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REVIEW OF MODELS OF CARE FOR TRAFFICKING SURVIVORS IN THAILAND

USAID THAILAND COUNTER TRAFFICKING IN PERSONS
2019

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ABBREVIATIONS

AAC	Alliance Committee for Migrant Workers
ACTIP	ASEAN Convention Against Trafficking in Persons
AHTF	Anti-Human Trafficking Fund
ASEAN	Association of Southeast Asian Nations
Baan Suksan	Stella Maris Center for Seafarers in Songkhla
CAST	Coalition to Abolish Slavery and Trafficking
CTIP	Countering Trafficking in Persons
DATIP	Division of Anti-Trafficking in Persons
IOM	International Organization on Migration
LARHTTF	Los Angeles Regional Human Trafficking Task Force
LGBTQI	Lesbian, Gay, Bisexual, Transgender, Queer, and Intersex
MDT	Multidisciplinary Team
MSDHS	Ministry of Social Development and Human Security
NGO	Non-Governmental Organization
NRM	National Referral Mechanisms
OHCHR	United Nations High Commissioner for Human Rights
OSCE	Organization for Security and Co-operation in Europe
UN Protocol	United Nation's Protocol to Prevent, Suppress and Punish Trafficking in Persons
RTG	Royal Thai Government
SOP	Standard Operating Procedure
SWOT	Strengths, Weaknesses, Opportunities, Threats
TIP	Trafficking in Persons
ULTHP	Urban Light Transitional Housing Program
UN ACT	United Nations Action for Cooperation Against Trafficking in Persons
USAID	United States Agency for International Development
Winrock	Winrock International



INTRODUCTION

Executive Summary

This report summarizes the findings of a Review of Models of Care for Trafficking Survivors that was completed by Winrock International (Winrock) in 2018-2019 under the United States Agency for International Development's Thailand Counter Trafficking-in-Persons project. The research aimed to compare models of care available to trafficked persons (men, women, girls and boys, and lesbian, gay, bisexual, transgender, queer, and intersex [LGBTQI] people) in Thailand, and assess their relative effectiveness in victim recovery. The study also explored models used elsewhere that could be adapted to the Thailand context. The report uses international standards, regional obligations, and good practices as benchmarks for quality of assistance. It provides recommendations to be considered by the Royal Thai Government (RTG), particularly the Ministry of Social Development and Human Security (MSDHS), and local non-governmental organizations (NGOs) as they strive to make assistance more responsive to survivors' needs.

Context of Assistance

Thailand is a country of origin, destination, and transit for forced labor and human trafficking. While the RTG has made substantial progress in the fight against trafficking in the last few years, identifying more victims, streamlining the prosecution of trafficking cases, and making victim assistance programs more tailored to individual needs. The RTG recognizes the need to renew its efforts in several priority areas, including in the investigation of labor trafficking cases, the prosecution of traffickers, and the compensation of victims. Sectors with the highest prevalence of human trafficking include the commercial sex industry and industries such as fishing, seafood processing, poultry farming, agriculture, construction, and garment production.

Migrant workers in the labor sector are particularly vulnerable to human trafficking and forced labor because of factors such as lack of legal status and Thai language skills, poor knowledge of their rights and Thai law, as well as the actions of unscrupulous labor brokers and employers. Shelters are the most widespread model of service provision to address the complex and pressing needs survivors face after their trafficking ordeal. Government shelters are run by MSDHS, which operates 76 short-stay shelters and nine long-term regional trafficking shelters. These shelters offer access to counselling, legal assistance, medical care, financial aid, witness protection, education or vocational trainings, and employment assistance. NGOs also provide parallel shelter services and in 2017, the RTG issued a regulation to contract out shelter provision to NGOs.

The shelter model presents a number of advantages in assisting trafficking survivors. Shelters offer a safe and protected environment in which trafficked persons can begin the recovery process and access a range of services (legal, medical, psychosocial, long-term rehabilitation, etc.) in a single location. From the perspective of the RTG, placing trafficking survivors in shelters also makes it easier for them to participate in the prosecution process. However, as discussed in detail in this study, the shelter model, whether operated by the government or NGOs, also has limitations. Trafficking shelters may restrict survivors' freedom of communication and mobility, limit their employment opportunities, and often do not provide them with individualized services to meet their needs. In addition, some shelters often lack well-trained staff working in a collaborative, interdisciplinary manner to provide comprehensive continuous care for victims based on personalized case service plans. To better understand how gaps can be addressed and service delivery can be improved, this study will assess the strengths and weaknesses of non-governmental shelter models, such as those operated by NGOs, and explore the viability of out-of-shelter community-based models using case studies and best practice models.

