia series
Volume 11

Copyright © 2018 Regional Center for Social Science and Sustainable Development
ISBN: xx-xxx-xxx-xxx-x

Author: Chayavong Vongsa

Series Editor: Chayan Vaddhanaphuti

Senior Editorial Adviser: Victor King

Publisher: Regional Center for Social Science and
Sustainable Development (RCSD)
Faculty of Social Sciences, Chiang Mai University
Tel: +66 (0) 53 943 595-6 Fax: +66 (0) 53 893 279
web: rcsd.soc.cmu.ac.th, e-mail: rcsd@cmu.ac.th

Printed: February 2018

Price: Baht

National Library of Thailand Cataloging in Publication Data

Chayavong Vongsa.

Protection of Trafficked Khmu Girls from Lao PDR:

Cases of Pre-reintegration Process and Human Security in Thailand.-- Chiang Mai :
Chiang Mai University Press, 2016.

xxx p. -- (Critical Perspectives on Regional Integration).

1. Pa-Oh (Asian people)--Burma. 2. Burma--Social life and customs. I. Title.

305.8958

ISBN: xx-xxx-xxx-xxx-x

Copy Editor: Joanna Ho

Cover Photo: Maliwan Senawong

Layout and cover design: Jeff Moynihan

Printer: Wanida Karnpim Limited Partnership

This publication is copyrighted following the Thai Copyright Act 1994.

No part of this publication may be reproduced, stored in a retrieval system,
or transmitted in any form or by any means, electronic, mechanical, photocopying,
recording or otherwise, without written permission of the owner.

Contact: Regional Center for Social Science and Sustainable Development (RCSD)
Faculty of Social Sciences, Chiang Mai University
Tel: +66 (0) 53 943 595-6 Fax: +66 (0) 53 893 279
www.rcsd.soc.cmu.ac.th, e-mail: rcsd@cmu.ac.th

Series Foreword

The Regional Center for Social Science and Sustainable Development (RCSD) at Chiang Mai University has extended its publication program to include Master's dissertations from The Consortium of Development Studies in Southeast Asia (CDSSEA). The CDSSEA series covers mainland Southeast Asia: Myanmar, Thailand, Cambodia, Laos and Vietnam, and regionalization, development encounters and exchanges within the Greater Mekong Sub-region (GMS).

The CDSSEA program brings together resources and expertise from three of Thailand's leading institutions offering Master's degrees in development studies: Chiang Mai University's Master of Arts in Social Science (Development Studies) (MASS); Chulalongkorn University's Master of Arts in International Development Studies (MAIDS); and the Asian Institute of Technology's Master of Science in Gender and Development Studies (MGDS). Although the Consortium's program focuses on the relationship between development studies and social sciences, each of the programs has a different emphasis. The Chiang Mai degree focuses on social sciences and anthropological perspectives, with research interests in environmental and resource management, food security and local livelihoods, labour migration and trans-border issues, ethnicity and development, health, tourism, and agrarian transitions. Chulalongkorn's program concentrates on the political dimension of development, including democratization, human rights, conflict resolution, international and civil society development organizations, community development and globalization. The Asian Institute of Technology focuses on the relationships between gender and development—including women's rights, civil society, and gender dimensions of urbanization and industrialization.

The CDSSEA program has a practical dimension, building leadership capacity in mainland Southeast Asia's regional development, bringing together postgraduate students, encouraging debate, and promoting the rethinking of development alternatives in such areas as social equality, justice and participation, environmental and economic sustainability, and community development. In this regard, a major objective is to develop the knowledge and skills of development practitioners and to enhance the quality and effectiveness of policy-making and its implementation in the region.

The publications in this series—selected from the CDSSEA Master's program—are designed to express this diverse range of interests in development studies and regionalization, and to emphasize the relationships between empirical and theoretical research, policy-making and practice.

Victor T. King, Senior Editorial Adviser,
Consortium of Development Studies in Southeast Asia series

Contents

	Series Foreword	v
	List of Figures and Tables	viii
	Abbreviations	ix
	Glossary of Terms	x
	Acknowledgements	xi
Chapter 1:	Introduction	1
Chapter 2:	Literature Review	15
Chapter 3:	Protection of Khmu Girl Victims & the Prosecution Process	23
Chapter 4:	Pre-Reintegration & Human Security of Khmu Girl Victims	45
Chapter 5:	Conclusions, Discussion, & Recommendations	53
	Bibliography	60
	Index	63
	Appendix	67

List of Figures and Tables

Figure 1.1:	Research Methods of Study
Figure 1.2:	Conceptual Framework of Study
Table 1.1:	Main Components of Human Security and Example of Threats
Table 2.1:	Number of Lao Victims of Human Trafficking in Laos 2012- 2013
Table 2.2:	Statistics of Trafficking Cases
Table 2.3:	Duration of Prosecution
Table 3.1:	Summary of Laotian Khmu Girl Victims in Thailand.
Table 3.2:	Protection and Prosecution for Khmu Victims
Table 4.1:	Expectation of Khmu Girl Victims upon Returning to Laos

Abbreviations

COMMIT	Coordinated Mekong Ministerial Initiative Against Human Trafficking
DSDW	Department of Social Development and Welfare
FFW	Foundation for Women
GMS	Greater Mekong Sub-regions
GoL	Government of Laos
GoM	Glossary of Migration
Lao PDR	Lao People's Democratic Republic
MAIDS	Master of Arts in International Development Studies
MoLSW	Ministry of Labor and Social Welfare
MSDHS	Ministry of Social Development and Human Security
MoU	Memorandum of Understanding
NGOs	non-governmental organizations
NGPESP	National Growth Poverty Eradication Strategy Plan
PRC	People's Republic of China
RTG	Royal Thai Government
THB	Thai Baht

Glossary of Terms

Akha	Indigenous hill tribe that live in the mountains of Thailand, Myanmar, Laos and Yunnan province in China
Cassava	A woody-shrub crop native to South America and a source of carbohydrates in the tropics
Durian	A large tropical fruit found in Southeast Asia with a hard thorny husk and a very strong smell
Hmong	Ethnic group from the mountainous regions of China Vietnam, Laos, Myanmar and Thailand
Khmu	Indigenous inhabitants of northern Laos from the central and southern mountains
Lao-Theung	Local name for Khmu people
Lenten	Ethnic minority from mountainous areas in northern Laos

Acknowledgements

This research study was supported by the Ratchadaphiseksomphot Endowment Fund of Chulalongkorn University. (RES560530225-HS).

First, I would like to take this opportunity to express my sincerest thanks to Chulalongkorn University, Faculty of Political Science to offer the Master of Arts in International Development Studies (MAIDS) program. Also, I would like to express my thanks to the sponsoring donor, the Canadian Government, implemented by International Development Research Center, Faculty of Social Science, Chiang Mai University to sponsor a grant for my studies. I am deeply grateful to my school director Mr. Singsavanh Teamvongsa, who was very supportive and provided me with a chance to enhance my knowledge. I have the deepest appreciation for all my teachers at my school for their support; they have been extremely keen to give me their hopes and high expectations for my studies. I am grateful to all the lecturers who had taught for the MAIDS program and the administrative staff at the Faculty of Political Science who had always provided me with assistance. I am also deeply grateful to all the people who have contributed support for my studies, especially committee members; Prof. Supang Chantavanich (Ph.D.), Dr. Ratchada Jayagupta (Ph.D.), Assist. Prof. Apipa Prachyapruit (Ph.D.), and Siriporn Skrobaneek (M.D.). This work would not have been completed without their full support.

I would also like to sincerely thank representatives from the Foundation for Women (FFW) in Bangkok, the personal practitioners and the Khmu girl victim interviewees at the shelter in Thailand. I am also thankful to the people from the Ministry of Social Development and Human Security (MSDHS) of Thailand to provide the documents related to anti-trafficking. Also, I would like to thank Khun. Min Ma, a volunteer from the Asian Research Center for Migration, Institute of Asian Studies, the University of Chulalongkorn for the English editing of my work.

Finally, I would like to express my appreciation to my wife Vanlani Inthavixay and my daughter Vannasin Chayavong who have always supported me and been together with me all the time.

Vongsa Chayavong

Chapter 1

Introduction

This chapter presents an introduction of the research and some discussion of the problem. The research questions and objectives are included in the chapter, followed by methodology, conceptual framework, scope of study and the significance of the study.

Introduction

There have been many Khmu girls considerably trafficked from place to place within their own country. Many of the young Khmu girls have also been expected to work outside of their own country, crossing borders into neighboring countries, especially into the Kingdom of Thailand to seek new opportunities (Vungsiriphisal et al., 2008). In accordance with the rapid changing of the world, there have been many obstacles and challenges for trafficked Khmu girls because they were not familiar with the new living societies in which they lived. They had limited knowledge about residing abroad and knew very little about the living conditions in the destination country. They also did not know the work conditions; whether they had sometimes already been sold by recruitment agencies (Jayagupta, 2014).

Khmu girls have been crossing borders without permission into Thailand for decades. Many Khmu girls live in the provinces along the Mekong River such as Xayaboury, Savannakhet and Champasak. They have crossed the border where there are no border checkpoints into the Thai provinces of Nakhon Phanom, Bueng Kan, Leoi, Uttaradit, Nan, Phayao or even Bangkok to find job

opportunities (Thongyou & Ayuwant, 2005). There are some girls who work as sales staff in shops that are owned by Thai people (Chantavanich, 2006).

Moreover, the Khmu girls also worked as domestic workers and took care of house work, for instance, watering flowers, taking care of children, cooking and washing. These girls were sometimes forced to work very hard, and in some cases more than 18 hours a day. In contrast, payment of wages was very low and the daily wage was not adequate to ensure their living conditions, but they had very little protection under the labor law (Chantavanich, 2007).

In addition, there were many Khmu girls from the northern part of Laos, who had moved into Thailand to find good employment. Some of these girls were contracted by recruitment agencies in order to work in services for hotels and restaurants with the hopes of a high income. However, once they were in Thailand, some of these girls were forced to work in Karaoke bars and in agricultural plantations, e.g., Pineapple and Durian plantations.

Statement of the Problem

The country of Laos shares its borders with Thailand by the Mekong River for approximately 1,730 kilometers (km). Due to the geographical location of Laos in the middle of Greater Mekong Sub-region (GMS), young Lao Khmu girls can easily cross the borders into Thailand. There were approximately more than 148,000 human trafficking victims from Southeast Asian countries in Thailand, but there were about 50,000 victims from Laos. In 2012, there were about 271 trafficked victims, who were supported for their return to their places of origin in Laos (Global Slavery Index, 2013).

The reasons why these girls moved into Thailand were because they were poor, lacked knowledge in education, cultural beliefs and environmental problems (Wangao, 2014). Many girls could not even finish primary education. There was also no support on training for vocational education programs. There were many ethnic minority girls, for instance, Khmu, Akha, Lenten and Hmong, who came from mountainous areas in Luang Namtha, and who had moved to Thailand. These young girls were expected to earn high incomes, because their living conditions in their own localities was very hard, e.g., growing crops and cultivating upland rice in high mountainous locations, where there was no support for schooling.

In addition, due to the low income of the country, these young Khmu girls could not afford to sustain their living conditions, as alternative job opportunities were not available for these young girls. The daily wages for working on the construction of roads and tall buildings was relatively low (United Nations Office on Drugs and Crime, 2005). For these girls, especially unskilled workers were not allowed to get permanent contracts and fixed term employment in Laos. Also, some of the employed workers were contracted to work for short term periods, for instance, on daily and weekly contracts (Mace, 2013). They did not have guaranteed job security. The working conditions were also risky e.g., development work on infrastructure such as road construction, bridges and high buildings (Dabek, 2009). In accordance to the above results, there were large numbers of Khmu girls who had entered into Thailand. Once they were in Thailand, some of the girls had no chance to work as they initially expected, but rather they were forced to work in other types of jobs such as sexual workers in Karaoke bars (International Organization for Migration [IOM], 2003).

However, due to this result, some of the Khmu girls ended up in serious trafficking situations. In order to assist trafficked persons and their reintegration back into their places of origin, the prosecution processes was a necessary step which needed more examination for better understanding of the overall situation. Sustainable reintegration can be costly and also requires time to help the victims recover.

Nevertheless, the trafficked Khmu girls, who had received support to go back to their places of origin, could bring income and knowledge gained in Thailand to contribute to the development of their own communities. But it is not good, if the girls were forced to work against their own interests. In terms of the gender issue, forcing a person for another person to gain a profit by trafficking is not fair. The trafficking of girls sometimes infringes the reintegration process.

Research Questions

This research study aimed to investigate the human trafficking processes, especially the protection and prosecution processes of trafficked Khmu girls in Thailand. Existing data regarding human trafficking, particularly on trafficked Khmu girls, was in severe shortage. This research was based on the case study

approach and the primary methods were considered qualitative as well. In order to understand this study, the main research questions were focused on the three main categories of the following issues:

- How is the protection and prosecution process done for Khmu girl victims of human trafficking in Thailand?
- How do trafficked Khmu girls in Thailand have sustainable reintegration through capacity building?
- How can a sustainable reintegration process be achieved?

