Report on the Consultation Workshop on Strategic Visioning for Post-2013 Coordinated Anti-trafficking Efforts in Thailand

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Ayutthaya, Thailand

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Acronyms

AAT  Alliance Anti-Traffic

COMMIT  The Coordinated Mekong Ministerial Initiative against Trafficking

DSI  Department of Special Investigation

FACE  Fight Against Child Exploitation Foundation

FI  Friends International

GMS  Greater Mekong Sub-region

ILO  International Labour Organization

IOM  International Organization for Migration

LPN  Labour Rights Promotion Network Foundation

M&E  Monitoring and Evaluation

MOJ  Ministry of Justice

MSDHS  Ministry of Social Development and Human Security

MOTS  Ministry of Tourism and Sports

MFA  Ministry of Foreign Affairs

MOL  Ministry of Labour

MOU  Memorandum of Understanding

NGO  Non-Governmental Organisations

OAG  Office of Attorney General

RTP  Royal Thai Police

SCI  Save the Children International

WVFT  World Vision Foundation of Thailand

UNICEF  United Nations Children’s Fund
Introduction & Details about the Thailand Consultation Workshop

The United Nations Inter-Agency Project on Human Trafficking (UNIAP) convened a Consultation Workshop on Strategic Visioning for Post-2013 Coordinated Anti-trafficking Efforts, on 18-19 April 2013, in Ayutthaya, Thailand.

UNIAP was established in 2000 with a central focus on trafficking in persons and a mandate to facilitate a stronger and more coordinated response to trafficking in persons in the GMS. In order to prepare a vision for coordinated anti-trafficking work within the Greater Mekong Sub-region (GMS) beyond 2013, UNIAP has conducted a consultation process with a wide range of anti-trafficking stakeholders. This process took place through a series of consultation workshops at both the national and regional level, with UNIAP functioning as a secretariat to facilitate the workshops. The visioning process was conducted in such a way that it promoted inclusiveness of stakeholders, ensured national ownership and promoted national capacity development. The aim of the consultation process is to develop a vision for anti-trafficking work in the GMS covering a 5-year period including clear, concrete results to be achieved for the vision to become a reality.

This report on the Thailand Consultation Workshop outlines discussions held on human trafficking in the national context, including current challenges in assisting victims, prosecuting perpetrators, impunity, access to justice, relevant human rights instruments and international standards, good practices, policies, implementation at the country and regional level, and ways forward. The participants at the Thailand workshop included representatives of various ministries of the Royal Thai Government, the United Nations, other international organisations and civil society organisations from across the country.

The workshop was organised in five sessions:

Session One served as an introduction to the Consultation Workshop and was moderated by the Facilitator who explained to the participants the purpose and aims of the consultation and introduced some basic rules. Participants were then asked to work in groups to discuss and identify the main problems in tackling human trafficking in Thailand. Problems and challenges were displayed in lists for all participants to review.

In Session Two, participants were asked to prioritise the problems. Each participant voted on what they thought were the three most important problems through the method. The Secretariat and Facilitator then grouped overlapping themes and tallied the votes together to identify six topics for further consideration. Selections were made based on analysis of each problem, but also whether solving these problems would have a significant impact on human trafficking, whether there would be enough support to solve them, and whether there is sufficient capacity and comparative advantage to work on the issues.
In Session Three, stakeholders worked to define the problems and develop the problem analysis. The main purpose of this was to study the root causes and major effects of the problems in order to design better solutions and make the process of developing a results map easier. After the problems were grouped and prioritized, “problem trees” were developed by each group and for each priority problem to support the analysis. This process helped participants develop a clearer understanding, not only of the surface problems, but also their underlying causes and constraints, and through this to develop a common understanding of the most significant problems faced at the regional, country and community level. Participants were asked to be precise and explicit when expanding on the six topics selected. The issue that was identified provided the trunk of the problem tree. Participants then brainstormed on the major causes of the problem, and identified a number of policy constraints, capacity weaknesses, social and cultural norms and attached them to the root of the tree.

In Session Four, participants were split into groups to discuss what their vision for the future is in relation to the problems identified in the previous sessions. The aim was to come up with a clear, realistic and agreed vision of how things will have positively changed over the next five-year period.