METHODOLOGY

The research methods for this study were qualitative in nature and included a review of recent studies done on this topic. It included key informant interviews with government authorities at the national and sub-national levels, civil society organizations that provide direct services to trafficking in persons (TIP) survivors, community-based organizations, and TIP survivors. A Strengths, Weakness, Opportunities, Threats (SWOT) analysis was also conducted based on the information gathered. The research was conducted in Bangkok and in provinces where government shelters and alternative models of TIP survivors' care are located (Nonthaburi, Pathum Thani, Chiang Mai, Ranong, Surat Thani, and Songkhla). See research workplan in **Annex 1**.

Desk Review

Documents reviewed for this study include international and regional conventions describing standards for TIP victim care as well as relevant legislation, policies, and plans of the Thailand government. These include: The United Nations Convention Against Transnational Organized Crime and the Protocols; the ASEAN Convention Against Trafficking in Persons, Especially Women and Children; and The Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime.

Studies analyzing approaches to victim care, provided in and outside of shelters, were also reviewed, including: Global Alliance Against Traffic in Women (GAATW, 2015), *Briefing Paper - Rebuilding Lives: The need for sustainable livelihoods after trafficking*, and the International Organization for Migration (2007), *The IOM Handbook on Direct Assistance for Victims of Trafficking*.

Studies exploring practices in after-care services to TIP victims were also consulted, including: Day, K. (2015), *(Re)integration of Cambodian Trafficked Men' – Trends in Trafficking and available aftercare services*; Mauney, R. and Srun, R. (2012), *Assessment of Shelter versus Community Based Services Report*; UNACT (2010), *(Re)integration: Perspectives of Victim Service Agencies on Successes & Challenges in Trafficking Victim (Re)integration in the Greater Mekong Sub-Region*; and Surtees, R. (2013), *After Trafficking: Experiences and Challenges in the (Re)integration of Trafficked Persons in the Greater Mekong Sub-region*.

Semi-structured Key Informant Interviews

The research included 29 semi-structured interviews with key stakeholder representatives from governmental agencies, NGOs, and subject-matter experts (see list of persons consulted in **Annex 2**). Key informants were selected based on their mandates and work experience related to victims' care. The governmental representatives work in DATIP, MSDHS, and government shelters for TIP victims located in different regions of Thailand. NGO representatives are involved in TIP victims' protection, including rescue, victim identification, and provision of care. Key informant interviews were conducted in the capital and in provinces where government shelters and alternative models of TIP survivors' care are located (Nonthaburi, Pathum Thani, Chiang Mai, Ranong, Surat Thani, and Songkhla). This guaranteed that diverse geographic regions and victim populations were considered in the research. **Annex 3** contains a list of guiding questions.

Case Studies

In-depth data gathering, and analysis of selected models of care for trafficking survivors was conducted and integrated throughout the study. Case studies focused on the sub-national level, particularly on good practices and their enabling factors, as well as challenges and limitations.

Research Location

The research took place in Bangkok and in provinces where government shelters and alternative models of TIP survivors' care are located (Nonthaburi, Pathum Thani, Chiang Mai, Ranong, Surat Thani, and Songkhla). Please refer to the research workplan in **Annex 1**.



ROYAL THAI GOVERNMENT'S SHELTER SYSTEM

Overview

Section 33 of Thailand's Anti-Trafficking in Persons Act, B.E. 2551 (2008) designates the MSDHS as the government agency responsible for assisting victims of human trafficking. The ministry fulfills this mandate through nine TIP-specific government shelters across the country. These are named "Welfare Protection Centers for Victims of Trafficking", and they operate under the Division of Anti-Trafficking in Persons (DATIP). The provision of shelter services for victims of trafficking in Thailand emerged from the model of foster homes and social service agencies developed by the Protection and Occupational Development Center, under the guidance of the Department of Social Development and Welfare of the MSDHS. In 2008, these shelters extended their coverage to Thai or non-Thai victims of human trafficking in various forms, including forced labor, prostitution, and begging. The

shelters provide safe accommodation, food, clothing, medical treatment, occupational training, rehabilitation, reintegration, and repatriation where applicable. Of the nine shelters, four provide services for female victims (in Phitsanulok, Nakhon Ratchasima, Nonthaburi, and Surat Thani), four provide services for male victims (in Chiang Rai, Pathum Thani, Songkhla, and Ranong), and one caters to boys (the Pak Kred Reception Home for Boys, also known as Baan Phumvet). In addition, in every one of Thailand's 76 provinces, the MSDHS operates shelters for children and families that provide emergency assistance and protection to Thai and non-Thai human trafficking victims, although this is not their core mandate. Because of their physical presence nationwide, these shelters may provide temporary care to Thai and non-Thai TIP victims identified through official victim identification before they are referred to one of the nine Welfare Protection Centers for Victims of Trafficking.