Research Objectives

The tentative research objectives of this study were to identify and enrich understanding of the protection, prosecution and sustainable reintegration processes of trafficked Khmu girls in Thailand. In order to have more understanding, the research objectives had an emphasis in three different areas such as the following discussions:

- To study the protection and prosecution of Khmu girls who are victims of human trafficking, especially the victim's identification at the governmental shelter in Thailand;
- To examine the protection mechanisms leading to sustainable reintegration, focused on adult literacy and vocational training programs; and
- To study the prospects of social and economic reintegration of Khmu girl victims of human trafficking in the governmental shelter.

Methodology of the Study

The methodological research of this study used a qualitative approach to understand human trafficking, prosecution of traffickers and protection of Khmu girl victims. The research utilized in-depth interviews and participant observations to collect primary data. The primary data collection was also gathered from field research, including data from the Foundation for Women (FFW) in Bangkok, Thailand, emphasizing the following areas:

- In-depth interviews of trafficked Khmu girls in the governmental shelter;
- Interviews with key informants in the shelter; and

- Participant observation of the reintegration process.

In order to achieve an approach of sustainable reintegration, Figure 1.1 shows the research methods of the study.

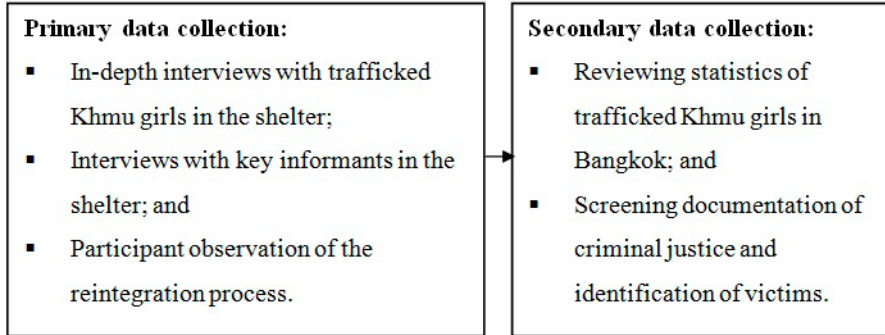


Figure 1.1: Research Methods of Study (Source: Author 2013)

Primary Data Collection

The primary data collection in this study was focused on individual interviews with an emphasis on exploring questions to get a deeper understanding of the prosecution of traffickers and sustainable reintegration of Khmu girl victims. The first set of interviews focused on trafficked Khmu girls in the governmental shelter in Thailand. The second set of interviews considered key informants in the shelter. Finally, participant observation was used in order to understand the approach of the sustainable pre- reintegration.

In-depth Interviews with the Khmu Girls Victims

These interviews were conducted with seven trafficked Khmu girls at the shelter under the Department of Social Development and Welfare (DSDW), of the Ministry of Social Development and Human Security (MSDHS). A list of interviewees and the dates of each interview is attached in Appendix 1 “List of Khmu girl victim interviewees & interview dates”. The interviews explored the process of prosecution, criminal justice and prospects of sustainable reintegration of the Khmu girl victims in the shelter. The interview questionnaire is attached in Appendix 2 “Questionnaire for in-depth interview with Khmu girl victims of human trafficking in the shelter in Thailand”.

Interview with Personal Practitioners

In addition to the interviews with Khmu girl victims in the shelter, the study also focused on interviews with key informants, including non-government organizations (NGOs), social workers, and police officers at the shelter in Thailand under the MSDHS, who supported the protection, and sustainable pre-reintegration of Khmu girl victims. The purpose of the interview was not only concerned with the internal system and practices of an individual practitioner supporting the victims in the shelter in terms of protection, but also more critically for helping Khmu girl victims of trafficking to reach a level of sustainable pre- reintegration. The key informants' interview is attached in Appendix 3 "Questionnaire for interview with key informants, social workers, NGO workers and police supporting the protection of Khmu girl victims in shelter".

Participant Observation

This research study was not only focused on interviewing Khmu girl victims and key personnel practitioners, but also participant observations of sustainable reintegration programs through basic adult literacy in order to achieve social sustainable pre- reintegration.

Secondary Data Collection

In order to understand the research study, secondary data collection had also been conducted. The data was based on a collection of reports, statistics and news from journals. This secondary data collection for the research study of the sustainable reintegration of the Khmu girl victims of human trafficking in the shelter had focused on the following aspects:

- Reviewing the statistics on trafficked Khmu girls in Thailand; and
- Screening documentations of criminal justice process.

Theoretical Framework of Study

The theoretical framework of this research study was more complex, so the proposed framework of this study was to mainly consider the following aspects:

- Forced migration;
- Human trafficking;
- Victim identification, investigation and prosecution; and
- Protection of Khmu girl victims in order to reach social and economic pre- reintegration.

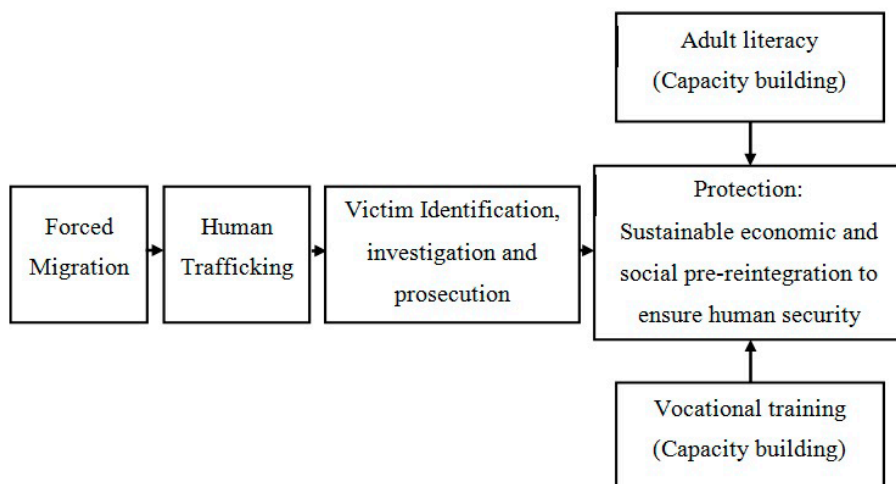


Figure 1.2: Conceptual Framework of Study (Source: Author, 2013)

Forced Migration

Forced migration is:

When an element of coercion exists, including threats to life and livelihood, whether arising from natural or man- made causes, e.g., movements of refugees and internally displaced persons as well as people displaced by natural or environmental disasters, chemical or nuclear disasters, famine or development, or development projects.

Also, the persons or groups of persons who have been forced to leave their homes or places of habitual residence, in particular as a result of or to avoid the effects of armed conflict, situations of generalized violence, violations of human rights

or natural or human-made disasters, and who have not crossed an internationally recognized State border (International Organization for Migration [IOM], 2004).

Human Trafficking

Human trafficking is:

The recruitment, transportation, transfer, harboring or receipt of persons, by means of the threat or use of force or other forms of coercion, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation (IOM, 2004).

The basic definition of human trafficking from the IOM (2004), the Human Trafficking Protocol 2000 has been widely recognized. For the purposes of this Protocol (Palermo Protocol, Article 3):

Term ‘human trafficking’, the recruitment, transportation, transfer, harboring, or receipt of person by means of the threat or use of force or other forms of duress, of abduction, of deception, abuse of power or a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person for the purpose of exploitation. The exploitation shall include, at least, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or the removal of organs.

In addition, Article 3, paragraph 1 states that “at least the following acts and activities are fully covered under criminal law, whether such offenses are committed domestically or trans-nationally:”

In article 3 (1) offering, delivering or accepting a child, by whatever means, for the purpose of; sexual exploitation of the child, transfer of organs of child for the profits and engagement

of the child in forced labor, improperly including consent to the adoption of a child in violation of applicable international legal instruments on adoption: working, obtaining, procuring or providing a child for child prostitution; and (2) producing, distributing, importing, exporting, offering, selling or possessing child pornography (IOM, 2004).

Victim Identification and Prosecution

The process of potential victim identification was based on information, which was given to the police and social workers. The girls who were rescued from the workplaces had to be identified by the police. For instance, when the girls were taken to a safe place, emergency home or police station, the girls were identified and classified as the victims of human trafficking.

The victim identification includes the victims' information such as name, date of birth, age, race, nationality, the names of the parents, an address from the place of origin, and ID card number or other legal documents. Also, the rescued girls had to be interviewed about how they entered Thailand. If they came to Thailand with a recruitment agency, the name of the agency, and the process of transportation into Thailand were to be mentioned.

All the information and details had to be given by the girls in person. If they were the victims of human trafficking; they had to be sent to the governmental shelters in order to process the protection, and the traffickers had to be prosecuted. The girls, who were not classified as victims, were deported back to their places of origin.

Sustainable Reintegration

Sustainable reintegration is:

The re-inclusion of a person into a group or a process, e.g., a migrant into the society of his or her country of origin. Also the processes by which immigrants become accepted into society, both as individuals and as groups and the particular requirements for acceptance by a receiving society vary greatly from country to country; and the responsibility for integration rests not with one particular group, but rather with many

actors including immigrants themselves, the host government, institutions and communities (IOM, 2004).

With regards to the protection of trafficked Khmu girls, this study for sustainable pre- reintegration was considerably focused on the following aspects:

- Economic reintegration through the vocational training programs; and
- Social reintegration through adult literacy.

Economic Sustainable Reintegration

Economic reintegration was the most crucial aspect for the return of Khmu trafficking victims as it provided them with the capacity to find job opportunities and improved living conditions. Economic reintegration means:

The reintegration of a migrant into the economic system of his or her country of origin. The migrant shall be enabled to earn his or her own living. In the developmental terms, economic reintegration also aims at using the knowhow which was acquired in the foreign country in order to promote the economic and social development of the country of origin (IOM, 2004).

Moreover, the livelihoods of Khmu trafficking victims who were supported to return were expected to be better off, if they were trained through vocational education programs at the governmental shelters in Thailand. The vocational training programs for the victims of human trafficking should be focused to strengthen the ability to:

- Improve access to effective and innovative language programs;
- Support the victims on the path to citizenship; and
- Support career development through vocational education and training programs.

Social Sustainable Reintegration

Social reintegration means:

The reintegration of a migrant into the social structure of his or her country of origin. This will include on the one hand the creation of a personal network, e.g., friends, relatives and neighbors and on the other hand the development of the civil society structures, for instance, the associations, self-help groups and other organizations (IOM, 2004).

Basic adult literacy was important in providing them with the basic skills and knowledge of reading and writing. In addition, basic literacy was designed for a person, who lacked the opportunity to learn in the compulsory education system, e.g., through primary education and secondary education.

Also, basic literacy for adults should be more innovative and well-designed in order to help Khmu girl victims to understand the learning process. The adult learning has been strongly emphasized since World Education Forum in Dakar, 2000, especially for those who have no chance for a basic education. The principle of the basic literacy for adult learning is:

The adults' learning is more different from childrens' learning, the children learn naturally and constantly. Education for children should follow their development stages. Curricula are designed to be suitable for the majority of children at particular stages. In contrast, adult learning is more focused on the visualization. Training has been well designed with more designable innovative media. Adult learning requires more from the trainer than being providing simply a source of information. Learners become owners of the learning process (Kallenbach et al., 2013).

Education for Sustainable Reintegration

In order to achieve an approach for sustainable pre-reintegration, basic adult literacy was a key factor for Khmu girl victims. Sustainable pre-reintegration required not only vocational training programs, but also basic adult literacy classes. There was a certain risk, because the young trafficked Khmu girls had little knowledge of Lao language and job training.

These problems had significantly reduced their opportunities for further education and good employment to earn a living. Therefore, adult literacy was

an opportunity for Khmu girl trafficking victims to acquire basic knowledge and skills which was relevant to cultural knowledge, and being able to communicate with people in their own localities, to become more involved in social structures and to contribute to local development. The learners were given opportunities to:

- Learn Laotian language with no time limitation;
- Learn with various technologies to help learning on their own, with self- instruction; and
- Develop career awareness to plan in the future for job opportunities that match market demand.

Human Security

The concept of “human security” means that the Khmu girl victims of human trafficking at the governmental shelters in Thailand shall not be threatened. They shall have adequate food security, basic healthcare security and environmental security (Thabchumpon, Moraras, Laocharoenwong & Kraom, 2011). The main components of human security and examples of threats are shown in Table 1.1.

Types of security	Definition	Example of main threats
Food security	Physical and economic access to basic food	Hunger
Healthcare security	Protection and treatment of any diseases, access to basic healthcare	Infectious diseases, unsafe food, malnutrition, shortage of access to basic healthcare

Table 1.1: Main Components of Human Security and Example of Threats
(Source: Asian Research Center for Migration, 2011)

Scope of the Study

This research study had been conducted at the governmental shelters under the MSDHS using in-depth interviews with Khmu girl victims of human trafficking and the social workers who supported the protection and sustainable pre- reintegration of Khmu girls.

Also, the study was conducted in the FFW, Bangkok to support the protection of and follow up on the sustainable reintegration of Khmu girl victims who were successfully assisted to return to their places of origin in Laos.

