

Promoting prevention of Spousal Violence and Protection of the Victims

Basic issues regarding Implementation and cooperation by the relative institutions

- Proactively promote the related measures
- Cooperation and partnership among relative institutions
- Support measures by the local public organizations
- Support and cooperate with private organizations
- Make sure full consideration for the victim is provided by those tasked with the duty

Enhancing consulting system

- Counseling support center for spousal violence
- National Police
- Human rights protection agencies
- Training for counselors

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Promoting Prevention of Spousal Violence and Protection of the Victims

- **Protection of victim and helping self-support**
 - Promote strict and appropriate measures with consideration for the victim
 - Secure safety from violent acts
 - Promote early detection by medical staffs
 - Temporary protection
 - Support recovery of body and mental health
 - Self-support
 - Promote network among wide-area
- **Respond to relative issues**
 - Child abuse
 - Violence from dating relationships

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Research on Prevention, Education and Awareness Raising of TIP
Outline of the Research

1. Research Objectives (1)

This research aims to find a way for the Japan to contribute to eradicate TIP from the perspective of international cooperation in AP region and building international networks of women's empowerment centers, by

- focusing on education and awareness raising to prevent trafficking in persons and
- to support empowerment of survivors/women.

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Research on Prevention, Education and Awareness Raising of TIP

Outline of the Research

1. Research Objectives (2)

- Furthermore, the research will address the issue of "Demand" which lies at the core of this problem. The project seeks to raise awareness of Japanese people on human rights of women and elimination of violence against women while collecting research and educational materials on trafficking and developing training modules and programs to improve the understanding/ capacity of concerned parties.

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Research on Prevention, Education and Awareness Raising of TIP

2. Research Outline

- 1) Research to elucidate present situations concerning the trafficking of persons in Japan:
 - a) Conduct interviews of survivors, support shelters and NGOs in Japan;
 - b) Conduct a research on "Japanese Demand" for trafficking in persons by administering b-1) opinion survey and b-2) basic research on education and awareness raising to prevent becoming violators.
- 2) Study on the Situation and preventive method at transit and entry point of TIP. Conduct overseas field research in Cambodia, Thailand and the Philippines to examine the factors causing TIP in the sending countries, and to develop effective preventive measures to terminate the root causes of trafficking.
 - The field research includes interviews of survivors, support shelters, government offices, and NGOs in respective countries.
 - Survey and interviews conducted in Japan and Overseas
 - Government, NGO, International Institutions, Women Victims
 - Questionnaire Survey in Japan
 - General Public (Men and Women)
 - Decision-makers stand on the issue
 - Parliament Members

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Research on Prevention, Education and Awareness Raising of TIP

2. Research Outline (Cont.)

- Overseas Field Research Schedule
 - 1) Preliminary researches in:
 - Thailand and Cambodia from 4 to 14 January 2006;
 - The Philippines from 10 to 15 January, 4 to 12 February 2006.
 - 2) Main researches in:
 - Thailand, Cambodia and the Philippines in the latter half of 2006 or early 2007.
- 4. Research areas
 - Field research: Philippine, Thailand, Cambodia and Japan
 - Opinion/Attitude Survey: Japan
- 5. Research Period
 - Japanese FY 2005 – FY2006

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Multidisciplinary Research Team

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Research on Prevention, Education and Awareness Raising of TIP

Survey on Consciousness and Behavior of Japanese (1)

- **SURVEY OBJECTIVE** to conduct and grasp the awareness of trafficking and sexual conduct and behavior of Japanese citizens
- **AGES** 18 to 65
- **DISTRIBUTION**
5000 (Men and Women)
Number Returned: 1190
Response Rate: 23.8%

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Research on Prevention, Education and Awareness Raising of TIP

Survey on Consciousness and Behavior of Japanese (2)

- **CATEGORIES of QUESTIONS ASKED :**
- **Past Experience/Conduct regarding Prostitution**
- **Consciousness on Prostitution**
- **Consciousness and behavior regarding prostitution especially in case with foreign person**
- **Gender Consciousness**
- **Other Behavior and attributes associated with buying and selling sex**