Legal Frameworks

Several international frameworks govern aftercare service provision for trafficking survivors, particularly as it relates to shelter services. These include Article 6 of the United Nations' Protocol to Prevent, Suppress and Punish Trafficking in Persons,¹ Guideline 6 of The Office of the United Nations High Commissioner for Human Rights' (OHCHR) Recommended Principles and Guidelines on Human Rights and Human Trafficking,² and The International Organization for Migration's Handbook on Direct Assistance of Victims of Trafficking,³ as well as provisions in regional frameworks such as Article 14 of the ASEAN Convention Against Trafficking In Persons (ACTIP)⁴ and national frameworks such as sections 29 and 33 of Thailand's Anti-Trafficking in Persons Act B.E. 2551 (2008).⁵ Below is a summary of the key guidelines on victim identification and assistance outlined by these frameworks as well as an analysis of the degree to which the RTG's shelter system complies with these standards.

Victim Identification

Guideline 2 of the OHCHR and Article 14, paragraph 1 of the ACTIP states that all parties are obligated to ensure proper victim identification and should develop guidelines and procedures for accurate identification of trafficked persons. The RTG conforms to these standards, as both the Multi-Disciplinary Identification Team (MDT) and officials from the agencies tasked with victim identification use standard operating procedures to identify victims. In recent years, the government has improved the victim identification system by introducing a standardized screening questionnaire, recruiting more translators and interpreters, building the capacity of multidisciplinary team members and labor inspectors in victim identification, expanding the definition of "forced labor or services" to include debt bondage and withholding of identification documents, and conducting more gender-sensitivity training for frontline officials.

CHALLENGES: MISSED IDENTIFICATION

Despite these important reforms, victim identification is still difficult. Law enforcement officials and first responders continue to fail to recognize non-physical indicators of forced labor such as non-payment of wages and document confiscation. Language barriers are also a problem, as there are not enough interpreters to conduct interviews of suspected TIP victims.⁶ The 2019 TIP report noted that "MDTs were sometimes reluctant to make identifications unless a case was likely to result in a successful prosecution".⁷ And although labor exploitation is a major problem in Thailand, sex trafficking accounted for the vast majority of the 304 identified cases of human trafficking in 2018: there were 258 reported cases of sex trafficking (84.8 percent), in contrast to 35 cases of forced labor (11.5%) and 8 cases of forced begging (2.6%).⁸

Because sex-trafficking investigations receive the most attention, it is easy to miss the identification of male labor-trafficking victims in male-dominated industries such as fisheries, poultry, and construction, all of which are susceptible to human trafficking. According to USAID's rapid assessment report, male victims are also at risk of not being formally identified, as "men are often not perceived by government authorities as victims of trafficking due to stereotypes that only women can be TIP victims and that men should be tough enough to handle difficult work conditions".⁹ In addition, men may be more reluctant to identify themselves as victims and receive protection and support.¹⁰

Despite the implementation of the 2016 Guidelines to Enhance Efficiency of Human Trafficking Victim Identification and the extension of the screening window to up to eight days in the event of insufficient information, a 2017 study reported that officials tended to confine themselves to the 24-hour deadline, often conducting screening in a rushed manner and not identifying certain