In the Final Session, a results map was developed in order to determine what must be in place to achieve the vision developed in each particular area. Once the various prerequisite intermediate changes were identified, stakeholders then worked to identify the interventions necessary to achieve them.

The results maps and strategic visions outlined in this document represent the collective will of a diverse, multi-stakeholder, multi-faceted group of senior government officials and representatives from local and international civil society organisations as well as United Nations Agencies. A number of good practices on tackling trafficking including migration laws, policies and implementation that were discussed by participants and that reflect current practices are included in this report.

**Background Situator to the Consultative Workshop**

**UNIAP**

UNIAP was established in 2000 to facilitate a stronger and more coordinated response to human trafficking in the GMS and with the aim of creating an ‘overarching mechanism’ for the co-ordination of anti-trafficking initiatives by a wide range of stakeholders. UNIAP is managed by a Regional Management Office (RMO) in Bangkok, with Country Project Offices (CPO) in the capitals of Cambodia, China, Lao PDR, Myanmar, Thailand and Viet Nam.¹ UNIAP has been implemented over three consecutive phases that illustrate the Project’s evolution over time:

- UNIAP Phase I (2000 - 2003) -

¹ See [http://www.no-trafficking.org/how.html](http://www.no-trafficking.org/how.html) for more information.
The first phase of UNIAP concentrated on creating linkages between the range of different organisations involved in combating trafficking, using its broad and responsive mandate to address emerging issues, and supporting new small-scale pilot initiatives.

- **UNIAP Phase II (2004 - 2006)** -
The second phase of UNIAP was viewed as a consolidation of its work and achievements under the first phase. It was dominated by the project's work in facilitating the development of a sub-regional Memorandum of Understanding between the six governments of the Greater Mekong Sub-region, accompanied by a Plan of Action to help governments fulfil the commitments made under the MOU - a process now known as the Coordinated Mekong Ministerial Initiative against Trafficking (COMMIT).

- **UNIAP Phase III (2007 – 2013)** -
The third and current phase of UNIAP is aimed at building on the achievements of the first two phases, combining support for further consolidation and institutionalization of current approaches. This phase is due to end in December 2013.

**Anti-trafficking work in Thailand**

The Ministry of Social Development and Human Security (MSDHS) is Thailand’s focal Anti-Trafficking government agency responsible for coordinating Thailand’s overall anti-trafficking efforts. In 2008 when the Anti-Trafficking in Persons Act B.E. 2551 was promulgated, Thailand established two national committees, i.e. the Anti-Trafficking in Persons Committee (ATP Committee) chaired by the Prime Minister, and the Coordinating and Monitoring of Anti-Trafficking in Persons Performance Committee (CMP Committee) chaired by the Deputy Prime Minister, under which a number of sub-committees on various trafficking issues were also established. The Office of Anti-Trafficking in Persons Committee of the National Operation Center on Prevention and Suppression of Human Trafficking (NOCHT) under the Ministry of Social Development and Human Security (MSDHS) has been appointed to be the secretariat of these national committees and sub-committees. With MSDHS as the lead implementing government agency, Thailand’s anti-trafficking efforts are being carried out under the guidance of these national committees and sub-committees and in accordance with the National Policy, Strategies, and Measures to Prevent and Suppress Trafficking in Persons (2011 - 2016), which was issued in May 2010. This policy document aims to provide guidance for all anti-trafficking agencies in Thailand - government agencies, non-governmental organizations, international organizations, and civil society - to jointly combat human trafficking.

In parallel to this, Thailand established an Ad-hoc Sub-Committee on Coordination to Combat Human Trafficking in the Greater Mekong Sub-Region, also known as the Thai COMMIT Taskforce, which is comprised of the various concerned counter-trafficking government, non-government agencies, and international organizations. The mandate of this Sub-Committee is to facilitate the COMMIT Process.

**The Coordinated Mekong Ministerial Initiative against Trafficking (COMMIT)**
COMMIT has fuelled major progress in anti-human trafficking efforts since its inception in 2004. In 2004, the six Governments of the Greater Mekong Sub-region (Cambodia, China, Lao PDR, Myanmar, Thailand, and Viet Nam) signed a historic Memorandum of Understanding against Trafficking in Persons. This MOU, signed at the Ministerial level, committed the governments to a response to human trafficking meeting international standards, highlighting the need for multi-lateral, bilateral, and government-NGO cooperation to fight human trafficking.