Significance of the Study

This research study will be an important tool for the countries located in the GMS. This research has generally presented the process of the protection of Khmu trafficking victims in Thailand and the prosecution of traffickers. Moreover, the study may provide the preliminary findings for further studies on the issue of human trafficking in the GMS, especially in Lao People's Democratic Republic (Lao PDR) and Thailand. This study will be expected to:

- Enhance a better comprehension of anti-human trafficking;
- Have a better understanding of human trafficking, protection of trafficked Khmu girls and the prosecution of traffickers; and
- Follow up the support of sustainable pre- reintegration.

Chapter 2

Literature Review

This chapter presents a literature review, which focuses on the information on human trafficking. In order to have more understanding of the human trafficking issues, the literature review particularly emphasizes the following aspects for consideration:

- Introduction of the Lao PDR;
- History of human trafficking in Laos;
- Human trafficking definition;
- Anti-human trafficking legislation;
- Prosecution processing; and
- Education for sustainable reintegration.

Introduction of the Lao PDR

Lao PDR is a less developed, small landlocked country. It is located in Southeast Asia in the heart of the GMS. Due to the geographical location, young Khmu girls can easily cross into other regions. In the year of 2008, approximately 71% of the whole population lived on less than US \$2 a day and about 23% on less than US \$1 a day (National Growth Poverty Eradication Strategy Plan [NGPESP], 2012).

Laos is a mountainous country, especially in the northern parts, where there are many high mountainous peaks rising up approximately 9,000 feet above sea level (or 2,800 meters). It is a young country and its inhabitants were estimated at approximately 6,865,000 people, but about 22% of the people belong to the ethnic minority of Khmu, called Lao-Theung (United Nations Development Program, 2012). The Khmu are the largest ethnic minority group in the northern part of Laos, scattered among the provinces of Phonsalay, Oudomxay, Luang Prabang, but Luang Namtha is the most populated. They prefer to be located in high valleys of an average altitude about 400 to 800 meters above sea level. Most Khmu are traditional farmers who grow mountainous rice in their fields, go hunting, gather non-timber forest products like fruits from forests, and raise cattle, all of which requires good environmental conditions.

In addition, about 85% of the country is covered by forests in the northern and eastern parts of Laos. It has a total area of 236,800 square kilometers (km²) and about 85% of the citizens are located in the remote rural areas to engage in agricultural farming. The country has numerous political administrative authorities to ensure the provision of services for its inhabitants.

These political administrative authorities are categorized into four national level areas: political administration, provincial governmental authority, district governmental management and village authority (Ministry of Labor and Social Welfare of Laos [MoLSW], 2008). All these authorities cooperate together in the decision-making. Besides these governmental agencies, there are also numerous offices such as Lao Front for National Committee, Lao Women's Trade Union and Lao Youth Union working together for solutions against human trafficking issues (Norwegian Church Aid, 2005).

By 1975, Laos was engaged in emphasizing the economy based on socialism, which focused on the promotion of agricultural production. Since the early 1980s, Laos had transformed into a new market-oriented mechanism, which marked a shift away from an agricultural basis towards a rapidly developing market economy. The turning point of the development happened in Laos at the end of 1980s. In accordance with the development of the country, the modernization of the economy has contributed to the fast development of market relations for the further integration of Laos in the world economy (NGPESP, 2010).

The country has a new strategy to open itself up to direct foreign investment. Regarding this strategy, it has increased legal and illegal foreign trades moving around the country, which resulted in the uncontrollable cross border trades and the movement of people. The rapid social and economic changes were not only reflected in investment, but also in society where Khmu girls want to explore new modernization in order to find better livelihoods. This has had a direct impact on the human trafficking of young Khmu girls.

History of Human Trafficking in Laos

There have been various forms of human trafficking, e.g., the trafficking of women and girls for the purpose of sexual and labor exploitation are the most common. The phenomenon of human trafficking, especially the trafficking of women and girls for sexual exploitation has a long history and is not a new phenomenon of the 20th and 21st centuries (Pearson, 2006).

The Old Form of Human Trafficking

The beginning of human and women trafficking, including for the purpose of sexual exploitation, was seen by some sources to have originated from the Roman Empire. Of course, a certain price was paid for these prisoners as hostages and this continued to be operated between all kinds of brothel trade (Schidlof, 2006).

Human Trafficking in the Context of War

Throughout the ages, the phenomenon and the spreading movement of armed conflict, and the exploitation of the labor force saw many women forced into prostitution. A very inglorious example of this was found in East Asia during the Second World War when the Empire of Japan abducted an estimated 300,000 women and girls, mostly from China and Korea, but also from other occupied countries such as Taiwan, the Philippines, Indonesia and Malaysia into the military brothels (Schidlof, 2006).

These brothels were set up by the military for its soldiers and many women were taken into brothels. This practice took away the women's and girl's freedom of movement and separated them from their homes. The women and girls, who were forced into prostitution in these brothels, wore a black triangle.

They suffered severe physical and psychological damage, and were mostly silent about their traumatic experiences after liberation.

Statistics of Human Trafficking from Laos to Thailand

The estimation of the number of victims of human trafficking had been considerably varied. Some of the reasons for the lack of a clear estimate include:

- Trafficking is a secret criminal activity, where the victims are often called “illegal” in the place of destination; and
- Few studies have been conducted on the quantification for the number of affected people.

Statistic of victims of human trafficking: comparison 2012- 2013										
Year	Age			Nationalities						Total
	< 18 yrs	> 18 yrs	during court	Thai	Burm.	Cam.	Lao	Others	Unkno.	
2012	432	160	-	323	51	153	45	20	-	592
2013	757	256	7	657	141	98	114	4	15	1,020

Table 2.1: Number of Lao Victims of Human Trafficking in Laos 2012- 2013
(Source: National Operation Center for Anti-Human Trafficking, Thailand, 2013)

Anti-human Trafficking Legislation

The Anti-Trafficking in Persons Act B.E 2551 (Thailand, 2008), the Kingdom of Thailand was pleased to proclaim that:

Whereas it is expedient to revise the law on the Measures in Prevention and Suppression of Trafficking in Women and Children; This Act contains provisions in relation to the restriction of rights and liberties of persons in respect of which section 29, in conjunction with section 32, section 33, section 34, section 35, Coordinated Mekong Ministerial Initiative against Human Trafficking section 46, section 41 and section

45 of the Constitution of the Kingdom of Thailand so permit by virtue of law (Thailand, 2008).

The Memorandum of Understanding (MoU) between Government of Laos (GoL) and the Royal Thai Government (RTG) on the Cooperation to combat trafficking in persons, especially women and children (2005), proposes the Protection of Victims of Trafficking in Persons with the following issues:

In article 6: The victims, especially women and children, shall receive justice and legal protection while awaiting the completion of the procedures for their official repatriation. The concerned institutions of the Parties shall provide temporary housing and appropriate protection to the victims in accordance with the policies of each country.

In article 7: The parties shall take appropriate measures against traffickers in cases relating to trafficking in persons in accordance with national law of each country and provide due and just legal assistance to the victims, especially the women and children.

In article 8: The government agencies concerned shall cooperate with other organizations to provide legal assistance, health care and take other necessary measures to protect the victims, especially the women and children and their families in an appropriate manner (Memorandum of Understanding [MoU], 2005).

The Coordinated Mekong Ministerial Initiative Against Human Trafficking (COMMIT) on the Cooperation against Trafficking in Persons in the GMS; the Kingdom of Cambodia, the People's Republic of China (PRC), Lao PDR, the Republic of the Union of Myanmar, the Kingdom of Thailand, and the Socialist Republic of Vietnam, in 2004 proposed protection regarding the following issues:

This COMMIT is in the protection of trafficking in Persons as:

- Promoting greater gender and child sensitivity in all areas of work dealing with victims of trafficking;
- Ensuring that person identified as victims of trafficking are not held in detention by law enforcement authorities;
- Developing national plans of action against trafficking in persons in all its forms;
- Creating mechanisms to strengthen regional cooperation and information exchange and designating national focal point on combating trafficking
- Improving regional cooperation against trafficking, in particular through bilateral and multilateral agreements;
- Working together to facilitate the successful recovery and reintegration of trafficked persons and to prevent them from being re-trafficked;
- Adopting appropriate guidelines and providing training for relevant officials to permit the rapid and accurate identification of trafficked persons and to improve investigation, prosecution and judicial processes;
- Ensuring cross-border cooperation in the return of trafficked persons, including support to ensure their well-being (Coordinated Mekong Ministerial Initiative Against Human Trafficking [COMMIT], 2004).

Prosecution Process in Thailand

Enforcing the Law in the Process of Justice

The DSDW of the MSDHS has given more emphasis for the enforcement of the law to push the process of prosecution and criminal justice of the traffickers. In 2013, the Royal Thai Police was strongly focused on the issue of anti-human trafficking, e.g., girls who were under the age of 18 years old, were prohibited from engaging in prostitution. In the same year, about 674 cases of criminal justice for traffickers were conducted by responsible offices, approximately 520 cases were classified as prostitution, and about 80 cases were identified as workers and about 74 cases related to beggars (National Operation Center for Anti-Human Trafficking, 2013). Table 2.2 shows the prosecution and criminal justice process for traffickers over a period of five years.

Year	No. of cases	% increase/decrease	Types of cases		
			Prostitution	Workers	Beggar
2009	103	+ 194.3*	63	28	12
2010	81	- 21.4	65	12	4
2011	97	+ 19.8	74	19	4
2012	306	+ 215.5	226	44	36
2013	674	+ 120.2	520	80	74

Table 2.2: Statistics of Trafficking Cases (Source: National Operation Center for Anti-Human Trafficking, Thailand, 2013). * Remark: There were 35 cases prosecuted in 2008.

Duration of the Prosecution Process

There were approximately 383 cases prosecuted by the court in 2013 displayed in table 2.3. The table also showed the duration of the prosecution process. There were about 288 cases, estimated at about 72.2%, that lasted less than one year of the prosecution period. There were about 63 cases with the duration of prosecution between one year and under 2 years, which amounted to approximately 16.5%. There were about 20 cases with fewer than 3 years of prosecution, which was about 5.2% and there was only 12 cases that lasted longer than 3 years of prosecution, which was an estimated 3.1%.

Case finished		Duration of prosecution							
		>1 yr		1 yr- 2 yrs		2yrs- 3yrs		< 3yrs	
case	%	case	%	case	%	case	%	case	%
383	100	288	75.2	63	16.5	20	5.2	12	3.2

Table 2.3: Duration of Prosecution (Source: National Operation Center for Anti-Human Trafficking, Thailand, 2013)

Chapter 3

Protection of Khmu Girl Victims & the Prosecution Process

This chapter presents the process of protection for Khmu girl victims of human trafficking in Thailand, and the prosecution processes. The in-depth interviews with victims were conducted in the governmental shelter in Thailand under the DSDW of the MSDHS. The first component of the chapter explains the profiles of Khmu girl victims of human trafficking. It is then followed by the prosecution for trafficked Khmu girls in Thailand.

Profile of Khmu Girl Victims in Thailand

Case 1: Miss C. (Sex Trafficking)

Forced Migration to Thailand

Miss C. was a 16 year old girl, born in an ethnic minority of Khmu in the southern part of Lao PDR. She did not complete primary education because she dropped out of school in grade three at age 11. There were six people in her family and she was the third child, with two older brothers and one younger sister. Due to environmental disasters such as flooding, her family's plantation was destroyed and resulted in insufficient income for the whole family.

Her mother borrowed a family registration book from another villager in the same village and removed a photo of a girl whose age was already 21

years old. She then replaced it with photo of her daughter, Miss C., to request a passport. She had done this illegal document manipulation, because she was told by a recruiter from a neighboring village that her daughter could make more money working in Thailand as a waitress in a restaurant. After Miss C. received her passport, she was brought into Thailand by the recruitment agency expecting to work in a restaurant. Unfortunately, when she was in Thailand, she was forced to work in a Karaoke bar. She had been working there for nearly one year.

Moreover, the working situation for the first couple of months was serving food and drinks to guests, but after a period of four months, the working situation changed. She worked very hard, for instance, taking care of the guests who came to the Karaoke bar by serving food and drinks on one hand and on the other hand she was forced into prostitution. She added that:

When I was asked to go up [to] the room, the price was at least 800 Thai Baht (THB), which was paid by the guest and I earned only 200 THB. But the rest of money has been given to the employer, such as the amount of 100 THB went for the room service, the other 200 THB went to the police, who provided the protection of the Karaoke [bar] and 300 THB went to the employer. The room service is also owned by the employer. It means that the employer earns about 600 THB. (Miss C. interview, 14 August 2014).

Rescue and Prosecution Process

The processes of rescue and prosecution were provided by police officers, NGO workers and social workers. On the evening of 23 April 2014 at around 9pm, two men came into the Karaoke bar and they ordered some food and drinks. While they were drinking, they talked about the news and asked about the number of the girls in the shop, who were serving the guests. After they enjoyed drinking for a while, one man asked for the girls to go up to the room. Before going up to the room, he also asked for the price. While the man was talking about the price with the girls, the other man was playing and chatting with his mobile phone.