- 1 United Nations (2019). Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention Against Transnational Organized Crime. [online] p.3. Available at: https://ec.europa.eu/anti-trafficking/sites/antitrafficking/files/united_nations_protocol_on_thb_en_4.pdf [Accessed 23 Jun. 2019].
- 2 Office of the High Commissioner for Human Rights (2002). Recommended Principles and Guidelines on Human Rights and Human Trafficking. [online] p.9. Available at: <https://www.ohchr.org/Documents/Publications/Traffickingen.pdf> [Accessed 23 Jun. 2019].
- 3 The IOM Handbook on Direct Assistance for Victims of Trafficking. (2007). [online] Geneva, Switzerland: International Organization for Migration, p.112. Available at: https://publications.iom.int/system/files/pdf/iom_handbook_assistance.pdf [Accessed 23 Jun. 2019].
- 4 ASEAN Convention Against Trafficking in Persons, Especially Women and Children. (2015). [online] Association of Southeast Asian Nations, p.16. Available at: <http://agreement.asean.org/media/download/20160303122945.pdf> [Accessed 23 Jun. 2019].
- 5 RefWorld (2008). Anti-Trafficking in Persons Act B.E. 2551. [online] The Royal Thai Government, pp.11, 13. Available at: <https://www.refworld.org/pdfid/4a546ab42.pdf> [Accessed 23 Jun. 2019].
- 6 Social Impact (2017). *Rapid Assessment Report: Trafficking in Persons Situation in Thailand*. [online] Arlington, Virginia, United States: USAID/RDMA, p.26. Available at: https://pdf.usaid.gov/pdf_docs/PA00N3Q3.pdf [Accessed 23 Jun. 2019].
- 7 United States Department of State (2019). Trafficking in Persons Report. [online] United States Department of State, p.455. Available at: <https://www.state.gov/wp-content/uploads/2019/06/2019-Trafficking-in-Persons-Report.pdf> [Accessed 23 June 2019].
- 8 Draft of the Royal Thai Government's Country Report on Anti-Human Trafficking Response as of January 17, 2019. (2019). [online] The Thai Ministry of Social Development and Human Security, p.9. Available at: http://ccpl.mol.go.th/ewt_dl_link.php?nid=495&filename= [Accessed 2 July 2019].
- 9 USAID/RDMA (2017). Rapid Assessment Report: Trafficking in Persons Situation in Thailand (March 2017), p. 12
- 10 UNACT (2010). (Re)integration: *Perspectives of Victim Service Agencies on Successes & Challenges in Trafficking Victim (Re)integration in the Greater Mekong Sub-Region*, p. 10. Available at: <http://un-act.org/publication/view/reintegration-perspectives-victim-service-agencies-successes-challenges-trafficking-victim-reintegration-greater-mekong-sub-region/> [Accessed 24 June 2019].

victims.¹¹ While progress has likely been made in implementing this particular provision of the 2016 guidelines, the eight-day screening window may not be sufficient for potential victims to recover from their ordeal and build enough trust with officials to cooperate in investigations.

CONSEQUENCES FOR SERVICE PROVISION

Victim identification procedures play a big part in the effectiveness of government aftercare service provision. People identified as TIP victims are entitled to MSDHS protection procedures, which include medical treatment, psychosocial support, legal aid, and repatriation. However, those who are not identified as TIP victims do not have access to these services. Furthermore, undocumented migrants who are not properly identified as TIP victims continue to be deported back to their country of origin by the immigration police. The insufficient identification of victims makes it difficult to provide effective victim assistance. As underlined by Guideline 2 of the OHCHR, “a failure to identify a trafficked person correctly is likely to result in a further denial of that person’s rights”.¹²

Specialized and Individualized Services

Both the ACTIP and the UN Protocol require state parties to take into account “the age, gender and special needs of victims of trafficking in person”.¹³ According to the Bali Process’ *Policy Guide on Protecting Victims of Trafficking*, “a victim-centered approach includes: taking into account the individual needs of victims of trafficking and tailors protection responses accordingly”.¹⁴ The IOM Guidelines also recognize the need for tailored services and declares that all shelters should aim for “quality protection and assistance to victims based on individualized case service plans”.¹⁵ Thailand is sensitive to the need for specialized services for TIP victims and recently stated that it “continues to implement a human rights-based and victim-centric approach which focuses on non-discrimination, confidentiality, best interest of the child, and gender sensitivity”.¹⁶ 16 Key informants in this study reported that the RTG has made the victim identification process

more gender sensitive by using female staff to interview women victims whenever possible and training interpreters on gender sensitivity awareness. Recent reports have found that government shelters have been more accommodating of the cultural and religious needs of specific groups, such as Rohingya Muslims.¹⁷

The need for specialized and individualized services also has to be considered in the provision of employment and vocational opportunities for trafficking survivors, as outlined in Article 6 (3) of the UN Protocol, Guideline 6 of the OHCHR Guidelines, and section 33 of the Anti-Trafficking in Persons Act. In recent years, the RTG has tried to provide more vocational and employment opportunities to survivors residing in its shelters.