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Interview Survey to Women Returned from Japan

- **Thailand**
Interview research conducted to women returned from Japan between 1993 to 2003
- **Philippines**
Interview research conducted to recently returned women with the assistance of Japanese government

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**Interview Survey to Women Returned from Japan
Sample questionnaire of Interview
conducted in the Philippines (1)**

- 1. Upbringing and condition**
- 2. Family – power relations in the family**
- 3. Departure**
- 4. Recruitment**
- 5. Arrival in Japan**
- 6. “Work” environment**
- 7. Abuse experienced**

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**Interview Survey to Women Returned from Japan
Sample questionnaire of Interview
conducted in the Philippines (2)**

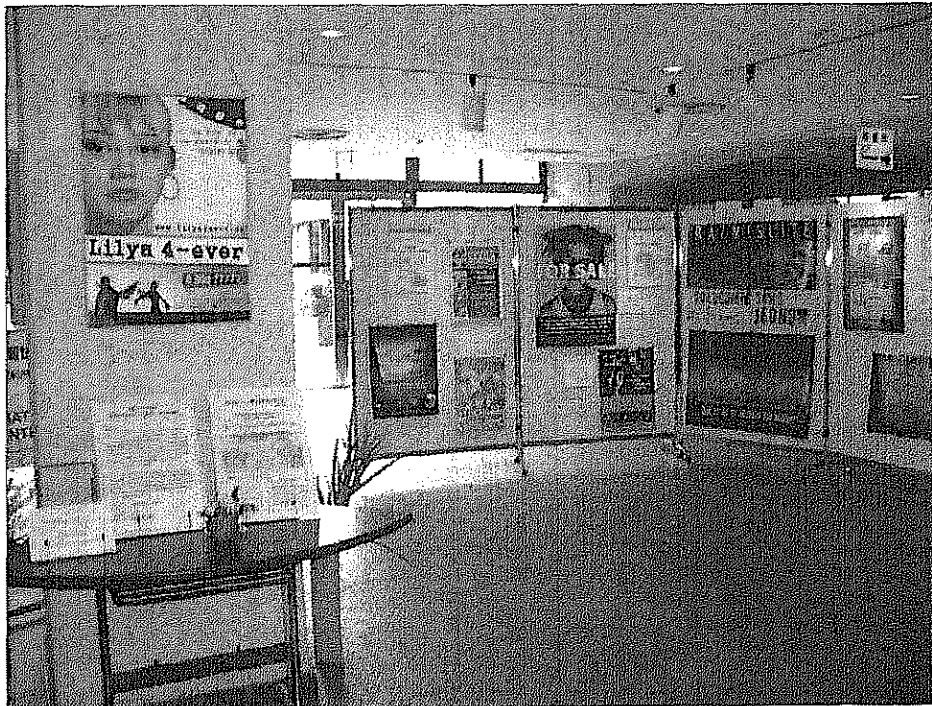
- 8. Escape route**
- 9. Japanese Authority**
- 10. Support and Information after return**
- 11. Prosecution and legal remedy**
- 12. Health Concern**
- 13. Future Plan**
- 14. Impression of Japanese Men and Women**