A few minutes later, around 10 o'clock in the evening, a minibus full of people stopped quickly in front of the Karaoke bar. Suddenly, eight men

including three women jumped out of the bus. Altogether there were six girls in the Karaoke bar, who along with the owner were asked to gather in the front of the Karaoke bar. A woman from the group that jumped out of the bus approached the girls, saying “we are the police; we came here to help you.” Miss C. explained:

When I heard the sound “help,” I am very happy, because I have been working in the Karaoke [bar] for a long period of time, but I have not given [been paid] any salaries and also my passport is [was] taken away. I also have no chance to go out far away from the shop, because I am afraid of being arrested. (Miss C. interview, 14 August 2014).

At the police station she went through a victim identification process by the police, and social workers, to investigate whether she was a potential victim of human trafficking. The victim identification process includes the victim’s personal details and other related documents about entering the Kingdom of Thailand. The victim identification process took half a day on 24 April 2014. She was told about her rights to receive protection by social workers and the police. Then, she was taken to the governmental shelter under the MSDHS.

She has been in the center for nearly six months. During the first month, Miss C. was sent to the recovery department of the center for rehabilitation. She was then offered a training course according to the training topic of her interest. At the same time during her stay in the center, the police and lawyers also came to the shelter to conduct interviews to support her case in court. During the interview, she was also accompanied by social workers in the shelter. She added that:

I have been here in the shelter for nearly six months. I have already [been] taken to the court to be a witness just two weeks ago. I also have been told that my case is already wrapped up. The employer will pay me for the compensation for my work, but the lawyers and social workers did not tell me yet how much the amount of money, which will be given for compensation. (Miss C. interview, 14 August 2014).

Plan for Return to Place of Origin in Laos

After staying at the center for a period of six months, she learned many things. She met many Khmu girls, representatives from the Lao embassy, and also representatives from the MoLSW of Lao PDR who came to visit the girls in the shelter. Moreover, she had the opportunity not only to meet friends, but also was given a chance to train in weaving. Around the time of the interview, she was waiting for compensation. She was also in the process of preparing to return to her place of origin.

She already had a clear plan for her return. She had wanted to open a shop in which she will run a small business selling towels and clothes in her own village using her compensation money from her former employer as an investment opportunity.

Case 2: Miss F. (Labor Trafficking)

Forced Migration to Thailand

Miss F. was a 19 year old girl, born in an ethnic minority of Khmu from a mountainous area in a province in the northern part of Lao PDR. There were six people in her family and she was the only daughter. She did not have any schooling because the school was very far away from her village. She said that:

If I would need schooling, I had to walk far away from my own village in an approximation of eight kilometers in an early morning and come back home in the afternoon. The way of walking to school is very difficult, especially in the rainy season. (Miss F. interview, 15 August 2014).

In addition, as the only daughter in the family she had a huge obligation to play the role of the second mother in the family, taking care of her younger siblings. Her reason for entering Thailand was due to a problem with mountainous rice field cultivation over a period of three years, resulting from rats eating up the plantation of rice.

The family faced difficulty in earning income to buy rice. Around that time, there was a recruiter coming to the village to promote working in Thailand for garment factories and restaurants as a waitress, with the claim that she could make good money. When she heard she could earn a higher income working

in Thailand, she decided to move to Thailand with the recruiter to seek new employment opportunities and send her income back to support the family. Once she arrived in Thailand, she was sent to work on an agricultural plantation for Cassava in a province in northern Thailand along the Mekong River, which was owned by a Thai employer. She worked on the plantation for nearly three months for a wage of 50 THB per day.

After working there, she moved to another place in order to find new work. She found new work on a Durian plantation. There were two other Khmu girls and one Myanmar girl, all whom worked together in clearing and cutting the grass on the plantation fields. She also collected Durian during the harvesting season. In the first six months of working, she was paid an amount of 4,000 THB per month and accommodation was offered by employer, but after another eight months, she did not receive her salary.

Rescue and Prosecution Process

The process of rescue began when the Myanmar girl escaped. On the morning of 29 July 2013, while Miss F. was having breakfast with the other Khmu girls, some people came into the employer's house. Altogether two women and four men were standing in front near the gate of the employer's house. She added that:

I had noticed for 15 minutes as those people asked the employer's son to call me and [the] other Khmu girls to come out of the house. When I came out into the yard, I saw one woman, who wore a police uniform and I knew that they were police so I was very happy, because the police would come to rescue me. I was told that they are the police and social workers. (Miss F. interview, 15 August, 2014).

Finally, she was taken to the police station. She was identified by the police, social workers and NGOs workers. She was over eighteen, but was forced to work with no salary. In accordance with her situation, she was still classified as a victim of human trafficking.

In the afternoon on the same day, she was also told by the social workers and police that she would have the right to receive protection, and then she was taken into the shelter under the MSDHS. In the first month of staying in

the shelter she was taken to the rehabilitation department for recovery. After one month she chose her training topic on traditional Thai massage. During her stay at the shelter, police and lawyers came to get more information to support the case.

Plan for Return to Place of Origin in Laos

In the governmental shelter in Thailand, Miss F. had the opportunity to learn the Thai language and train in traditional Thai massage. She had chosen this training topic, because there were many foreigners who visit the province where she comes from and these tourists seek massage and saunas for relaxation.

Therefore, she planned to start working as a masseuse in a restaurant in her own province, providing massage services for foreign visitors. She also planned to open a small business running massage and sauna services in a separated room in the restaurant, which can only serve four or five foreign visitors.

Case 3: Miss L. (Sex Trafficking)

Forced Migration to Thailand

Miss L. was a 17 year old girl. She was born in a tribe of Khmu in the northern part of Laos. She dropped out of school in grade four. There were five people in her family and she was the eldest child in the family, with two younger sisters. She met a man who was working in Laos as a truck driver. He was from a province in northeastern Thailand.

She fell in love with him and followed her boyfriend into Thailand. When she reached Thailand, she worked in a Karaoke bar for nearly six months. While working, she became pregnant and had a baby; she still worked for another four months. Then they left, and found work in a new Karaoke bar, and worked for three months.

Her boyfriend escaped from the Karaoke bar when her daughter was seven months old. Since then, she was working for nearly one year without a paid salary, because her boyfriend left her and the employer took away her daughter. So, she was forced into prostitution to earn money to feed her child. She said that:

I work [worked] very hard, but there is no money. Also, my boyfriend escapes [escaped] and leaves my daughter and me with the employer, who is very unkind. I cannot go out to any open societies, because I saw Lao girls who come [came] to Thailand were arrested by police. They were sent to jail. I do not have any legal documents allowing me to stay in Thailand so I am afraid of being arrested. (Miss L. interview, 21 August 2014)

Rescue and Prosecution Process

Miss L's rescue happened one evening on 18 January 2014, at around 11pm. Altogether, around 10 people gathered in front of the Karaoke bar and two men entered the shop. While they were talking with the employer, all the customers that had come for entertainment stood up and walked away. Then, the rest of the people outside came in and they said "we are the police". She added that:

When I heard the word "police", I was so afraid. I was sitting, hiding and keeping quiet by the table. Suddenly, the police called my name. I was so frightened. I stood up and walked to the police. At that time, one woman came to approach me and said "[Do] not be afraid, we [have] come here to help you and your daughter". When I heard the sound "help", I was so happy. I hope that I will have a chance to go back home with my daughter, even [if] there is no father for her child. (Miss L. interview, 21 August 2014).

After twenty minutes, she was taken to a safe place and left her daughter in the workplace. She was there for nearly three hours, because the police interviewed her as part of the victim identification process. Also, the police asked for the name of her boyfriend and where he lived in Thailand, but she did not know where he lived, she only knew his name was Mr. T. She was then told that she would receive protection and get her daughter back.

On the same day in the afternoon, she was taken to the governmental shelter under the MSDHS. Currently, she has been in the shelter for nearly six months. For the duration of her stay, police officers, NGO workers, lawyers,

prosecutors and also the social workers have conducted further interviews with her to get more information to help support her case. She had already been taken to court two weeks prior. In the court, she was told that she would get her daughter back from the employer, and that she would also receive compensation, paid by the employer.

Plan for Return to Place of Origin

Miss L. had an opportunity to learn many things during a period of six months at the shelter, including a chance to train on making clothes and towels. Not only was she allowed to learn, and train, she was also allowed to go out to present her crafts at exhibition events outside of the shelter. These events were promoted and organized by the MSDHS and other stakeholders. She also said that:

I am happy in [with] staying in the shelter, because I feel that it is like my home. Also, I have learned good things from the people in the shelter. They told me to be a good behavior [behaved] person. I also learned from other friends. This is a good lesson, which I have gained and I [will] never forget. I also have a chance to train [on] how to make clothes. In my place, making small cotton wallets to sell to outside visitors will be the most profitable. I plan to do this when I come [go] back to my own locality. (Miss L. interview, 21 August, 2014).

In addition, when she returns to her place of origin, she will inform her friends about the situation of undocumented workers that were working in Thailand. Because of love, she was robbed and encountered a terrible life, she will also never believe a man who comes from another place with no evidence.

Case 4: Miss N. (Sex Trafficking)

Forced Migration to Thailand

Miss N. was a 17 year old girl, born in an ethnic minority of Khmu in the northern part of Laos. There were five people in her family and she was the second child. The family condition was very poor. Her mother did not support her to continue her education so she stopped schooling in grade nine. She came to Thailand, because there were some problems with planting mountainous

rice, drought and insects, which destroyed the rice plantation in her village. She came to Thailand with two other girls, who had already been to Thailand. She crossed the border with her passport, which allowed only a month stay in Thailand. When she was in Thailand, she found a job working in a Karaoke bar in Bangkok. She had been working for nearly one year. She said that:

Salary was not offered, but accommodation was provided. I earned money by sitting with guests serving food and drinks. I received 100 THB per table. Perhaps I could earn 600 THB per night. Also, if clients were so kind, I would receive extra tips for 300 to 400 THB. When I went up to the room with clients, I would get 800 THB per client. The amount of 300 THB was given to the employer. If I went out with client, the client had to pay the employer 300 THB, but all amount of money, it might be perhaps 2,000 THB, which was paid by client, would be given to my pockets. (Miss N. interview, 25 August 2014).

Rescue and Prosecution Process

The rescue occurred one evening on 12 September 2013 at around 8pm when three men came to the Karaoke bar and ordered food and drinks. She and two other Khmu girls served beer with three guests at a round table in the corner. After they enjoyed drinks for about 30 minutes, two of the men asked the girls to go up to the room. Miss N. was sitting with another man, who was chatting on his mobile phone. At that time, the two men and the girls had already left to go upstairs. After 10 minutes, there were many people gathered in front of the Karaoke bar. She said that:

I heard a loud noise outside the door. I opened the door and I saw the police and other people were standing in front of me. So, I was very afraid. At first, the police asked for employer in order to get the girls to come out of the shop. And then, I was rescued and taken to the jail. There was not only me, but also other 11 Khmu girls and three Myanmar girls. (Miss N. interview, 25 August 2014).

In addition, Miss N. was identified as a victim of human trafficking, because she was under 18 years old, the same as three other Khmu girls. However, the other Khmu and the Myanmar girls were still in the jail, because they were all 19 years old. Miss N. and the other three Khmu girls were then taken to the emergency home for half a day. At first, she was very afraid, because she thought that she would be arrested and fined. She also thought that she would be kept in jail, as she saw on television; girls were arrested and jailed for months. Until one woman approached and stood by her and said “We are social workers and we will protect you.”

Miss N. was told she would receive protection, as requested by the social workers. On the same day, she was taken to the governmental shelter under the MSDHS. She stayed for at least five months waiting for her case to be wrapped up. When she first entered the shelter, she was taken to the recovery center for one month to learn basic health care and took a session on psychological and social recovery given by the psychologists.

After one month, she was taken to participate in training on a topic of her interest. She had a great interest in training on how to cook and services in the shelter. Police officers also came to the shelter during her stay to conduct further interviews in order to get information to support her case. A special room was provided by the social workers to conduct the interview, for instance, the social workers and Khmu girl victims were in the special room and the police officers were in another room. The police officers could not directly talk to her face to face, but they could talk to her through the social workers. She was not given an opportunity to go to court yet during her time at the shelter.

Plan for Return to Place of Origin

She had learned many things from her Khmu friends in the shelter. She also had a chance to learn the Thai language. Besides language learning, she learned to cook food and offer services. She planned to work in the guest house in the town of her own province, because there were many tourists who came for the purpose of trekking, rafting, kayaking and biking in the high mountains. Miss N. would like to pass on the information that she has learned in the shelter to other friends, especially to the young girls in her own community about the negative impacts of the human trafficking.

Case no. 5: Miss P. (Labor Trafficking)***Forced Migration to Thailand***

Miss P. was a 14 year old girl, born in an ethnic minority of Khmu in the northern part of Laos. There were eight people in her family and she had three older brothers, one younger brother and one younger sister. In accordance with the resettlement plan from the GoL, for shifting slash and burn cultivation, the people had to move down from mountainous areas into the new resettlement developments on flat areas.

Miss P's family transitioned to the new living conditions. She was forced to work in Thailand and she came into Thailand with three friends from her own village. Within the group there was one girl who had already been to Thailand. Miss P. was smuggled across the border through dense forests, where there were no checkpoints. When she reached Thailand, she was separated from the other two girls because the friend, who had already been to Thailand before, went with her boyfriend.