In 2017, 287 out of 450 victims in MSDHS shelters were employed, including 149 outside of shelters and 138 inside shelters.¹⁸ In 2018, only 65 victims (mostly men) were permitted to work outside the shelters¹⁹; although 290 victims were provided with employment inside the shelters and received an income. A total of 333 (or 48.4%) of victims under the care of the MSDHS remained unemployed in 2018 compared to 163 (or 36.2%) in 2017.²⁰ While many of the unemployed victims referred to in the RTG’s 2018 statistics were simply unable to work because they were too young, were receiving an education, or had been repatriated, it should be noted that 106 victims who were able to work could not do so due to security concerns.²¹

CHALLENGES: GENDER-INFORMED CARE

Studies have shown that institutional care is the least preferred model of alternative care²² because it does not meet individual needs and can be detrimental to personal development and well-being. Research conducted for this study corroborates these findings and suggests that more capacity building is needed for staff in government shelters to provide comprehensive and continuous care based on individualized case service plans. In particular, the more tailored services should consider gender-specific needs. One NGO representative said that government facilities did not cater to the specific needs of certain women or provide basic child care or assistance for foreign women who had

- 11 UNACT (2010). (Re)integration: Perspectives of Victim Service Agencies on Successes & Challenges in Trafficking Victim (Re)integration in the Greater Mekong Sub-Region, p. 10. Ibid.
- 12 Office of the High Commissioner for Human Rights (2002). *Recommended Principles and Guidelines on Human Rights and Human Trafficking*. [online] p.4. Ibid.
- 13 *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention Against Transnational Organized Crime*. [online] p. 4
- 14 *Policy Guide on Protecting Victims of Trafficking* (2015). [online] Bangkok, Thailand: The Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime, p. 2. Available at: <http://un-act.org/wp-content/uploads/2016/01/Policy-Guide-on-Identifying-Victims-of-Trafficking.pdf> [Accessed 23 Jun. 2019].
- 15 *The IOM Handbook on Direct Assistance for Victims of Trafficking*. (2007), Ibid.
- 16 Draft of the Royal Thai Government’s Country Report on Anti-Human Trafficking Response as of January 17, 2019. (2019). p.3. Ibid.
- 17 USAID/RDMA (2017). *Rapid Assessment Report: Trafficking in Persons Situation in Thailand* (March 2017), p. 28. Ibid.
- 18 Thailand’s Country Report on Anti-Human Trafficking Response. (2018). [online] The Thai Ministry of Social Development and Human Security, p.43. Available at: https://www.jica.go.jp/project/thailand/016/materials/ku57pq00001yw2db-att/thailands_country_report_2017.pdf [Accessed 23 Jun. 2019].
- 19 United States Department of State (2019), Ibid.
- 20 Thailand’s Country Report on Anti-Human Trafficking Response. (2018), Ibid.
- 21 Draft of the Royal Thai Government’s Country Report on Anti-Human Trafficking Response as of January 17, 2019. (2019). p. 34. Ibid.
- 22 Mauney, R. and Srun, R. (2012). *Assessment of Shelter versus Community Based Services Report*. [online] Phnom Penh, Cambodia: USAID and Winrock International, p.39. Available at: https://www.winrock.org/wp-content/uploads/2016/02/Final-Report-Winrock-Shelter-Vs-Community-Based-Services_Eng.pdf [Accessed 24 Jun. 2019].

babies while engaged in prostitution in Thailand. According to the *Legal Gap Analysis of Thailand's Anti-trafficking Legislation*, released by Liberty Asia in 2017, "specialized services in shelters tend to focus on female victims of trafficking (both women and girls)" and that "fewer specialized services are targeted at meeting the needs of men and boys".²³

Providing specialized assistance to LGBTQI survivors in government shelters also remains a challenge. According to key informants, while an increasing number of transgender women are being referred to government shelter facilities, there is no policy on where to place transgender individuals, and special arrangements for these victims are made on a case-by-case basis. Informants said that some transgender women had been sent to Chiang Rai and Pathum Thani Shelters for Men, without clear guidance on how to adjust the environment to accommodate the victims and leaving the shelters to adapt as they saw appropriate. The 2019 TIP report also found that MSDHS shelters did not provide specialized care to LGBTQI victims and that "authorities required transgender victims to stay in shelters based on their sex assigned at birth".²⁴ As it stands, tailored assistance to LGBTQI victims is constrained because there is limited information about their specific needs.

CHALLENGES: VOCATIONAL AND EMPLOYMENT OPPORTUNITIES

Governmental and NGO representatives say it is difficult to provide vocational opportunities tailored to individual needs. According to shelter staff, the shelters have limited capacity to provide vocational skills trainings that are of interest to victims and are suited to the job market of their home communities. The vocational training is highly gendered and usually includes a standardized package (e.g., hairdressing, weaving, or craft-making for women and motorbike repair, electrical repair, or barber training for men).

According to informants, income generation is the most pressing need for survivors, so they may refuse to be placed in a shelter or participate in vocational training programs if they feel these services are not tailored to their needs and will not allow them to earn an income.