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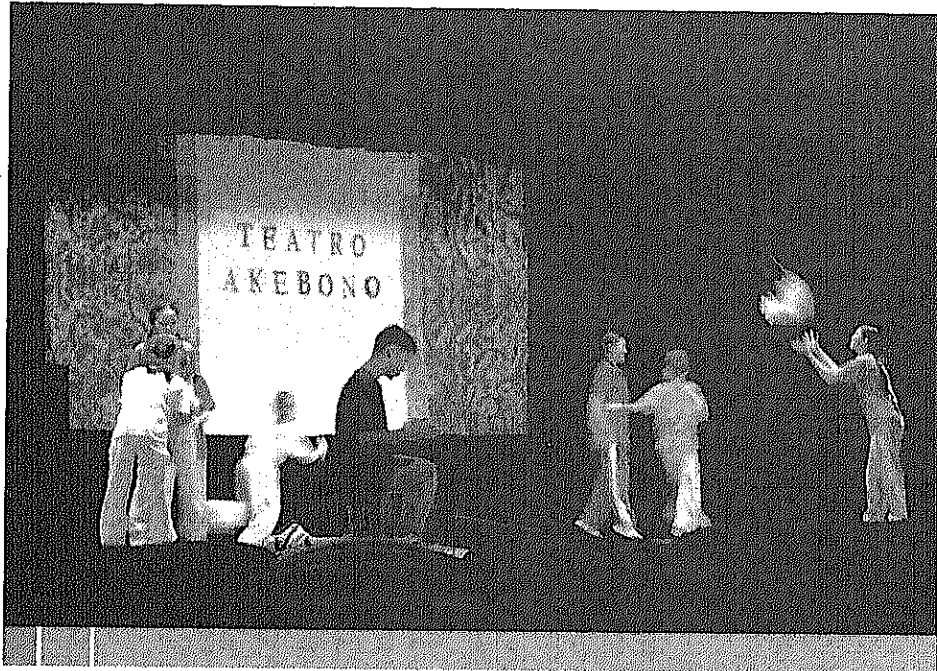
Current Programs for Awareness Raising

- Symposium, seminars
- Poster session
- Exchange with JFChildren (Musical Presentation and exchanges with the local school children and town)
- Workshop on Fair Trade
- International Training Seminar on Leadership and Empowerment

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International Symposium on Trafficking in Persons
Date: Feb 25, 2006
Venue: United Nations University
Organizers: Ministry of Foreign Affairs
National Women's Education Center
International Organization for Migration
Cooperation: Japan Network Against Trafficking in Persons

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National Women's Education Center®

Conclusion

- **Strengthening Strategic Information Gathering and Network**
 - **continuous follow up on the returned victims** (Program dev., training programs of supporting staffs)
 - **information of experiences shared among countries of origin and destination**
(Develop text and programs, educational seminars, uncovering the demand exploitation)
 - **collaboration and network among various parties in different countries to create strong safety net to prevent trafficking**

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Lao Country Overview on Human Trafficking

Situation in Lao PDR

Lao PDR is the only country in the Greater Mekong Sub-region that shares a border with five other countries: Thailand, Vietnam, Myanmar, Cambodia and China. For centuries, the Mekong River has been a major asset for these countries with respect to trade and communications. However, in recent years, conditions within these various countries have begun to vary greatly in terms of development.

Deep economic differences among countries in the region have an effect on population mobility and regional migration. While some countries enjoy high economic growth comparable to the prosperity of Western countries, other countries such as Cambodia, Vietnam, Lao PDR, and Myanmar, achieve an average per capita annual income that is considered low even by the standards of many other developing countries. Thus, more prosperous countries such as Thailand become desired destinations for jobless people from impoverished areas.

Thailand has become the magnet for jobless people from less prosperous neighbouring countries. Many migrants from Lao PDR, Cambodia, Myanmar, and Vietnam cross the borders into Thailand. The fact that many of these migrants are vulnerable women, men, boys and girls with limited education and skills creates a critical problem. These migrants frequently end up working in dangerous jobs in plantations, factories, households, on farms and fishing boats or are trafficked into brothels or nightclubs as sex-workers. In many situations, these workers are kept locked up against their will, are not compensated for their work, and suffer abuse at the hands of their employers.

Regional economic disparities do not, however, simply cause a one-way flow of mobility from less-developed countries to more prosperous countries. It also draws people from more affluent countries to cheaper neighbouring countries, for trade or vacation. This, in turn, feeds the rapidly growing sex industry and the demand for sex services.

Lao PDR is a country of origin and transit for trafficking in persons. Much of the trafficking in Lao PDR takes place within the context of the large, seasonal labour migration to Thailand. Thousands of young Lao people migrate to Thailand every year. This migration is grounded in a long history of cross-border movement and cultural similarities. Despite similarities in language and culture, the irregular nature of this migration and the lack of protection for migrant workers, makes young Lao people vulnerable to exploitation and abuse. Many young people start their journey as voluntary migrants only to be tricked, cheated, or forced into trafficking situations.