Miss P. initially found work collecting plastic bags and bottles to sell to a factory to earn money. In one week she earned only about 100 or 150 THB per day, the amount of money varied on the amount of collected plastic bags and empty bottles. After two weeks she found new work as a domestic worker in a house of a Thai resident, taking care of dogs, washing the dogs every week, cutting and watering the flowers around the yard, changing the water of potted flower plants, and washing clothes. She said that:

I worked as a domestic worker and earned good money [as] such there was 5,000 THB per month. Also accommodation was provided by employer in [for] a period of one year. My parents knew as well where I was working. I could also send some money back home. But [my] employer did not give the salary or even allowed me to call back home after one year or even my parents called into the employer phone number; I did not receive any phone [call]. This situation continued for six months. (Miss P. interview, 26 August 2014).

Rescue and Prosecution Process

Her father came to Thailand on the 18 March 2014. He went directly to the Laotian Embassy in Bangkok. Her father collaborated with representatives from the Laotian Embassy together with the Thai police, and they went to the employer's house, where Miss P. was working. When her father, police and the Laotian Embassy representatives reached the employer's house, the employer was not there. Miss P. said that:

When I heard the sound of people who were calling my name in front of the gate, I was so frightened. I could not see their faces, because the gate was locked. I came down from my room to approach the gate and I heard my father, so I was very happy. Suddenly, the police broke the gate and took me to the emergency home immediately. Also, the other group of police went to the place where the employer works [worked]. And then, she was taken to the police station. (Miss P. interview, 26 August, 2014).

After two hours of staying in the emergency home, Miss P. was taken to the governmental shelter under the MSDHS. In accordance with the Thai labor Protection Act B.E. 2541, Chapter 4: Employment of Young Workers, section no. 44, "An Employer shall not employ a child under fifteen years of age as an Employee" (Thailand, 1998). When Miss P. reached the shelter, her father considered going back Laos, because he was assured by the police officers and social workers that his daughter would be protected.

Plan for Return to Place of Origin

Miss P. has stayed at the shelter for five months. She learned many things with friends, the NGO workers and social workers who supported her in the shelter. She also had a chance to participate in Lao language classes. Moreover, she trained in massage services and sauna, e.g., traditional Thai massage and oil massage. She planned to work in restaurants in her hometown.

Case 6: Miss T. (Labor Trafficking)

Forced Migration to Thailand

Miss T. was a 15 year old girl, born in a tribe of Khmu in the northern part of Laos. She did not have any chance to participate in any primary education. There were eight people in her family, where she has two older brothers and three older sisters and so, she was the youngest child in the family.

The reason she was forced to leave her community was because of the new relocation development program from the GoL. She left her own locality for the Kingdom of Thailand with her relatives. When she reached Bangkok, she was separated from her relatives and taken by a Thai agency to work on a Pineapple plantation. She worked on Pineapple plantation fields for nearly eight months with two other Khmu girls. She had worked from early morning 6am until 7pm. She added that:

When I finished clearing Pineapple fields of [for the] employer who I stayed with, I had to work for [in] other Pineapple fields, which were owned by other employers. The Pineapple fields were located in high mountains far away from the city. It took about three hours to reach the Pineapple plantation fields. There were four different owners of pineapple fields. (Miss T. interview, 28 August 2014).

She worked very hard for eight months on clearing the Pineapple plantation plots. She was not allowed to go out or use a cell phone, and the employer also did not give her money. She was just given simple food, but even the food was not as good when compared to that eaten by the employer. She wanted to try and escape, but she could not. She thought that if she had escaped, she would be arrested by police, because she does not have any legal documents, e.g., passport and permission to work in Thailand.

Rescue and Prosecution Process

Miss T's rescue occurred early one morning on 25 November 2013. There were some people who wore normal clothes gathered and talked loudly in front of the employer's house. After a few minutes, they called the employer to open the gate. There were five men and three women, one man was wearing a police uniform and they came into the yard. The man wearing the police uniform

asked the employer about Miss T's name. At the same time when they were talking, she noticed from the room window where she stayed that:

There was a man wearing the police uniform [who] said, "We are the police". He asked the employer to call me to come down. When I heard the word "Police", I was afraid; because I was thinking that I would be arrested. Then, I saw three women standing and approaching. She said, "We came here to help you", so I was happy. (Miss T. interview, 28 August 2014).

The victim identification process took place at an emergency home. There were police officers and social workers involved in the identification process. The police wrote down everything about her personal information. The next morning, she was taken into the governmental shelter under the MSDHS, along with two other Lao girls.

During her stay at the shelter, some police officers came to conduct more interviews to get information to support her case. At the same time of the interview, the social workers in the shelter did not allow the police to talk with her independently. She was provided with a small special room, where she was in one room with the social workers, and the police officers talked to her through the social workers in another room. She has been at the shelter for nearly ten months and continued to wait for her case to be wrapped up.

Plan for Return to Place of Origin

Miss T. had learned a lot of things, especially with participation in events. The events were organized by the social workers in the shelter about the negative impact of human trafficking. Also, she was trained in hairdressing and nail salon services. Besides the training, she had a chance to meet many Khmu girls. She had planned to open a hairdressing and nail salon in her own village with the compensation money from the employer. In addition, she wanted to inform her friends in her own community to not come to work in Thailand as undocumented workers.

Case 7: Miss V. (Sex Trafficking)

Forced Migration to Thailand

Miss V. was a 15 year old girl, who was categorized as an ethnic minority of Khmu from the high mountainous areas in the northern part of Laos. She had no chance for schooling due to her obligation as the first child in the family to support younger family members.

On the other hand, there was an environmental drought problem affecting the mountainous rice plantation. So, Miss V. was forced to move to Thailand in order to find job opportunities. Her parents had expected that working in Thailand would be a benefit for earning more money, and that their daughter could send remittances back to the family. She came into Thailand with three other girls from her own community. Miss V. was smuggled across the Mekong River and went through the dense forest, where there were no border check points, because the two girls among their group had already been to Thailand before.

When she reached Thailand, she worked in a Karaoke bar in a province of Thailand along the Mekong River. She had worked there for nine months. In the first three months of starting work, she earned an amount of 10,000 THB per month. She said that:

It was good money to work in the Karaoke [bar], even there was no salary, but the accommodation was offered by the employer of the workplace. If I went upstairs with clients, if the clients were so kind, I was paid extra money, approximately 300 or 500 THB plus 600 THB per client. (Miss V. interview, 28 August, 2014)

Rescue and Prosecution Process

Miss V's rescue took place one evening on 25 February 2014 at around 9pm when police officers and social workers came into the Karaoke bar. She was rescued along with six other Khmu girls working at the same place. After the rescue, she was taken to the police station. She was then classified as a potential victim of human trafficking, because she was only fifteen years old. She was told by social workers and police that she would be receive protection.

After the victim identification process, she was taken to the governmental shelter under the MSDHS. When she first arrived in the governmental shelter, she was very afraid, because she thought that she would not have a chance to go back her place of origin in Laos. But, the social workers told her not to be afraid. She was then taken to the recovery section of the shelter.

After one month, she was taken to the training section to learn Arts and how to sew tablecloth covers, toys, some key rings and other decoration tasks. She has been in the shelter for eight months. She was also interviewed by police officers to for further information to support her case while staying at the shelter.

Plan for Return to Place of Origin

During Miss V's stay at the shelter, she learned many things, particularly with training on sewing table covers and other decorations. She also met new friends, who were also from Lao PDR. She planned to open a small shop for decoration services for events such as weddings and house warming parties.

Protection and Prosecution for the Victims

The results from the seven Khmu girl victim case study profiles have been summarized in Table 3.1.

No.	Case	Age	Type of trafficking	Working period and workplaces in Thailand
1	Miss C.	16	Sex trafficking	One year of working in Karaoke bar
2	Miss F.	19	Labor trafficking	Nine months of working in Cassava and Durian plantations
3	Miss L.	17	Sex trafficking	One year and nine months of working in Karaoke bar
4	Miss N.	17	Sex trafficking	One year of working in Karaoke bar
5	Miss P.	14	Labor trafficking	Eighteen months of working as domestic worker
6	Miss T.	15	Labor trafficking	Eight months of working in Pineapple fields
7	Miss V.	15	Sex trafficking	Nine months of working in Karaoke bar

Table 3.1: Summary of Laotian Khmu Girl Victims in Thailand. (Source: Author interviews with trafficked Khmu girls in a shelter, 14 – 28 August 2014)

Table 3.1 shows that from the seven Khmu girl victims of human trafficking, there two main types. Four victims of human trafficking were categorized under sex trafficking, and three were categorized under labor trafficking. For the four victims of sex trafficking, it was found that they had been working in Thailand for more than one year, especially Miss L. who had worked in a Karaoke bar for one year and nine months. Out of the case study group of Khmu girl victims, Miss L. had been working for the longest period of time in Thailand. In contrast, victims of labor trafficking have been working for less than one year, with the exception of Miss P., who had been working for eighteen months as a domestic worker in Thailand.

The RTG, especially the MSDHS was strongly focused on the implementation of the Anti-Trafficking Act B.E 2551, in particular Chapter 6: Penalties, section 53 states:

Any juristic person commits an offence of trafficking in persons shall be liable to the punishment of a fine from two hundred thousand Baht to one million Baht.

Also, section 54 states that:

Whoever obstructs the process of investigation, inquiry, prosecution or criminal proceedings on the offence of trafficking in persons so that the process is unable to be conducted in a well-manner, by doing any of the following acts, shall be liable to the punishment of an imprisonment not exceeding ten years and a fine not exceeding two hundred thousand Baht (Thailand, 2008).

Process of Rescue and Victim Identification

The process of rescue was very detailed and it included where the Khmu victims of human trafficking were located. The amount of time required for the rescue operation, trip, vehicles and all the needed equipment were well prepared. Also, interpreters were provided, because some of the victims could not speak both Thai and Lao languages well.

After a plan of action was set, all stakeholders had to follow the plan precisely, but in case of emergency, the head of each team had to cooperate with other teams for a resolution. While the police and other related parties reach the workplace of the victims, the team leader had to show the employers a letter, e.g., legal documents issued by the prosecution office. Then the representative of the team then spoke with the employers and also the victims (Multi- Disciplinary Team, 2013). While the police talked to the employers, photos were also taken for evidence. Then, the victims were taken to the nearest safe place or emergency home in the province. If the workplace was outside Bangkok, the police station itself was used as a safe place for the victims because it was protected.

As a result, the police and other stakeholders did not allow the employers or traffickers to approach the victims of human trafficking. The victim identification process took place wherever the victims were taken to for safety, either in the emergency homes or police stations in the province. The victims were then screened by the police officers and social workers to determine whether they were truly victims of human trafficking.

Moreover, the victim identification process required very detailed information from the victims. They were asked for details such as name, date of birth, age, race, nationality, names of parents, and address of the place of origin and card number and other legal documents. The potential victims of human trafficking were also interviewed about the way in which they entered into Thailand, including whether they were brought in by recruitment agencies. Also, they were asked about related aspects, for instance, being sold by the guardians, being bought by an agency, then they were forced to work and kidnapped etc.

All the information had to be written and recorded on the victim identification form to serve as evidence. If the victim was a child, regardless of whether he or she was labeled as forced to work or not, the child was categorized as a victim of human trafficking. In the case that the name could not be given by the potential victim of human trafficking, the right thumb was printed on the victim identification form as evidence. In the case that it was not clear as to whether the potential victim of human trafficking was truly a victim of human trafficking, they were to receive protection and an investigation was implemented.

All the Khmu girls in the case studies went through the victim identification process, as indicated in Appendix 5 “Guideline for the victim identification process of human trafficking in Thailand”. Once the girls were classified as victims of human trafficking, they were required to receive the right of protection and they were sent to the governmental shelter under the MSDHS. If the girls wanted to receive protection and agreed to be witnesses in the prosecution and judicial process, the police had to cooperate with other responsible parties and process for further consideration. But, for the Khmu girls who refused protection, they were deported back to their places of origin in Laos. Table 3.2 displays the rescue, protection and prosecution for Khmu girl victims of human trafficking in Thailand.

Case	Rescued by	Age	Interpreter	Identification & collection of evidence	Being informed of victim's rights	Victim as witness in court	Result of Court Verdicts	Amount of compensation
Miss C.	Police and multi-disciplinary team	16	no	yes	yes	yes	Trafficker was sent to prison for one year and six months.	125,000 THB
Miss F.	Police and multi-disciplinary team	19	yes	yes	yes	yes	Her case was still not finished.	-
Miss L.	Police and multi-disciplinary team	17	no	yes	yes	yes	The case was finished, but the trafficker was not sentenced yet.	-
Miss N.	Police and multi-disciplinary team	17	no	yes	yes	yes	The case was not yet sent to court.	-

Case	Rescued by	Age	Interpreter	Identification & collection of evidence	Being in-formed of victim's rights	Victim as witness in court	Result of Court Verdicts	Amount of compensation
Miss P.	Lao Em-bassy and police	14	no	yes	yes	yes	She already returned Laos. The Trafficker was sent to prison for one year.	55,000 THB
Miss T.	Police and multi-disciplinary team	15	yes	yes	yes	yes	Her case was still not finished.	-
Miss V.	Police and multi-disciplinary team	15	yes	yes	yes	yes	She was still in the shelter, because her case was not finished.	-

Table 3.2: Protection and Prosecution for Khmu Victims

(Source: Author based on interviews with the trafficked Khmu girls in the shelter, 14 – 28 August 2014)

The results from table 3.2 showed that six out of seven victims were rescued directly from the workplaces by the police and the multi-disciplinary team. Only one Khmu girl victim was rescued by police and representatives from the Laotian Embassy in Bangkok. The rescue process was sometimes complicated, because of communication between police, multi-disciplinary team, and victims. Some of the Khmu girl victims were unable to communicate in Lao language or even Thai because they were from an ethnic minority.