With regards to employment opportunities afforded to survivors during their stay in shelters, respondents in this study also indicated that viable employment opportunities remained limited for

female victims. This is corroborated by the RTG's statistics, which indicate that nearly all the positions obtained outside shelters in 2017 and 2018 were in male-dominated sectors such as construction or electrical wiring. Furthermore, obtaining the necessary work permit to work outside of a shelter remains challenging for non-Thai trafficking survivors. According to the NGOs interviewed for a recent report published by USAID, "very few victims in government shelters are given work permits".²⁵ In addition, the U.S. Department of State's 2019 TIP report indicated that the government "was less likely to grant female victims the right to work".²⁶

Psychological Support

All of the aforementioned international and regional frameworks call for the provision of medical and psychological assistance to trafficking survivors, and Thailand's Anti-Trafficking in Persons Act includes such a provision on "mental and physical rehabilitation" in Section 33.

The MSDHS acknowledges the importance of victims' mental health and has increased its efforts to incorporate trauma-informed care across its spectrum of anti-trafficking activities. Two workshops on trauma-informed care were held in 2018 for those engaged in the protection of trafficked persons, including NGO representatives and psychologists. The MSDHS used the results from the workshops to design trauma-informed care training courses for 2019.

CHALLENGES: MENTAL HEALTH SERVICE PROVISION

While trafficking survivors require psychosocial and mental health support after their ordeal, the available services do not fully meet the needs of many. A study of the mental health of trafficked people in the Greater Mekong subregion found that "61% of men and 67% of women, as well as 57% of children, reported probable depression (i.e., symptoms indicative of depression as measured by a standardized screening tool) and probable post-traumatic stress disorder was reported by 46% of men, 44% of women and 27% of children (Kiss et al, 2015)".²⁷ Many victims who reside at government shelters are reportedly mentally disoriented and require specialized help.²⁸ However, respondents said there are not enough staff trained to provide trauma-informed care or refer survivors to counselors/psychologists with specialized training in trauma. Men, in particular, have difficulty accessing the psychosocial support services they need. As

23 Liberty Asia, MAST, and Linklaters (2017). *Legal Gap Analysis of Thailand's Anti-Trafficking Legislation*. [online] p. 28. Available at: <http://un-act.org/publication/view/legal-analysis-human-trafficking-thailand/> [Accessed 9 July 2019].

24 United States Department of State (2019). Ibid.

25 USAID/RDMA (2017), p. 28. Ibid.

26 United States Department of State (2019), Ibid.

27 Altun, S. and others (2017). *Mental health and human trafficking: responding to survivors' needs*. Online at: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5618827/>

28 USAID/RDMA (2017), Ibid

mentioned, gender stereotypes and societal perceptions of men as breadwinners who are expected to take the risk of migrating abroad and working in difficult conditions means that government authorities often fail to identify them as labor trafficking victims. Even when they are identified, service providers are less likely to recognize needs such as psycho-social counseling services for men.²⁹ Despite ongoing training sessions for interpreters, few of them understand human trafficking and its impact on mental health. While the MSDHS employed 251 interpreters in 2018, government shelters often lacked interpreters,³⁰ which hampers their ability to provide psychosocial support. There is also a shortage of psychologists in government shelters, which may compromise the quality of care.

Physical Protection of Trafficked Persons

The need for immediate safety and protection makes the shelter model necessary in some cases, particularly for children. All of the international and regional frameworks cited in this study include provisions for the protection of the physical safety of trafficked persons. However, as detailed below, the shelter system — particularly closed-shelter systems operated by the government — may deny freedom of movement and the right to liberty and put survivors at risk of indefinite or prolonged detention.

CHALLENGES

Unlike Thai victims, who can opt out of the shelter system and still receive government assistance, non-Thai victims of trafficking are required to stay in one of the government's nine MSDHS shelters for the duration of court proceedings – in some cases for up to nine months. Informants explained that government shelters are “closed-system” and that residents are only allowed to leave the premises in specific circumstances: seeing a doctor, following up on a legal case or a compensation order, or participating in recreational activities with shelter staff. Other exceptions include situations where victims, mostly men, have found employment outside the shelter and stay in housing provided by their employer or where foreign trafficked survivors hold a valid visa and are permitted to reside outside shelters. Provisions regarding shelter stays for child victims of trafficking are different, as Thailand's Child Protection Act B.E. 2546 (2003) stipulates that a child cannot be placed in a shelter for a period in excess of 7 days unless an extension of up to 30 days is deemed “necessary and appropriate to the interest of the child.”³¹

However, freedom of mobility and communica-

tion remain restricted for most survivors. Visitors are required to ask permission in advance to visit victims, and phone calls made by residents in government shelters are monitored by the staff and are sometimes not allowed. Government respondents say these rules ensure the safety of the victims, as brokers or employers are known to visit victims at shelters to persuade them to cease cooperating with the government.