UNIAP serves as Secretariat to the COMMIT Process, and as such is mandated to provide technical, financial, monitoring, reporting, and logistical support to activities under COMMIT. Based on its existing work and mandate as an inter-agency coordinating body, UNIAP is able to draw on its extensive network of partners throughout the region to provide technical and financial assistance to all aspects of the COMMIT Process, and also works with partners to ensure that programmes and activities are aligned with government priorities in the COMMIT Sub-regional Plans of Action and National Plans of Action.²

² See http://www.no-trafficking.org/commit.html
Introductory Remarks

Mr. Paul Buckley, UNIAP Technical Specialist, welcomed everyone for participating in the workshop. Participants included many key actors in anti-trafficking work, including officials from the Ministry of Social Development and Human Security (MSDHS), Ministry of Tourism and Sports, Ministry of Foreign Affairs, Department of Special Investigation, Ministry of Labor, Office of the Attorney General, Royal Thai Police, UN agencies and NGOs. Mr. Buckley gave a brief introduction to the purpose and intended outcomes of the workshop and explained that this meeting would be focusing on the long-term anti-trafficking efforts in Thailand.

Mr. Geoff Manthey, the Facilitator of the event, introduced himself and the work he is carrying out across the region as part of the strategic visioning process. He explained that the consulting and visioning workshop is an opportunity for relevant actors in the anti-trafficking campaign to come together and look at what it will take to effectively sustain the long-term fight against human trafficking in Thailand.

Mr. Manthey further described the format of the consultation that would take place and the methodology that would be used. He explained that the participants would be asked to identify key problems or obstacles currently in the anti-trafficking work in Thailand. Using the priority problem tree analysis they would then narrow down and identify key and essential elements that need improvement in the future of Thailand’s anti-trafficking work. By asking the groups to create vision statements and practical road maps to see these statements accomplished, a number of clear and realizable goals would be established.

He then asked participants to introduce themselves and to describe their “dream” related to anti-trafficking work in Thailand.

Identifying Main Problems

Participants worked in groups to discuss and set out what the main problems in tackling human trafficking are at the regional, country and community level. Questions were posed to guide discussion. Participants were asked what the critical problems that need to be addressed by anti-trafficking work were, and whether current anti-trafficking efforts adequately address the problems facing men, women and children. Participants were split into four groups and identified the following themes and specific issues.

Group 1

1. Legal system:
   • Differences in the legal system among countries in the GMS region, including the definition, and identification of victims
More coordination needed between countries
Offenders take advantage of loopholes in the law (use fake documents and lie about the victims’ age)
Different laws with neighbouring countries

2. Victim cooperation;
- Very important issue in Thailand, where victims do not want to cooperate with authorities because of fear that offenders will track them down, or confusion with regards to the prosecution process, or fear of discrimination

3. Judicial Process (investigation, prosecution, and, court process consume time and lack coordination among legal entities)

4. Cooperation between agencies within the country and with other countries (inter-agency cooperation is lacking as we are still facing some problems but things are improving)
- There is a lack of cooperation between agencies
- Channels and mechanisms

5. Concerned officials do not have real understanding about human trafficking
- Law enforcers lack knowledge about human trafficking even though there are trainings and workshops organized on this issue

6. Attitude of offenders and the public
- Human trafficking has been talked about for a long time. However until recently there was no specific trafficking law, hence other laws had to be used. The public still do not have a good understanding about human trafficking. They tend to confuse labour trafficking with sex trafficking. If the public does not understand trafficking, that will be even harder to solve the problem.

7. Victim protection
- If the system of assisting victims is not good, it will be difficult to get victim cooperation in prosecuting traffickers. If victims do not want to cooperate, we cannot hold them against their will.

8. Shelter or a place to rehabilitate victims
- Witness protection (now we have the Witness Protection Act, we try to use the law to protect victims.)

The following questions and comments were made at the end of Group 1’s presentation:

- The issue of witness protection is problematic because the Witness Protection Act is not being applied. Instead, police procedures are used. However, DSI is currently responsible for witness protection.
- The law itself does not provide real protection to witnesses and victims, because the law forces them to reveal the identity of victims e.g. name, address and other personal data. Disclosure of such information does not protect the privacy of victims, unlike under UK law where the confidentiality of the victim is maintained.
- Suggestion was made from the participants that the law could be more effective if it were amended. But considering the procedure and the difficulty in amending laws, it
was agreed to continue using the Witness Protection Act. The upside is that the Witness Protection comes with its own funding.