Thus, having an interpreter was compulsory to help complete the rescue process. For example, table 3.2 also showed that there were four victims who did not require an interpreter during the rescue process. But there were three victims who required a Lao language interpreter for the rescue process. Sometimes the interpreters were among the victims themselves who could speak the Lao language well.

Moreover, all Khmu girl victims of human trafficking were identified and had evidence collected in order to support their cases. After the victim identification process, they were all informed to receive the right of protection by police and the multi-disciplinary team. After they were identified as victims of human trafficking, the victims from the case studies had all agreed to be witnesses in court to support the prosecution process of the traffickers.

Victims as the Testimonies in Court

The police report all the information and evidence, collected from the victims of human trafficking in person, including photos, phone records and other related evidence. This evidence was sent to the prosecutors to process the prosecution further. The prosecutors and the lawyers had to review all the given information and prosecutors sometimes come to the shelter in collaboration with social workers, to conduct further interviews to support the case.

Moreover, the prosecutors and social workers had to firstly inform the Khmu girl victims to propose their right to claim compensation, and then the amount of compensation requested. It was then later discussed by prosecutors in cooperation with social workers and other stakeholders who were responsible for the case. Also, if all information was given to court, the responsible social workers had to cooperate with other concerned parties for further processing of the case in order to push for the case. The victims of human trafficking were then brought to court to be a witness and hear the case.

As table 3.2 illustrates, there were three cases that had already finished. For instance, in Case no. 1, the trafficker was already sent to prison for one year and six months. Also, the trafficker gave compensation to the victim, Miss C., for the amount of 125,000 THB. For Case no. 3, the case had finished, but the trafficker had not been sentenced yet. Finally, Case no. 5, the trafficker was sent to prison for one year and gave the victim, Miss P., the amount of 55,000 THB in compensation. However, there were still four cases that remained incomplete and the victims of human trafficking were still in the shelter.

Chapter 4

Pre- Reintegration & Human Security of Khmu Girl Victims

This chapter presents the anti-trafficking law and the assistance for the victims, pre-reintegration and human security of the Khmu girl victims of human trafficking in the governmental shelter under the MSDHS in order to reach sustainable reintegration back into their places of origin in Laos.

The first component of this chapter focused on the trafficking law leading to the assistance for the victims. It then explored what protection mechanisms have been offered for the Khmu girl victims. Lastly, it looks at the human security of the Khmu girl victims at the shelter.

Anti-human Trafficking Law

The RTG, especially the MSDHS had been strongly focused on implementing the Anti-Trafficking Act B.E 2551 (Thailand 2008) to offer assistance and protection of safety to the trafficked persons. For instance, in accordance with the Anti-human trafficking law, in chapter 4 “Provisions of Assistance and Protection of Safety to the Trafficked Person of Trafficking in Persons,” section 33 states that:

The Ministry of Social Development and Human Security shall consider providing assistance as appropriate to a trafficked person on food, shelter, medical treatment, physical

and mental rehabilitation, education, training, legal aid, the return to the country of origin

Also section 35 states,

In case where the trafficked person has the right to compensation for damages as a result of the commission of trafficking in persons and express his intention to claim compensation thereof, the Public Prosecutor, to the extent as informed by the Permanent Secretary for Social Development and Human Security or any person designated by him, shall, on behalf of the trafficked person, claim for compensation (Thailand, 2008).

Activities for Pre-reintegration of Khmu Girl Victims

In the governmental protection and occupational shelter in Thailand under the DSDW of the MSDHS, there were many concerned stakeholders, who were obligated to support and assist Khmu girl victims of human trafficking. These stakeholders included social workers, NGO workers and the representatives of the MoLSW from Laos who supported the assistance for the victims in the shelter.

Activities provided by Social Workers

First, when the Khmu girl victims were sent to the shelter in Thailand, they needed to be sent to the recovery center to be examined for mental and physical treatment by the nurses and psychologists. Victims remained in this center for approximately one month. Some of the victims were still afraid, because their minds still had not fully recovered, especially if they were forced to engage in prostitution. At the same time while they were in the recovery center, sessions on basic healthcare was provided by the nurses in order to impart knowledge on healthcare for the victims to prevent themselves from any diseases. At this stage, some activities related to mental and physical treatments, e.g., game playing and singing their own songs, were offered by the psychologists.

Second, after one month, the Khmu girl victims that had already recovered were promoted to have a two-week tour within the shelter to see the different training activities that was available in each section, and they began to decide on their topic of interest for further training. There were some social workers in each section explaining how the training was implemented and all the interesting issues with each training topic.

Third, the victims could choose the training topic in accordance with their personal interests. They could select the most suitable training topic based on local market demand in their localities of origin in Laos.

Finally, the vocational educational training programs were offered to the Khmu girl victims depending on their topics of interests, and to improve the ability to earn income upon their return to Laos. In the protection and occupational shelter, there were seven topics on vocational education and training offered, such as:

- Cooking and services;
- Weaving;
- Arts, including tablecloth cover, sewing, toys and key rings;
- Handicrafts, including plastic baskets, plastic bags and plastic hats;
- Saunas and massages such as traditional Thai massage and oil massage;
- Clothes, Garment making;
- Hairdressing and nail salon services.

They were also strongly encouraged to take Lao languages courses to enhance their knowledge of basic writing and reading, because some of Khmu girls could not read and write Lao language well. The language course covered 30 hours, which was offered three hours per day and scheduled for two days per week. The course was designed as a basic adult learning; called “Informal Education” for adults with basic supplements for learners. These sessions included giving information about the risks of human trafficking by social workers or consultants who come to shelter.

Moreover, the Khmu girl victims were also encouraged to present and display their products from each training section at some events; e.g., baskets, clothes and towels. These events have been organized by the MSDHS in locations

outside of the shelter, but sometimes the events may also be supported by other stakeholders, including those from the private sectors.

Activities provided by the NGO

NGOs were also actively involved in the shelter with providing activities to support anti-trafficking issues. The NGOs came to the shelter in collaboration with the social workers to organize open day activities to support the assistance for the Khmu girl victims, and giving information about the risk of trafficking in persons. NGOs also offered some basic healthcare sessions in order to help the prevention of any diseases. In addition, NGOs arrange for classes on basic Lao language for those who were fairly illiterate in writing and reading Lao language, but they were not completely illiterate. These language classes were offered to some Khmu girl victims by the FFW in Bangkok. The classes were designed for communication and knowledge to improve social reintegration of victims into their own localities by enhancing the knowledge on basic writing and reading skills. Reading and writing materials, e.g., reading books, magazines and the basic Lao cartoon books were provided by the FFW to support the Khmu girl victims. The goal of the NGO was to help the Khmu girl victims reach a sustainable approach of reintegration back into their places of origin in Laos.

Activities provided by Lao Staff

The representatives from the MoLSW in Laos, in cooperation with the Laotian Embassy in Bangkok, also visited the shelter to observe the living situations and the type of support that was provided for Khmu girl victims in accordance with the bilateral MoU (2005) between the GoL and the RTG on cooperation to combat trafficking in persons, especially women and children. In addition, open day talks on the anti-trafficking issues were also provided at the shelter by the representative Laotian staff in cooperation with social workers. Moreover, the Lao staff and representatives from the Laotian Embassy in Bangkok talked about the negative impacts of trafficking in persons, and the issue of unregistered labor in Thailand. This information taught Khmu girl victims about the future risks of being victims of trafficking again, and it also helped to facilitate the transfer of knowledge to other local Khmu girls in their local regions once they returned to their places of origin.

Expectation of Khmu Girl Victims

From the interviews with Khmu girl victims, they all expected to transfer the knowledge and skills that they gained in the shelter in Thailand to others, especially to other young Khmu girls in their own regions. Table 4.1 illustrates the expectations of Khmu girl victims upon returning to Laos.

No.	Case	Expectation of Khmu girl victims upon returning their places of origin in Lao PDR
1	Miss C	She expected to open a shop running small business selling towels and clothes in her own village.
2	Miss F	She planned to run a business to offer the Thai massage and sauna services in her home town serving four or five guests per day.
3	Miss L	She expected to make small cotton wallets and towels to sell to the foreign visitors in her locality.
4	Miss N	She had planned to work in a guesthouse as a cook for serving guests with her knowledge obtained from the shelter in Thailand.
5	Miss P	She expected to work in a restaurant in her home town to offer Thai massage.
6	Miss T	She had planned to run a business offering hairdressing and nail salon services in her village.
7	Miss V	She planned to open a shop that offers decoration services for wedding events and housewarming parties.

Table 4.1: Expectation of Khmu Girl Victims upon Returning to their Places in Laos (Source: Author interviews with trafficked Khmu girls in a shelter, 14 – 28 August 2014)

The results show that Cases no. 1 and 3 had planned to run a business on selling towels, clothes and cotton wallets upon returning to their places of origin in Laos. They said in the interview that selling small cotton wallets for outside visitors was the most profitable in their locality. Another common expectation was that they will provide Thai massage and sauna. Cases no. 2 and 5 were planning to open and work in restaurants offering Thai massage for guests.

The other three cases expected to run other business, e.g., Case no. 4 plans to work in restaurant to cook food and serving guests, while case no. 6 has planned to open a small business offering hairdressing and nail salon services in her own village. She said that offering hairdressing and nail salon services earn higher incomes, because there were just two small shops in the village, but the demand was very high.

Moreover, the other interesting topic was opening a shop offering decoration for special events such as weddings and house warming parties. There were some victims already prepared to be sent back to their places of origin with the trip arrangements organized by the shelter under the MSDHS in collaboration with the Laotian Embassy, and Department of Labor and Social Welfare of the MoLSW in Laos.

Human Security for Khmu Girl Victims

This section presents the human security for the Khmu girl victims of human trafficking and focused on food security, then followed by healthcare security.

Food for Khmu Girl Victims

The Khmu girl victims themselves were not allowed to go outside the shelter alone. This situation could have lead to limitations for their livelihood opportunities. Nevertheless, the social workers offered adequate food for the victims, funded by the RTG. The “food is offered for Khmu girl victims of human trafficking three times a day”, added by Mrs. K, the social worker in the shelter, (interview, 28 August 2014). Moreover, the Khmu girl victims were not restricted from planting their own vegetables, and catching fish at the shelter. Not only was food provided, but also snacks and even clothing was offered, again sponsored by the RTG. In an interview with Miss P, she explained that:

I have enough food in the shelter. The social workers offer me three meals per day. I have a breakfast at 8.00 am, lunch at 11.30 am after I finish training on offering the services of Thai massage and dinner is always offered at 4.30 pm. Some of the girls, who are new in shelter, are a bit worries [worried] about food, because they are not familiar with early dinner. But we

have also [been] given some snacks, e.g., bread and some drinks during evening. I am also encouraged to plant vegetables for cooking during the weekend. (Miss P. interview, 26 August, 2014).

Healthcare for Khmu Girl Victims

Regarding access to healthcare, the Khmu girl victims were strongly encouraged to access the healthcare services. There were highly trained healthcare personnel at the shelter that offered the basic healthcare services for victims. Services such as information on disease prevention or even lessons about the treatments were also provided by the nurses, especially for newcomers.

Unfortunately, for the other aspects of human security such as environmental security and personal security, it was not possible to examine due to the limited time, shelter regulations, and special conditions.

Chapter 5

Conclusion, Discussion & Recommendations

This chapter presents the conclusion, discussion and recommendations for the study. The first component presents the conclusion of the study such as the protection and prosecution on behalf of the Khmu girl victims of human trafficking. It is then followed by the pre-reintegration process and human security for the Khmu girl victims of human trafficking in the governmental protection and occupational shelter in Thailand under the MSDHS. It is followed with a discussion of the study. Lastly, it focused on the recommendations for further research on the issue of anti-human trafficking in persons.

Conclusion of the Study

This section presents the protection and prosecution process on behalf of Khmu girl victims of human trafficking through the victim identification and prosecution process and emphasizes the mechanism offered to lead the pre-reintegration process, and to ensure the human security of the Khmu girl victims to achieve an approach of sustainable reintegration into their places of origin in Laos.

Protection of Khmu Girls Victims

The police and social workers placed a strong emphasis on prioritizing the safety of potential victims of human trafficking. After the victim identification

process was completed, the Khmu girls who were identified and classified as victims of human trafficking, they were offered protection by police and social workers. Then, they were sent immediately to the governmental protection and occupational shelter under the DSDW of the MSDHS. When they first arrived at the shelter, they had to be sent to the recovery center for mental and physical treatment.