Recognizing that at least part of the willing supply of labour in Lao PDR is a product of the demand for labour in Thailand, the Lao PDR Government has come to the realization that new approaches are required to address migration and trafficking issues. In 2002, the Governments of Lao PDR and Thailand signed a Memorandum of Understanding (MOU) on Labour Migration, whose aim was to develop an improved management system in order to regulate labour

migration between the two countries. In July 2005, the Lao Government signed another bilateral MOU with the Thai Government to Combat Trafficking in Persons.

Policy Framework **National Level**

In 2004, the Lao PDR Government established a Ministerial-level National Steering Committee, whose express purpose is to make policy recommendations on human trafficking issues. The Deputy Prime Minister chairs this Committee, and the Ministry of Public Security acts as the Secretariat. In addition, the Lao PDR Government also established a Task Force on Trafficking in 2004, which is headed up by the Ministry of Labour and Social Welfare.

In 2004, the President of Lao PDR issued a decree promoting the *Law on the Development and Protection of Women*. This proposal was first introduced by the Lao Women's Union. The *Law on the Development and Protection of Women* is the first piece of anti-trafficking and domestic violence legislation in the history of Lao PDR. Chapter IV of the law addresses trafficking in women and children, providing assistance to the victims of trafficking, as well as penalizing traffickers. In 2005, the Lao Women's Union (LWU) organized a law dissemination workshop on the *Law on the Development and Protection of Women*, which was held throughout the country.

In 2006, Article 134 was added to the Lao PDR Penal Code. Prior to 2006, the Penal Code only contained articles, criminalizing smuggling and prostitution. Article 134 however directly deals with prosecuting human traffickers and the article covers trafficking in men, women & children. With the combination of the *Law on the Development and Protection of Women* and Article 134 of the Lao PDR Penal Code it has now become possible to prosecute traffickers in Lao PDR.

The Lao PDR Government is also currently in the process of drafting a National Plan of Action on Human Trafficking.

Regional Level

In 2004, the Lao PDR Government co-signed the Coordinated Mekong Ministerial Initiative against Trafficking Memorandum of Understanding (COMMIT MOU) along with the five other countries of the Greater Mekong Sub-region: Thailand, Myanmar, China, Cambodia and Vietnam. These six countries have also adopted a COMMIT Sub-regional Plan of Action (SPA). The COMMIT SPA focuses primarily on anti-trafficking activities of a regional and cross-border nature, which build linkages between national governments, UN agencies, and International and National NGO partners. On a regular basis, meetings and discussions are also held between Lao PDR and the other 5 COMMIT countries, as a means of working towards strengthening anti-trafficking initiatives in the region.

At the bilateral level, Lao PDR has signed two MOUs with the government of Thailand, intended to combat trafficking. The first is an *MOU between Lao PDR and Thailand on Employment Cooperation*, which was signed in 2002. The second, is an *MOU between Lao PDR and Thailand on Cooperation to Combat Trafficking in Persons, Especially Women and Children*, which was signed in 2005, and has led to a Plan of Action (POA). The main objective of the POA is to combat human trafficking by strengthening cross-border cooperation between

Thailand and Lao PDR. An important pilot project, which has come out of this POA, is the *Thai-Lao Cross Border Collaboration on Tracing Missing Trafficked Victims in Thailand (THALACC)*. This project is an important first step towards finding Lao citizens who have been trafficked to Thailand.

International Level

Lao PDR has ratified several important International treaties and conventions, which relate to human trafficking issues. These are:

- UN Convention on Transnational Organised Crime with its Supplementary Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (2003)
- UN Convention on the Elimination of All Forms of Discrimination Against Women (1981)
- UN Convention on the Rights of the Child (1991)
- Final Protocol to the Convention for the Suppression of the Traffick in Persons and of the Exploitation of the Prostitution of Others (1950)
- UN Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery (1957)

On 28th April 2005, the Lao National Assembly, on behalf of the Lao Government, ratified two important conventions: ILO Convention 138 on the Minimum Age of Employment, to which the Lao Government was a signatory in 1973, and ILO Convention 182 on the Worst Forms of Child Labour, to which the Lao Government was a signatory in 1999.