Group 2

Domestic Problems

1. Lack of translators
   - Poor quality and lack in depth understanding of the issue.
   - General lack of interpreters for Myanmar, Lao, and Khmer languages.
2. Officials lack understanding of definition, process, and victim identification.
3. Ineffective preventive measures
   - Indicators reveal that measures are not good enough.
4. Lack of systematic cooperation/coordination
   - Coordination between agencies is still being done through personal contacts and not through official channels, as it takes longer to go through the official channel.
5. Trafficking cases should be treated as important as drug trafficking cases
   - All law enforcement agencies should give importance to trafficking cases e.g. not granting bail to suspects during the investigation or court process, as is being done during drug related trafficking cases.
6. Lack of information sharing among agencies
7. Lack of victim cooperation
   - Victims do not cooperate because the process shames and stigmatizes them (e.g. prostitution cases.), so the protection system must be improved.

International Problems

1. Different interpretations of human trafficking
   - Debt bondage is considered to be a form of trafficking in Thailand whereas in other countries, this may not be the case.
2. Law enforcement agencies lack understanding about the Mutual Legal Assistance Treaty (MLAT), which is a form of international legal cooperation for which the Office of the Attorney General is the focal coordinating agency
   - Local Police do not understand MLAT.
3. Lack of appropriate and sufficient cooperation in countries of origin on preventive measures
   - Source countries do not do enough to protect their own people.
4. Different standards of victim protection
   - Thailand gives importance to trafficking victims; we do not prosecute them on charges such as illegal entry, prostitution. We even seek compensation for victims as a form of remedy, while other countries may not have this kind of measure.
5. Lack of financial support.

Group III
1. Cross-border migration to find employment is the main cause of human trafficking.
2. Problem originating from the source countries e.g. Issuing passports involves high costs so people choose to migrate illegally and therefore become vulnerable to trafficking.
3. Accompanied children are at risk of becoming child labourers.
4. Case coordination and referral system is not done in a holistic manner.
5. Human trafficking databases are segregated.
6. Victim screening (problem in identifying whether a case is a trafficking case or merely a case of violation of worker’s rights, which implies that there is a lack of understanding of relevant laws i.e. Labour Protection Act and Human Trafficking Act).
7. Victim’s participation in criminal justice process (Victims do not want to cooperate to prosecute traffickers because they do not want to lose their income).
8. Local officials lack sound understanding about human trafficking.
9. Migrants are not aware of their rights.
10. Victims do not receive the required assistance after calling the 1300 hotline.

The following questions and comments were made at the end of Group 3’s presentation:

- Participants from the Ministry of Social Development and Human Security asked group 3 to clarify on the last point about not receiving any assistance after calling the 1300 hotline.
- A representative from group three explained that in Samutprakarn province, staff from the Labour Rights Promotion Network Foundation (LPN) called the 1300 hotline and requested the Provincial Social Development and Human Security Office to send social workers and a rescue team to help out with a case they were handling. The response that they received was “it was not their responsibility”. LPN had to wait before they received any help from the officials at the site.

**Group IV**

1. Legal process: Lack of prosecution because victims do not want to cooperate.
2. Protection: There is a lack of protection of the most vulnerable groups i.e. migrants from country of origin do not receive protection.
3. Weakness in bilateral collaboration: Cooperation with country of origin is not strengthened.
4. Lack of in-depth understanding of issues related to human trafficking on part of the officials (Staff capacity and high turnover rates.): Officials are transferred frequently and the replacement officers need to be trained to understand the complexities in Human Trafficking.
5. Lack of standard data collection sharing: There is no exchange of data.
6. Other stakeholders in the realm of victim support are not engaged properly, like the hospital staffs that have direct contact with victims.
7. Lack of standard in victim screening.
8. Lack of specialized personnel: Not enough experts such as interpreters.
9. Existing operational structure does not allow for a sustainable way to solve problems: Cooperation use personal contacts, not through formal channel.

Mr Geoff Manthey, workshop facilitator, closed the session by conveying that the participants should work on prioritizing the issues and to be more concise from the list of root causes.

Organizing and Prioritizing Main Problems.