In the recovery center, basic healthcare was provided and also knowledge on how to protect themselves from any diseases. In addition, when the police or NGO workers came to the shelter for further interviews with the Khmu girl victims, they were accompanied by social workers during the interview and sometimes a small special room was provided while the police conducted the interviews. For example, the Khmu girl victims and social workers had to stay in a small glass room, and the police were in the other room. They could not see each other, and the police could only talk to the Khmu girl victims through a microphone. Moreover, during the stay at the shelter, victims were not allowed to go outside of the shelter by themselves. They were always under the supervision of social workers in the shelter.

Prosecution for Khmu Girl Victims

The prosecution process was an important step to avoid human trafficking in the future. The RTG had strongly emphasized the enforcement of the “Anti- Trafficking in Persons Act B.E 2551”, in section 53, “Any juristic person commits an offence of trafficking in persons shall be liable to the punishment of a fine from two hundred thousand Baht to one million Baht” (Thailand, 2008).

The police were more concerned about the prosecution process to ensure the traffickers received their punishment, and they were not so concerned about human trafficking occurring again in the future. The police collected information, including photos, phone records and other related evidence to support the court procedure to complete the case. Later, the traffickers were punished and sent to prison. According to discussions with the police who came to the shelter, there were approximately 45 cases on human trafficking issues in 2013, but only 21 traffickers were sentenced to prison.

The victims of human trafficking were compensated. If the case was finished, the victims were in the process of preparing to return to their places

of origin in Lao PDR with the trip arranged by the RTG in collaboration with the Laotian Embassy in Bangkok.

Pre-reintegration Process for Khmu Girl Victims

There were many types of support for the Khmu girl victims at the shelter for them to have an approach for sustainable reintegration into their places of origin back in Lao PDR. Support was given from social workers, nurses and psychologists who also offered lessons on healthcare services. Additional support also came from the NGOs and representatives of the Lao MoLSW in collaboration with the Laotian Embassy in Bangkok. The NGO offered activities which were related to Lao language classes as many of the girls came from mountainous areas, where they had little or no education, so their knowledge of Lao language was not adequate enough to read and write well, yet they were not absolutely illiterate.

Moreover, these Khmu girl victims could speak Lao and communicate verbally, but the problem was that very few of the Khmu girls could write and understand large descriptions like reading books, magazines, news and information related to human trafficking. The activity related to the language learning was there to support the Khmu girl victims to have an opportunity to socially reintegrate back into their places of origin in Lao PDR.

The other important element for supporting victims was the vocational training education programs. There were many types of training programs offered at the shelter so Khmu girl victims could gain relevant knowledge and skills to pursue new job opportunities. By choosing a topic of training that interested them, the vocational education and training program could support the economic reintegration of the victims back into their own communities in Laos, once they successfully returned.

As discussed during the interviews, many Khmu girl victims had established a clear plan for the future. Some planned to open a shop offering hairdressing and nail salon services in their own villages and some girls planned to run a small business offering massage and sauna services in their hometowns.

Moreover, one victim mentioned that she would like to open a shop for making, sewing and selling clothes in her village and sell small handmade cotton wallets for foreigners as this would be most profitable.

Also, discussions with social workers and NGO workers who conducted a follow up on sustainable reintegration, have found that some of the Khmu girl victims had already returned and were accepted by the local authorities, where they were encouraged to be involved in the social structures.

Human Security for Khmu Girl Victims

The human security of Khmu girl victims of human trafficking was emphasized more by the RTG to ensure their livelihoods. As determined through interviews with the social workers at the shelter, the Khmu girls were provided with adequate food and clothes all offered by the RTG. They were provided three meals per day and the quantity of food was enough as they were also offered snacks and some drinks during the evening.

Moreover, the access to the healthcare was also provided by highly trained nurses at the shelter. The sessions on basic healthcare was regularly offered for the Khmu girl particularly for new-comers to the shelter.

Discussion of the Study

This section presents the discussion of what protection and pre-reintegration was provided according to the anti-human trafficking and further expectations for Khmu girl victims to help them achieve better livelihood upon returning to their places of origin in Laos.

Protection and Pre-reintegration according to Anti-Trafficking Law

The Khmu girl victims of human trafficking were always under constant supervision by the social workers in the shelter, and were not allowed to go outside the shelter alone. If they needed to go outside the shelter for numerous reasons, they were to be accompanied by the responsible social workers in the shelter for their own protection. At the shelter, there was great assistance to support the Khmu girl victims to gain more knowledge, and the ability to achieve sustainable reintegration. The supporting programs were 1) a basic Lao language course implemented by Lao student volunteers from Chulalongkorn University, Faculty of Political Science, with assistance from FFW in collaboration with social workers; and 2) training courses on vocational education programs arranged by social workers.

Besides these two programs, there was an open day program on the issue of anti-trafficking implemented by the Lao MoLSW, and the Laotian Embassy in Bangkok with the cooperation of social workers. Reading materials such as books, magazines and newspapers in basic Lao language were provided by FFW and helped encourage the victims to enhance their basic reading and writing skill, which enabled them to return to Laos. As observed, the Khmu girls that were victims of sex trafficking required more time to recover through physical and mental treatment. It may be due to the traumatic experience of being forced to work in prostitution. However in comparison, the girls who were labor trafficked, went through mental and physical treatment more quickly than the sex trafficked girls during the psychological sessions.

Nevertheless, the social workers, highly trained nurses and psychologists had worked very hard to take care of all the victims of human trafficking at the shelter. They provided services like health care and taught the victims how to prevent themselves from diseases. Moreover, the Khmu girl victims were given the opportunity to attend events and they were thoroughly encouraged to promote their own hand made products or crafts at events organized by MSDHS with both private and public stakeholders.

Expectation of Khmu Victims and Sustainable Reintegration

After discussions with the Khmu girl victims at the shelter, the knowledge and abilities they had gained from the vocational education programs was extremely crucial to lead economically sustainable livelihoods in their places of origin.

Luang Namtha is a province located in Laos where it shares borders with the PRC and the Republic of the Union of Myanmar. It is the fastest developing province, where the Road No. 3 from Kunming to Bangkok passes the middle of Laung Namtha town. As a result of the good conditions of the province, the Khmu victims could turn their work from farming into business sectors. They all expected to implement their knowledge gained from vocational education programs at the shelter in Thailand. Also, in order to achieve economic reintegration, the training course on business management was more crucial for these victims, because they needed the knowledge for setting up their businesses. This training course could help victims to have knowledge on running a successful business. For example, they could calculate the capital

needed for investment. This training would not only sustain the livelihoods of the victims themselves, but also contribute to the communities' development.

Language and Social Reintegration

The Lao language course was a non-formal education in adult literacy. It was offered at the shelter for a period of four months to help the victims gain better communication skills who will eventually return to Laos. But, this basic Lao language course was not enough as they needed more time, for instance, a one year course, etc., in order to enhance and strengthen their communication skills.

Recommendations

This section of the study presents recommendations to support Khmu girl victims of human trafficking into achieving sustainable reintegration into their places of origin in Laos and ensure their human security. The following recommendations are offered.

- More awareness and protection of small ethnic minority groups about human smuggling, which is currently not actively emphasized by the GoL;
- A budget for communication services in the center, e.g., the cost of calling by phone for the Khmu girl victims of human trafficking with their parents should be also supported by the GoL;
- Local interpreters, for instance, Khmu translators should be also arranged by the GoL. It is sometimes difficult to communicate with girls from small ethnic minorities during the victim identification process and also to gain support for their cases in court;
- Further training on selected topics to support Khmu girl victims should be offered, for those who have already returned to their places of origin. As some topics of training which was provided in Thailand, some of the girls did not finish the training before their cases were completed and they were sent back to Laos. They need continuous support for the same training program that they received in Thailand in order to continue learning;

- The MoLSW of Laos should grant the right to work for trafficked Khmu girls who have been supported to return their places of origin; and
- At the shelter under the MSDHS, new training topics should be added, for instance, basic lessons on calculations, setting up a business and business management should be offered for Khmu girl victims before they return into their places of origin in Laos.

Bibliography

- Asian Research Center for Migration, (2011). *Main Components of Human Security and Example of Threats table*. Chulalongkorn University, Bangkok, Thailand: Asian Research Center for Migration (ARCM), Institute of Asian Studies.
- Chantavanich, S. (2006). *Mekong Migration Network Migration Needs, Issues and Responses in the Greater Mekong Sub-region*. Chulalongkorn University, Bangkok, Thailand: Asian Research Center for Migration (ARCM), Institute of Asian Studies
- Chantavanich, S. (2007). *Mitigating exploitative situations of migrant workers in Thailand*. Chulalongkorn University, Bangkok, Thailand: Asian Research Center for Migration (ARCM), Institute of Asian Studies.
- Coordinated Mekong Ministerial Initiative Against Human Trafficking. (2004). *Memorandum of Understanding on Cooperation against Trafficking in Persons in the Greater Mekong Sub-region*. Yangon: United Nations Inter-Agency Project on Human Trafficking (UNIAP).
- Dabek, K. (2009). *Human Trafficking on Cross-border Trafficking for Sexual Exploitation* (Vol. Sachsen-Anhalt). Sachsen- Anhalt, Federal Republic of Germany: Faculty of Social Sciences, the University of Magdeburg.
- Global Slavery Index. (2013). *The highlights of the global slavery index*. Retrieved from <https://www.google.co.th/url?sa=t&rct=j&q=&esrc=s&source=Fknowledgehub%2Fresource-centre%2F2013%2>
- International Organization for Migration. (2003). *Combating Trafficking in Women in Southeast Asia: A Review of Policy and Program Responses for International Organization for Migration (IOM)*. Switzerland: Author
- International Organization for Migration. (2004). *Glossary on Migration: International Migration Law*. Geneva: Author.
- Jayagupta, R. (2014). *Major type of mobility: Human trafficking and smuggling*. Political Science, Chulalongkorn University, Bangkok, Thailand: Master of Arts in International Development Studies (MAIDS) program.
- Kallenbach, S., Lee, K. S., Downs-Karkos, S., Taylor, M. B., Brennan, J. & Nash, A. (2013). *Adult Education and Immigrant Integration: Networks for Integrating*

- New Americans*. Office of Vocational and Adult Education, United States of America Department of Education: World Education.
- Mace, S. L. (2013). *Child Trafficking: A case study of the perceptions of child welfare professionals in Colorado*. Fort Collins, CO: Colorado State University.
- Memorandum of Understanding. (2005). *Memorandum of Understanding between the Government of the Lao People's Democratic Republic and the Government of the Kingdom of Thailand on Cooperation to combat trafficking in persons, especially women and children*. Bangkok, Thailand.
- Ministry of Labor and Social Welfare. (2008). *The limitations set by the Ministry of Labor and Social Welfare concerning the kind of professions the Lao government does not allow to be recruited for labor abroad (unofficial translation)*. Vientiane, Lao PDR: Author.
- Multi- Disciplinary Teams. (2013). *MDT Operation Guideline for the Protection of Victims of Human Trafficking, Practical Version*. (Original publication in Thai language, March 2013). Bangkok, Thailand: Bureau of Anti-Trafficking in Women and Children, and Japan International Cooperation Agency.
- National Growth Poverty Eradication Strategy Plan. (2010). *National Growth and Poverty Eradication Strategy Plan*. Vientiane. Lao PDR: Ministry of Foreign Affairs.
- National Growth Poverty Eradication Strategy Plan. (2012). *National Growth and Poverty Eradication Strategy Plan*. Vientiane. Lao PDR: Ministry of Foreign Affairs.
- National Operation Center for Anti-Human Trafficking. (2013). *The Report on the Implementation of Prevention and Suppression of Human Trafficking*. Bangkok, Thailand: Author
- Norwegian Church Aid. (2005). *Migrant Children and Youth in Lao PDR: Migration along the border to Thailand*. Vientiane, Lao PDR: Author
- Pearson, E. (2006). *Human Rights and Trafficking in Persons: A Handbook*. Bangkok, Thailand: Global Alliance against trafficking in Women.
- Schidlof, B. (2006). *The trafficking in persons, especially the child, his story and essence*. (Translated from German Language). Berlin, Germany: Unknown Publisher.

- Thabchumpon, N., Moraras, B., Laocharoenwong, J., & Kraom, W., (2011). *Human security assessment of the social welfare and legal protection situation of displaced persons along the Thai-Myanmar border*. Chulalongkorn University, Bangkok, Thailand: Asian Research Center for Migration (ARCM), Institute of Asian Studies.
- Thailand. (1998). *Labor Protection Act B.E. 2541*. (Original work published in Thai language 1998). Bangkok, Thailand.
- Thailand. (2008). *Anti-Trafficking in Persons Act B.E. 2551*. (Original work published in Thai language 2008). Bangkok, Thailand.
- Thongyou, M., & Ayuwat, D. (2005). *Social Network of Laotian Migrant Workers in Thailand*. (Working Paper Series [80]). Hong Kong: Southeast Asia Research Centre.
- United Nations Development Program. (2012). *Lao Human Resources Development, the Third Lao PDR National Human Development Report*. Vientiane, Lao PDR: Committee for Planning and Investment, National Statistics Center.
- United Nations Office on Drugs and Crime. (2005). *Gender in the Criminal Justice System: Gender in the Criminal Justice System Assessment Tool*. Retrieved from <http://www.unodc.org/documents/justice-and-prison-reform/crimeprevention/E-book.pdf>.
- Vungsiriphisal, P., Laodumrongchai, S., Eksaengsri, N., Reungrojpitak, P., Makcharoen, P., & Jitpong, W. (2008). *Migrant Recruitment from Cambodia and Lao PDR into Thailand*. Chulalongkorn University, Bangkok, Thailand: Asian Research Center for Migration (ARCM), Institute of Asian Studies.
- Wangaeo, S. (2014). *Major types of mobility: Development- induced displacement, resettlement and conflict resolution*. Political Science, Chulalongkorn University, Bangkok, Thailand: Master of Arts in International Development Studies (MAIDS) program.