Another important convention, currently being considered by the government is the *International Convention on the Protection of the Rights of all Migrant Workers and Members of their Families*.

Protection and Prevention Programmes

In order to combat trafficking, the Government of Lao PDR is working closely with UN agencies and International NGOs, to support protection and prevention programmes in both Vientiane and the Provinces. The Ministry of Labour and Social Welfare (MLSW) is one branch of the Lao PDR Government that actively participates with UN and NGO partners on anti-trafficking advocacy and education programmes.

The Ministry of Labour and Social Welfare has established Child Protection Networks in 5 provinces, 15 districts, and 75 villages. The goal of these networks is to protect children from neglect and abuse, and to raise awareness and exchange information about child protection issues. In villages, the networks are comprised of several focal points such as the heads of villages, village women's unions, youth unions, teachers, and monks.

The MLSW in cooperation with UNIAP, the International Labour Organization (ILO) and the Asia Regional Cooperation to Prevent People Trafficking (ARCPPT) has undertaken a project to raise the awareness of the Lao Media on issues of human trafficking. In January of 2006, training for media personnel was conducted on the concept of human trafficking. The training's central objective was to help the media to have a greater understanding of the human trafficking

phenomenon in Laos, and to increase the Lao media's coverage of human trafficking stories.

In late 2006, a trafficking prevention Radio Programme targeted at youth will be broadcast in Laos. The MLSW, UNIAP, Norwegian Church Aid, and World Vision will all fund this project. The radio programme will be broadcast on a daily basis and it will include a human trafficking drama, Q&A sessions, real-life human trafficking stories, and interviews with Government and NGO officers who are working in anti-trafficking. The goal of this project is to raise the awareness of Lao youth about the dangers of illegal migration, and how to avoid a trafficking situation.

There are several International NGO's that are currently cooperating with the Government of Lao PDR on trafficking protection and prevention programmes. The activities of most International NGO projects in Lao PDR focus on awareness raising, income generation and vocational training. Trafficking prevention projects in Lao PDR can differ in strategy, for example some projects involve reducing risk (making migration safer) while other may attempt to "stop migration" by addressing social issues relating to youth culture and boredom at the village level.

International NGOs in Lao PDR which are currently working on human trafficking prevention and protection projects include: Village Focus International (VFI), World Education/Consortium, Norwegian Church Aid (NCA), Save the Children UK/Australia, Care International Lao, AFESIP, Asia Regional Cooperation to Prevent People Trafficking (ARCPPT), World Vision Lao, the Asia Foundation, Lao Red Cross and the Asian Development Bank (ADB).

Criminal Justice Response

Legal Framework

Most trafficking cases in Lao PDR only become evident once the border has been crossed, which can make trafficking law enforcement in Lao PDR very challenging, and emphasizes the need for regional cooperation. In 2003, Lao PDR ratified the Convention Against Transnational Organized Crime (TOC) and its anti-trafficking protocol. There are no independent anti-trafficking laws in Lao PDR, although several initiatives are being undertaken at the present time by the Government of Lao PDR to strengthen the legislative framework that surrounds trafficking.

Articles 69 and 92 of the Lao PDR Penal Code prohibit human trafficking although these articles do not provide a clear definition of what human trafficking is. In October 2005, the Ministry of Justice was assigned to modify criminal law in Lao PDR, and in the course of their work they added human trafficking Article 134 to the Lao PDR Penal Code. Article 134 covers trafficking in men, women and children and allows for the prosecution of human traffickers. Last year, one trafficker was arrested and sentenced to a prison term of 15 years.

Arrests and Prosecutions

In 2005, the Ministry of Public Security approved a new specialist trafficking response unit within the Department of Immigration. The unit, known as the Lao Anti-People Trafficking Unit (LAPTU) is currently working towards establishing a system to record the numbers and outcomes of arrests and prosecutions related

to human trafficking in Lao PDR. In addition, a system is being established by LPTU to ensure that information collected from trafficking victims returned from Thailand will be used to strengthen the criminal justice response.