Participants worked together under the instructions of the facilitator to group and prioritize the main problems from the list of identified problems above. The criteria for making the prioritization included i) whether solving this problem would have significant impact on human trafficking; ii) whether there would be enough support to solve the problem; and iii) would we have the capacity and comparative advantage to work on the problem. As a means to prioritize the issues identified, each participant was asked to place coloured dots next to the three subjects that they felt were most pressing. The facilitator then grouped overlapping themes and tallied the votes together to identify five topics. The issues selected as most important would then be adopted as the chosen themes for further analysis.

The agreed prioritized problems based on the voting process amongst participants were:

- Gaps remain in law enforcement and prosecution
- Human Trafficking is defined and interpreted differently
- Trafficking in persons is not recognized as important as it should be
- Gaps remain in coordination mechanisms
- Gaps remain in victim protection

Problem Analysis

After the five main problems were prioritized, Mr. Manthey, divided the participants into five groups, where each group was given one main problem for close scrutiny and analysis, where “problem trees” were developed for each priority problem to support the analysis. Beginning with the problem that was identified and positioned as the trunk of the problem tree, participants then brainstormed about the major causes of the problem by asking, “what is causing this to happen?” They then identified a number of policy constraints; capacity weaknesses, social problems and cultural norms, and these became the roots of the tree. The problem analysis was designed to help participants develop a clear understanding not only of the surface problems, but also their underlying causes and constraints. The aim was to help all participants develop a common understanding of the chosen topics.
Stakeholders were also asked to discuss the effects of the problems. 'Branches' were created on the problem tree to illustrate how the problem affects the region, country or community. The process involved identifying the most direct effects of the problem, classified under the same categories as were used for the analysis of the causes. In the problem tree, the effects of the higher-level problems are captured in the boxes above the trunk.

Based on the problem tree, participants analysed the causes, root causes and effects of the main issues

**Group One: Gaps remain in Law Enforcement and Prosecution**

Causes:

1. Victims are reluctant to cooperate in prosecution process on the perpetrators
2. Victim protection is weak and many provisions are not adequately enforced
3. Victims do not have the courage to confront the defendant in the court of law
4. Victim lack incentives during the witness participation process
5. The legal proceedings are slow and lethargic which makes the victims lose all hope for justice
6. Lack of understanding among the law enforcement officers
7. Lack of specialized and dedicated law enforcements to deal at the grass root level
8. The law enforcement authorities are insufficiently trained at all levels of prosecution including evidence gathering
9. High turnover of staff
10. When the trafficking cases do get to the courts, they are seldom prioritized and this contributes to lengthy process
11. Lack of ethics and morals within the law enforcement officials that paves way for corruption at all levels. This is in part due to low wages and benefits within the law enforcement establishments.
12. Insufficient coordination mechanisms among relevant agencies.
13. Monitoring systems of trafficking have been ineffective due to overly complete structures and too many agencies that are redundant
14. Law enforcement officers do not fully identify the victims

Effects:

1. Decrease in the number of witnesses.
2. Without an effective legal system in place to prosecute the offenders, there is no deterrence for perpetrators and hence low conviction rates.
3. Traffickers find incentives to expand and strengthen their networks where more victims fall prey.
Group I: Law Enforcement and Prosecution

- Few witnesses
- Lack of deterrence for traffickers
- Low convictions and at lower level
- Strengthening/expanding networks of traffickers

Gaps remain in law enforcement and cooperation

- Victims don’t want to cooperate
  - Weak witness protection
  - Some provisions are not adequately enforced
- Confrontation with defendant in court
- Lack of incentives for witness participation
- Slow process of legal proceedings
- Understanding of the law among officers
  - Lack of specialization (e.g. dedicated police force on the ground)
- Insufficient/reinforce trainings at all levels including evidence gathering, legal provisions (law enforcement, prosecutors, judges)
- Trafficking cases are not prioritized (at the back of the queue)
- Corrosion
  - Low wages and benefits
  - Ethics and morals
  - Tradition; everyone is used to it
  - High turnover of staff
- High turnover of staff
- Coordination among relevant agencies
  - Cross-border cooperation e.g. MLAT
- Law enforcers do not fully identify victims
  - High turnover of staff
  - Monitoring system of trafficking cases
  - Overly complete structure/too many agencies
• **Group two: Human Trafficking is defined and interpreted differently**