Index of Names and Terms

A

Agricultural plantations	2, 27
Cassava plantation	27
Durian plantation	2, 38
Pineapple plantation	2, 38
Rice plantation	2, 16, 26, 31, 37

B

Black Triangle	17
----------------	----

C

Checkpoints	1, 33
China	17, 19
Kunming	57
Coordinated Mekong Ministerial Initiative Against Human Trafficking (COMMIT)	19, 20

D

Department of Social Development and Welfare (DSDW)	5, 20, 23, 46, 54
Domestic Worker	2, 8, 33, 38, 39

E

East Asia	17
Ethnic Minority	2, 16, 23, 26, 30, 33, 37, 42, 58
Akha	2
Hmong	2
Khmu	1-7, 10-13, 15-17, 23, 26-28, 30-33, 35-39, 41- 43, 45-51, 53-59
Lao-Theung	16
Lenten	2

F

Forced Migration	6-7, 23, 26, 28, 30, 33, 35, 37
Foundation for Women (FFW)	4, 12, 48, 56-57

G

Greater Mekong Sub-region	2, 13, 15, 19
---------------------------	---------------

H

Human Security	5, 12, 45-46, 50-51, 53, 56, 58
Human Trafficking	2-10, 12-13, 15-21, 23, 25, 27, 32, 36-37, 39-41, 43, 45-47, 50, 53-58
Trafficking victims	2, 10-11, 13
Trafficked	1-6, 10-11, 13, 20, 23 38, 42, 45-46, 49, 57, 59
Women trafficking	17

I

Indonesia	17
Informal Education	47

J

Japan	17
-------	----

K

Karaoke bar	2-3, 24-25, 28-29, 31, 37-39
Korea	17

L

Landlocked	15
Lao PDR	2-3, 12-13, 15-19, 23, 26, 28, 30, 33-35, 37-38, 41-42, 45-56, 53, 55-59
Government of Laos (GoL)	19, 33, 35, 48, 58
Laotian Embassy	34, 42, 48, 50, 55, 57
Lao Provinces	1, 16, 26, 28, 32, 57

Champasak	1
Luang Namtha	2, 16, 57
Luang Prabang	16
Oudomxay	16
Phonsalay	16
Savannakhet	1
Xayaboury	1
M	
Malaysia	17
Mekong River	1-2, 27, 37
Memorandum of Understanding (MoU)	19, 48
Military brothels	17
Ministry of Labor and Social Welfare (MoLSW)	16, 26, 46, 48, 50, 55, 57, 59
Ministry of Social Development and Human Security (MSDHS)	5, 12, 20, 30, 39, 45, 47, 50, 57
Myanmar (Burma)	19, 27, 31-32, 57
N	
New market-orientated mechanism	16
P	
Pre-reintegration process	6, 11, 45-46, 53, 55-56
Prosecution Process	3-4, 15, 20-21, 23-24, 27, 29, 31, 34-35, 37, 43, 53-54
Lawyers	25, 28-29, 43
Prosecutors	30, 43
Prostitution	8, 17, 20-21, 24, 28, 46, 57
Sexual exploitation	8, 17
R	
Rescue	9, 24, 27, 29, 31, 34-35, 37, 39, 41-42
Resettlement	33
Roman Empire	17

S

Second World War	17
Slash and burn cultivation	33
Social workers	6, 9, 12, 24-25, 27, 30, 32, 34, 36-38, 40, 43, 46-48, 50, 53-57
Southeast Asia	2, 15
Sustainable Reintegration	3-6, 9-12, 15, 45, 53, 55-58
Economic	4, 10, 55, 57
Social	10, 48, 58

T

Taiwan	17
Traditional Thai massage	28, 34, 47
Thailand	1-6, 9-10, 12-13, 18-21, 23-31, 33-41, 45-46, 48- 49, 53-54, 57-58
Government Shelter	4-5, 9-10, 12, 23, 25, 28- 29, 32, 34, 36, 38, 41, 45
Royal Thai Government (RTG)	19, 39, 45, 48, 50, 54-56
Thailand Provinces	1, 27-28, 37, 40
Bangkok	1
Bueng Kan	1
Leoi	1
Nakhon Phanom	1
Nan	1
Phayao	1
Uttaradit	1
The Philippines	17

V

Victim Identification process	25, 29, 36, 38, 40-41, 43, 53, 58
-------------------------------	--------------------------------------

Appendix 1

List Of Khmu Girl Victim Interviewees & Interview Dates

Number	Interviewee Name	Interview Date
1	Miss C.	14 August 2014.
2	Miss F.	15 August 2014.
3	Miss L.	21 August 2014.
4	Miss N.	25 August 2014.
5	Miss P.	26 August 2014.
6	Miss T.	28 August 2014.
7	Miss V.	28 August 2014.

All in-depth interviews were conducted at the government shelter in Thailand under the Department of Social Development and Welfare of the Ministry of Social Development and Human Security.

Appendix 2

Questionnaire For In-Depth Interview With Khmu Girl Victims Of Human Trafficking In The Shelter In Thailand

Date and place of interview _____,

Signature: _____

1. Questions about personal information;
2. Questions on the prosecution and criminal justice;
3. Possibility of adult literacy and vocational training programs in enabling reintegration.

These questionnaires are to be answered individually by the Khmu girl victims of human trafficking from Lao PDR, who are in the governmental shelter in Thailand.

1. Questions about personal information
 - 1.1 Name of interviewee: _____
 - 1.2 Type of trafficking. ☐ Sex ☐ Labor
 - 1.3 Age: _____ years old at present, _____ years old, since started working in Thailand.
 - 1.4 Education: Completed in grade _____, drop out grade _____
 - 1.5 Ethnicity: ☐ Hmong-Lao ☐ Khmu-Lao ☐ Lao-Loum
 - 1.6 Number of household members: _____ persons
 - 1.7 From which village: _____ District: _____
Province: _____
 - 1.8 What reasons has brought you into Thailand?

2. Questions for the prosecution and criminal justice for the Khmu girl victims of human trafficking in Thailand

2.1 What types of work were you doing, including working places; e.g., district and province?

2.2 How long have you been working with your employer, and what was your situation like? _____

2.3 How do you contact your friends or parents in your home country, when you are forced to work, if you are not satisfied?

2.4 Where did you get information to help you to get out of the places that you were working?

2.5 How have you been assisted and by whom?

2.6 How long did the screening take place?

2.7 Were you afraid of giving information to those people, who helped you?
If, yes, Why?

2.8 What makes you not afraid?

2.9 How have you been rescued and identified?

2.10 Were you taken to the shelter immediately? ☐ yes ☐ no
If no, what happened?

2.11 At the shelter, how did the criminal justice procedures start?

2.12 How many times have you been taken to the court in Thailand?

2.13 During the court, what happened? Please explain!

2.14 How long have you been waiting for the case to be wrapped up?

3 Possibility of adult literacy and vocational training programs in enabling reintegration

3.1 Do you have any plan, when you go back to Laos? ☐ yes, ☐ no

3.2 If yes, what type of plan do you have?

3.3 How would you think the training programs will help you to earn income, when you return to your places of origin?

3.4 What will you recommend or what other services would you like to suggest for you or your friends in the future?

3.5 List the first prioritization, second and third things, if you have three wishes.

Appendix 3

Questionnaire For Interview With Key Informants, Social Workers, NGO Workers And Police Supporting The Protection Of Khmu Girl Victims In Shelter

Date and place of interview _____,
Signature: _____

Questionnaires are to be answered individually by the key informants; social workers, NGO workers and police, who support the protection of Khmu girl victims in the shelter in Thailand.

1. Name and nature of work of personal practitioner, e.g., social worker, consultant, etc.

2. What are your responsibilities and roles with the victim?

3. How many trafficked Khmu girls are there in the shelter?

4. What are the processes of rescuing and victim identification of potential victims of human trafficking?

5. How many cases have been wrapped up? What is the situation of the traffickers and employers, if the cases are wrapped up?

6. What types of protection mechanism do you offer for trafficked Khmu girls in the shelter?

7. What are the constraints with the victims who appear in the shelter?

8. If problems occurred, how could the constraints is solved?

9. Regarding the sustainable reintegration, what types of support do you offer?

10. In order to achieve a successful sustainable return, do you offer some classes on language learning? ☐yes ☐no

If yes, what languages have you offered?

11. In order to achieve a successful sustainable return, do you provide some training programs? ☐yes ☐no

If yes, what types of training programs have been trained?

12. What are your recommendations and suggestions in concerning the prosecution and protection of Lao trafficked girls?

Appendix 4

Appreciation From Khmu Girl Victim (Miss K.)

Miss. K was a Khmu girl victim of human trafficking from Lao PDR. She would like to say thank you to all concerned parties in helping and rescuing her from an unexpected working environment, especially the Government of Lao PDR and the Royal Thai government, who have given more emphasis on anti-trafficking in persons. Also, she would like to give her appreciation for the social workers, NGO workers and consultants, who are working very hard in the shelter for the training the victims and supporting them to return to their places of origin safely.

Appendix 5

Appreciation From Khmu Girl Victim (Miss L.)

Miss L. was a Khmu girl victim of human trafficking from Lao PDR. She would like to thank the Thai and Lao governments for the strong collaboration in order to offer her rescue and also to get her daughter back from the workplace. If there had been no rescue, she would have been forced to work in the workplaces forever. She was not the only person who had been cheated into becoming a victim of human trafficking, but there were lots of Khmu girls, who are forced to work in the same situation.

She was also grateful to the social workers, police and people in the protection and occupational shelter under the Department of Social Development and Welfare, the Ministry of Social Development and Human Security for the support and offering the training to ensure income generation opportunities. She also would like to give her experiences of being a victim of human trafficking to her friends in her region to avoid being another victim of human trafficking in the future.

Appendix 6

Guideline For The Victim Identification Process Of Human Trafficking In Thailand

Place of interview.....

Date...../...../.....

This interview is on....., indicating the staff and also to whom it may concern

.....

In order to interview Khmu girls in consideration, if the girls are potential victims of human trafficking, as information below

1. Interviewee Information

Name and family name.....

(In case the name cannot be mentioned, appearance can be indicated, foreexample.....)

- Date of birth..... Age..... Nationality
- Race..... () Other, please specify
- Name of father..... Name of mother.....

- Address.....
- ID card No..... Passport No.....
- Other related document () yes specified..... () no
- Which way of travelling to Thailand.....
- Type of travelling () by walking () by vehicle () car () bus () other, specified.....
- Name of the recruitment agency

2. Which of the following aspects have been affected?

- () Arranged () Bought () Sold
() Sales () Brought from () Transferred
() Kept () Rocked () Offered accommodation

3. In which of following has been affected in No. 2, as indicating below

- () Forced () Heavy forced () Kidnapped
() Cheated () Lying () Violation
() By giving the money for guardians to attract their interests in order to benefit.

4. In which of following has been affected in No. 2 & 3, as indicating below

- () Benefit from human trafficking () Creation or advertise sex
() Benefit from sex () Slavery
() Beggar () Forced to work
() Forced to have sex () Other benefit related to slavery

5. Summary of recommendations

- () not related to human trafficking

() May concern to human trafficking, protection shall be provided or waited for more investigation

() Human trafficking as result following.....

6. Recommendation for further assistance

.....

(Name)..... Interviewee
 (.....)

(Name)..... Interviewer
 (.....)

Position.....
 (Name)..... Interviewer
 (.....)

Position.....
 (Name)..... Interpreter
 (.....)

Position.....

(Name)..... Interviewer/note taker
(.....)

Position.....

Remark: 1. if it happens with a child, although it is not included in no. 3 and or a child is not forced, the child is categorized for the human trafficking; and
2. In case of the interviewee cannot give the name, the right thumb finger is printed on the form.

Protection of Trafficked Khmu Girls from Lao PDR

Pre-reintegration Process and Human Security in Thailand

Vongsa Chayavong

This research study focuses on the issue of human trafficking of Lao Khmu girls who cross the border into Thailand via illegal means seeking new opportunities and the financial means to support their families back home in Laos. Nowadays, many Khmu girls move to Thailand from Luang Namtha, the northernmost and poorest province in the Lao People's Democratic Republic. The study looks at the life of seven young Khmu girls who were exploited by their Thai employers and forced to work as prostitutes or domestic workers. The case studies document their personal journeys from rescue to recovery and their eventual return back to Laos.

From September 2013 to May 2014 there were approximately 150 Khmu girls found to be victims of human trafficking in government shelters in Thailand. The author explores what mechanisms of protection are offered to Khmu victims of human trafficking in order to reach a sustainable approach for their reintegration back into their places of origin in Laos and to ensure their human security.



Consortium of Development Studies
in Southeast Asia (CDSSEA)

 **IDRC** | **CRDI** Canada 