Yet, these protection measures can disproportionately affect female victims in a negative fashion. It remains common procedure for the government to hold adult women victims of trafficking in shelters – without consent – until they can be sent back or repatriated to their home communities.³² Government shelters can also be detrimental to the integrity of families, as only one shelter offers a family facility. In certain cases, family members are separated or sent to different shelters based on their age or gender.

The government is aware of the adverse impact shelters can have on survivors' well-being and has taken measures to address the problems. In addition to the victim-centered measures around vocational training and employment discussed in this paper, the RTG has been steadily increasing the budget for witness-protection services under The Witness Protection Act, B.E. 2546 (2003). In addition to the victim-centered measures around vocational training and employment previously mentioned, the RTG has made efforts to loosen some restrictions on victims' freedom of mobility. In 2018, the MSDHS organized its first ever team building activity in which 80 victims (40 men and 40 women) were invited to participate in activities outside the shelters and relax and socialize with victims from other shelters. The RTG has also tried to reduce the burden on victims by reducing the amount of time they spend in shelters, bringing the average shelter stay down to between three and six months in 2017 and 2018. Finally, the RTG has increased restitutions to identified victims made through the Anti-Human Trafficking Fund (AHTF) to help promote victims' sustainable return and reintegration into society.

A total of 6.15 million THB (192,789.97 USD) were disbursed by the AHTF in 2018, compared to 5.64 million THB (176,802.5 USD) in 2017. The AHTF provides remedy and compensation to cover costs such as living expenses, rehabilitation expenses, legal assistance, education/training, accommodation, etc.³³

29 USAID/RDMA (2017), p. 12.

30 United States Department of State (2019), *Ibid.*

31 Section 42, Child Protection Act B.E. 2541

32 USAID/RDMA (2017), p. 13.

33 The Royal Thai Government's Country Report on Anti-Human Trafficking Response. (2019). [online] The Thai Ministry of Social Development and Human Security, p. 29, 32. *Ibid.*

Conditionality of Assistance

Obligation to Participate in Prosecutions

Section 6.5.2 of the IOM Guidelines states that victims have the right to remain silent and “should not be compelled by the criminal justice system to become a witness or to provide a deposition”.³⁴ Likewise, Guideline 6 of the OHCHR Guidelines specifies that the provision of shelter “should not be made contingent on the willingness of the victims to give evidence in criminal proceedings”.³⁵ However, according to informants, in Thailand, the granting of the official status of “victim of trafficking” and its associated benefits is contingent upon cooperation with law enforcement. This may lead to increased stress, re-traumatization, and expose survivors to reprisals or intimidation from their traffickers. While the RTG has reduced the burden on victim-witnesses by allowing them to provide testimony via video conference or in writing,³⁶ cooperation with law enforcement remains a requirement for formally identified victims of trafficking.

Due to the limited assistance provided to trafficking survivors in government shelters and the restrictions on their mobility, communications, and employment, both Thai and non-Thai trafficked persons have refused the protection offered to them in MSDHS shelters. According to the RTG, 824 trafficking victims were identified in 2017, but only 561 received services from government shelters.³⁷ In 2018, 631 victims were identified and 401 obtained assistance in shelters.³⁸ While this is explained, in part, because some officially identified Thai victims returned to their homes rather than stay in a government shelter, NGO representatives suggest that trafficked persons, especially migrants, may choose to reject services in order to avoid stays in government shelters. In addition, according to one NGO informant, many non-Thai victims prefer deportation over official identification and mandatory shelter stays because it allows them to reunite more quickly with their families. Table 1 below summarizes the advantages and disadvantages of being identified as a victim of trafficking.



34 The IOM Handbook on Direct Assistance for Victims of Trafficking. (2007), P. 279. Ibid.

35 OHCHR (2002), p.8. Ibid.

36 The Royal Thai Government's Country Report on Anti-Human Trafficking Response. (2019), p. 3. Ibid.

37 Raks Thai Foundation (2017). *Review of Shelter Services Provision to Victims of Trafficking in Thailand*. Bangkok, Thailand: Raks Thai Foundation, p.17.