**Causes:**

1. There is no agreed common definition on Human Trafficking among the countries
2. Definition of “exploitation” does not cover debt bondage in the ATP Act B.E. 2551
3. Inconsistency of definition of “forced labour’ in the ATP Act B.E. 2551 and C.29 (ILO)
4. Confiscation of documents
5. Forced to work overtime
6. The definition of “enslavement” is unclear to have an effective assistance mechanism to rescue people
7. Physical abuse / assault

**Effects:**

1. Ineffectiveness in coordination between the Domestic and the International
2. No clarity in implementation of the law that can help or assist in Victim screening and Victim protection
Group II: Definition of Human Trafficking

 Trafficking in Person is defined and interpreted differently

 Effectiveness of Coordination - Domestic - International

 No clarity in the implementation of the law

 Victim Protection

 Victim Screening

 Definition of human trafficking is different in each country

 Definition of “Exploitation” does not cover debt bondage in the ATP Act B.E. 2551

 Deduction of wages

 Inconsistency of definition of “Forced Labour” in the ATP Act B.E. 2551 and C.29 (ILO)

 Confiscation of Documents

 Force to work overtime

 Definition of “Enslavement” is unclear

 Freedom

 Physical abuse/assault
Group Three: Trafficking in Persons is not Recognized as Important as It should be

Causes:

1. Complication on the issue of human trafficking within the country
2. This complication arises due to lack of knowledge and understanding of problems and various forms of trafficking creates more confusion to work with
3. Trafficking is related to everyday life e.g. going to work
4. People do not anticipate themselves to become victims and are ill prepared to deal with, when the crisis arises
5. People consider this issue to be something that is far away from oneself, their home, families, etc.
6. Due to various laws and lack of clarity, people are often confused in understanding and taking advantage of the related laws
7. On a more basic level interpreting the word “human trafficking” is in itself a huge task

Effects:

1. The standard of prosecution is not on the same level as one encounters confusion on every level to combat HT
2. Unequal allocation of financial resources within government agencies
3. As we close in towards having a common Asian Economic Community there is an increase in vulnerability to trafficking
Human Trafficking is Not Recognized as Important as It Should Be

- Unequal allocation of financial resources
- Increase vulnerability to trafficking as we enter AEC/ASEAN
- The standard of prosecution is not at the same level

Complication of the human trafficking issue

- Lack of knowledge and understanding of the problem e.g. there are various forms of trafficking
- Trafficking is related to everyday life e.g. going to work
- People do not anticipate themselves to become victims
- People consider this issue to be something that is far away from oneself

Complication and variety of related laws

Problem in interpreting the word “Human Trafficking”
**Group Four: Gaps remain in coordination mechanisms**

**Causes:**

1. There is a lack of cooperation between different agencies in the country. There should be a review of MOUs between Non governmental organizations, between different government agencies and between NGOs and government agencies
2. There is no proper coordination mechanisms between the government agencies
3. Support towards NGOs and Community Based Organizations is low
4. Lack of integration in planning and coordination to push the project forward due to inadequate cooperation and understanding of MoUs between the NGOs and Government Agencies
5. No proper coordination mechanisms for case referrals between countries
6. Each agency has varied roles and responsibilities and thereby lacks team work
7. Lack of trust between NGOs and Government Agencies on how to effectively deal with issues on human trafficking
8. Frequent rotation of personnel within the government bodies who deal with human trafficking and this affects the smooth continuation of the process
9. The government agencies lack funding which would enable them to deal with Human Trafficking effectively
10. Lack realistic Multi-Disciplinary Team (MDT) approach in operations which in turn affects a two-way communication and referral
11. Provincial operation centres are inefficient
12. Lack integration at operational level and MDT
13. Lack of international cooperation due to difference in political and legal systems between countries in the region
14. The countries lack sincerity and commitment in solving the problem of HT
15. International MOUs are not seriously and effectively implemented
16. Communication gap between the countries in the region
17. International coordination mechanism do not support the work of Thai agencies as expected
18. NGOs both in Thailand and in other countries do not cooperate and lack funding
19. Lack sharing of information

**Effects:**

1. Victims do not receive assistance/protection when needed
2. Assistance to victims gets affected
3. Ineffective prosecution of cases within and between countries
4. Lack prevention of problems and awareness
**Group IV: Coordination Mechanisms**