The Asia Regional Cooperation to Prevent People Trafficking (ARCPPT) has co-facilitated a series of workshops with LPTU for government officials throughout Lao PDR on trafficking in persons. The purpose of these workshops was to build knowledge about human trafficking issues such as criminal justice amongst local governments throughout Lao PDR and to create a plan for the expansion of LPTU's activities to the provinces of Lao PDR.

Support to Victims ***Return and Reintegration***

The governments of Lao PDR and Thailand have been working closely together since 2001 on the return and reintegration of trafficking victims. This process is being financially supported by IOM. Since 2001, 807 trafficking victims have been recorded as officially returned to Lao PDR from Thailand.

Lao victims of trafficking in Thailand are sent to the Baan Kredtrakarn Welfare Centre, which is operated by the Thai Ministry of Social Development and Human Security (MSDHS). At the Welfare Centre, Lao trafficking victims are provided with counseling, legal assistance and vocational training, on a case-by-case basis. The Lao Embassy in Thailand is also provided with information about Lao child trafficking victims by the MSDHS, such as the names of the victims, their parent's names, and the names of their villages. This information is then passed on to the Lao PDR Ministry of Foreign Affairs and the Ministry of Labour and Social Welfare. Upon returning to Lao PDR, child trafficking victims (victims under the age of eighteen) become the responsibility of the Ministry of Labour and Social Welfare (MLSW). The MLSW locates the child's family and assesses whether it is safe for the child to return home. Some of these children return to school, while the Lao PDR Government assists others in finding employment. The MLSW and the Lao Women's Union (LWU), with financial and technical assistance from IOM also provides returnees with training on how to protect themselves from being re-trafficked. In 2002, the MLSW established a transit centre in Vientiane to facilitate the return and repatriation process for trafficking victims.

Lao PDR has extradition agreements with Vietnam, China, Cambodia, Myanmar and Thailand. *Victim Support*

In January 2006, the first women's shelter in Lao PDR was officially opened in Vientiane. The name of this shelter is the Lao Women's Union Counseling and Protection Center for Women and Children. The shelter was made possible through the dedicated work of the Lao Women's Union, the Lao Government who donated a plot of land for this shelter, UNICEF, the Asia Foundation, and the Japanese Embassy.

The shelter can house up to 50 women and girls who are the victims of domestic abuse, sexual abuse, and trafficking, or are abandoned or homeless. The shelter also has a vocational center that trains the women and girls living in the shelter on new job skills, such as handicrafts, sewing, and basic business management.

International Cooperation

Lao PDR also participates in many regional/international forums and agreements related to human trafficking, which include:

- Regional Commitment and Action Plan of the East Asia and Pacific Region against Commercial Sexual Exploitation of Children
- Asia Pacific Consultation
- Manila Process
- Bali Ministerial Meetings on Trafficking and Migrant Smuggling
- Bangkok Declaration on Irregular Migration

Summary and Conclusions

Although human trafficking has been prevalent for decades in neighbouring countries, the trafficking phenomenon is something that is relatively new to Lao PDR. In recent years, the Lao government has become more aware of the fact that many of its citizens are being trafficked into slavery, however the awareness levels of both the Lao PDR Government and Lao Nationals need to be increased even more.

Human trafficking is an inter-agency and cross-border issue for which, cooperation and coordination between those who are working to combat the phenomenon is essential. Being a signatory to the COMMIT process provides the Government of Lao PDR with an excellent opportunity to cooperate and coordinate with the Governments of other countries in the Mekong Sub-Region, as well as with Regional and International NGOs in the fight against human trafficking.

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AFESIP in the Lao PDR project

Cooperation to implement by
Ministry of Labor and Social Welfare and
AFESIP in the Lao PDR project.

Date of implementation: 2006-2008

Supported by ANESVAD

Women and Girls children Centre

5 October 2006