**Gaps remain in coordination mechanisms**

**Inefficient prosecution of cases**

**Lack prevention of problem and awareness**

**Affect the overall image of solving the problem**

**Assistance of victims**

**Problem with cooperation between agencies in the country**
- Lack a coordinated cooperation plan
- Problem in the direction of NGOs and CBO support
- Lack integration of planning and coordination in pushing forward the plan/project
- Lack cooperation and understanding; NGO&GO MOU
- Referral of cases between countries
- Each agency has different roles and responsibilities
- Lack of trust between NGOs & GOs, GOs & GOs, and NGOs & NGOs

**Frequent rotation of personnel which affects the continuation of the process**
- Lack funding
- Lack teamwork
- Lack a realistic MDT approach in operations
- Lack two-way communication and referral
- Provincial Operation Centers lack efficiency
- Lack integration at operational level and MDT

**Problem with international cooperation**
- Difference in political system/culture/value
- Lack sincerity and commitment in solving the problem
- International MOUs are not seriously implemented
- Different legal system in each country
- Communication Problem
- Lack sharing of information

**International coordination mechanism does not support the work of Thai agencies as expected**
- NGOs both in Thailand and in other countries do not cooperate and all lack funding

**Review MOUs: NGO & NGO, NGO & GO, and GO & GO**

**Lack a realistic MDT approach in operations**

**Lack cooperation and understanding; NGO&GO MOU**

**Lack integration at operational level and MDT**

**Communication Problem**

**Lack sharing of information**
Group Five: Victim Protection

Causes:

1. There are limited options on what kinds of services that can be provided to victims without access to information and a clear communication with the trafficked victims
2. The services that are sometimes provided do not correspond to Victim’s needs and not suitable with the situation in source country
3. There is a false understanding among the service providers that all victim’s have the same needs
4. No appropriate services are provided for child victims
5. The victims themselves believe its their fate which feeds into a state of helplessness
6. Language barrier between the victims and the officials due to lack of translators
7. Victims feel ashamed as they blame themselves and fear discrimination when they return
8. Insufficient number of official personnel to deal with effectively and lack understanding, knowledge and skills to handle the cases as they are unclear of their responsibilities
9. Officials are not sensitive towards victims needs
10. Frequent transfers of officials adds to the confusion of what sort of services needs to be provided to the victims
11. Inappropriate ratio of male and female officials to effectively deal with different gender categories of the victims
12. Capacity building such as training, orientation, hand-over, coaching is insufficient
13. There is no standard code of conduct or guidelines for the officials
14. Resource allocation is not good enough which affects the assistance provided
15. Slow judicial process
16. Judicial system is not child friendly (problem in implementation)
17. Lack involvement of origin countries in providing on-going support to cases
18. Coordination between agencies is not efficient enough

Effects:

1. Victims do not cooperate and in some cases run away from shelters and thereby become vulnerable of being re-trafficked
2. Prosecution is incomplete, offenders are still at large and victims lose hope to find justice
3. Children separated from their families
4. Image of the country on international level negatively effected
Group V: Victim Protection

Gaps Remain in Victim Protection

- Image of the country
- Run away
- Not cooperate

Re-trafficking

- Tier 3 (TIP Report)
- Children separated from their families
- Justice was not served for victims
- Prosecution is incomplete

Services
- Limited options
- No access to information/do not communicate with VOT
- Not correspond to victim’s needs and not suitable with situation in source country
- One size fits all
- Institution-like shelter
- Lack appropriate services for child victims

Victims
- Religion/belief (Karma)
- Attitudes
- Wrong expectations
- Language barrier
- Concerned about family
- Shame/discrimination

Officials
- Insufficient number of personnel (lack MDT)
- Lack understanding – not sensitive enough
- Lack of knowledge/skills
- Handle too many tasks and have unclear responsibilities
- Attitudes
- Frequent transfers
- Inappropriate ratio of male - female

System/operational procedures
- Capacity building (training, orientation, hand-over, coaching)
- Management of human resources to suit the amount of work
- Tools/code of conduct
- Resource allocation is not good enough which affects the assistance provided
- Slow judicial process

System/operational procedures
- Judicial system is not child friendly (problem in implementation)
- Officials are not protected by the system
- Lack involvement of source countries in providing ongoing support to cases
- Coordination between agencies
Vision Statement

Mr. Manthey divided the participants into five groups in order to brainstorm the development of a vision statement. He asked each group to develop a vision statement that provided a clear goal for the country’s anti-trafficking community to aim for over the next five-year period, to address each of the five main problems identified above. Mr. Manthey emphasized that the vision statements should be high-level goals on which the anti-trafficking community as a whole can focus their efforts.

After the brainstorming session, the participants listed out the following vision statements from each of five groups.

Group I: Gaps remain in law enforcement and prosecution

Vision: Victims of trafficking are properly identified and willing to testify in an expedited and fair legal process resulting in convictions and deterrence.

The group’s original statement was “Victims of trafficking are properly identified and willing to testify in an expedited and fair legal process resulting in convictions and deterrence, contributing to a reduction in trafficking.” As the statement was too lengthy, members from other groups suggested the above final statement to make it more concise.
Group II: Human Trafficking is defined and interpreted differently

Vision: Common definition and interpretation of trafficking in persons is reached within and among GMS countries and beyond.

Group III: Trafficking in persons is not recognized as important as it should be

Vision: Challenges in human trafficking are recognized and properly tackled with great commitments.

It was debated on how to phrase this vision statement. Originally, group three came up with “The Importance of Human Trafficking Problem is Recognized” Later, the statement was rephrased to the sentence above.

Group IV: Gaps remain in the coordination mechanisms

Vision: Eradication of trafficking in persons through cooperation based on the principles of mutual responsibility and burden sharing.

Group V: Gaps remain in victim protection

Vision: Effective system of victim protection is consistently implemented nationwide

Results Map

Participants created a “Results Map" following discussions on the measures (and structures) that need to be in place to achieve the vision and objectives identified above. The guiding question for this exercise was “what must be done and put in place to achieve the vision that has been developed in a particular area?” Participants were encouraged to take each major problem identified on the trunk of the problem tree and reword it as the immediate positive result with longer-term positive results or effects, articulated as clearly and concretely as possible. The approach taken by participants in developing the results map was to set out the targeted aims in the following lists.

Group I Results for Law Enforcement and Prosecution

1. More convictions
2. More special investigation trainings
3. Victims can return home quickly
4. Stop the system of transnational human trafficking
5. Reduction of the number of business establishments that are violating the Anti-Trafficking in Persons Act
Group II Results for Definition of Human Trafficking

1. Effective identification of victims
2. Increase in identified victims
3. Prevention and suppression of human trafficking is implemented in the same direction
4. Clear victim screening guidelines for operational officers
5. Review TIP (domestic and international)
6. Clarify borderline cases (e.g. debt bondage)

Group III Results for Trafficking in Persons is not Recognized as Important as It should be

1. Higher allocation of resources
2. Significant reduction of human trafficking in GMS and related countries
3. Human dignity is recognized and not violated
4. Practical public awareness about human trafficking

Group IV Results for Coordination Mechanisms

1. Increased synergy amongst GO, IO, NGO, and civil society
2. Shared responsibility resulting from good cooperation at all levels, both domestic and international
3. Sufficient funding and resources are allocated
4. International organizations have experts to support the work that is being done
5. Mechanisms, procedures and international law are used to prosecute cross-border trafficking cases
6. Networks and mechanisms are developed
7. Knowledge base is developed within the region
8. Training institutes are in place within the region
9. Operational MOUs for GO, NGOs, and CBOs are in place
10. Establishment of national focal points and a roster of experts
11. MOUs are practically implemented domestically and internationally

Group V Results for Victim Protection

1. Sustainable integration of victims
2. Less victims are re-trafficked
3. More victims participate in criminal justice process
4. Victims of trafficking are happy
5. An effective victim protection team is in place
6. Various models of victim services available
Mr Paul Buckley closed the event by thanking all participants for their contributions. The results from this Consultative Workshop will feed into the next phase of the anti-trafficking work in the region. The Report will be shared with all participants, for comments concerning misunderstandings and/or omissions only and any additional comments that were not discussed or agreed upon will not be included.
Annex: Participant List

Consultation Workshop on Strategic Visioning for Post-2013 Coordinated Anti-trafficking Efforts in Thailand
On 18 - 19 April 2013
At Krungsri River Hotel in Ayutthaya, Thailand

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