38 United States Department of State (2019), p. 454.

Table 1. Advantages and Disadvantages of Being Identified as a Victim of Trafficking



ADVANTAGES

Formally identified victims are offered the security and protection of MSDHS shelters. This can be especially important in the early post-trafficking stage, when reprisals from traffickers are a real risk.

Victims are entitled to benefits including counselling, legal assistance, medical care, civil compensation, financial aid, witness protection, education or vocational trainings, and employment assistance.

Foreign victims who act as witnesses in prosecutions are granted a work permit and can stay and work for up to two years following their legal proceedings.

Being identified as a victim of trafficking allows survivors to seek a means of legal redress by helping to secure the conviction of their abusers or by obtaining remedy or compensation.

Thai victims are provided with continual support and follow-up services by all 76 provincial MSDHS offices, which periodically assess their reintegration outcomes.

Foreign victims are safely repatriated back to their home communities on a voluntary basis and at no cost.

DISADVANTAGES

Officially identified victims only receive MSDHS benefits if they cooperate with law enforcement, which may entail the following disadvantages:

Foreign identified victims must stay in government shelters during the length of legal proceedings – often for more than six months – and cannot return home (unless they are offered the possibility of providing testimony via video conferencing or in writing). Participating in prosecutions may lead to physical threats and intimidation from traffickers.

Victims who serve as a witness sometimes experience additional pressure and re-traumatization.

Many trafficking victims who stay in shelters experience constrained freedom of movement and limited employment or income-generating opportunities. This potential loss of income is especially problematic for migrant victims who have incurred debt as a result of their migration.

Thai victims who opt to not stay in a shelter may have to travel long distances to the provincial court at their own expense.

Shelter stays may result in the victim being separated from his or her family.

It may be difficult for survivors to definitively leave the shelter before their legal case is over once they have consented to MSDHS protection.



GOOD PRACTICE MODELS FOR VICTIM ASSISTANCE

National Referral Mechanisms and the Concept of “Presumed Victims”

The Organization for Security and Cooperation in Europe (OSCE) introduced the National Referral Mechanisms (NRM) framework in 2004 to formalize cooperation among government agencies and NGOs dealing with trafficked persons. The objective of the NRM is to “ensure that the human rights of trafficked persons are respected and to provide an effective way to refer victims of trafficking to services”.³⁹ It recommends that support and protection services be extended to “presumed trafficked persons” who are likely to be victims of trafficking but have not yet

been identified as such by the competent authorities. Central to the NRM is the idea that victim identification can be improved by allowing investigators enough time to collect evidence and survivors enough time to recover from their trauma and speak about their ordeal before a final determination is made. According to the OSCE, “failure to identify victims at an early stage can result in inadequate protection of victims and the violation of their rights, which in turn may obstruct effective prosecution of the crime”.⁴⁰ The identification of presumed victims is outlined as a best practice in The Bali Process’s *Policy Guide on Identifying Victims of Trafficking*.⁴¹

39 OSCE/ODIHR (2004). *NATIONAL REFERRAL MECHANISMS: Joining Efforts to Protect the Rights of Trafficked Persons A Practical Handbook*. [online] Warsaw, Poland, p.15. Available at: <https://www.osce.org/odihr/13967?download=true> [Accessed 24 Jun. 2019].

40 OSCE (2011). *Trafficking in Human Beings: Identification of Potential and Presumed Victims, a Community Policing Approach*. SPMU Publication Series Vol. 10. [online] Vienna, Austria, p.26. Available at: <https://www.osce.org/spmu/78849?download=true> [Accessed 24 Jun. 2019].

41 Policy Guide on Identifying Victims of Trafficking (2015). p. 7. Ibid.



Recovery and Reflection Periods

Another victim-centered measure closely associated with the NRM's concept of "presumed victims" is the recovery and reflection period. Article 13 of the Council of Europe Convention on Action against Trafficking in Human Beings recommends that countries introduce a recovery and reflection period of at least 30 days to "give the individual a chance to recover and to escape the influence of traffickers and/or to make an informed decision on cooperating with the authorities". During the recovery period, presumed trafficked persons are afforded legal status and protection from detention and deportation measures. While countries like Sweden and Belgium make legal residence in the country contingent on cooperation with the police after the expiration of the recovery period,⁴² countries like Finland, Iceland, and the United Kingdom allow, in certain instances, residence permits on humanitarian grounds independent of cooperation. Recovery and reflection periods can also be found in protection policies for trafficking victims in Asia. The Bali Process's *Policy Guide on Protecting Victims of Trafficking* strongly advocates for the provision of a recovery and reflection period for victims of trafficking.⁴³ In Australia, victims are entitled to up to 45 days of assistance through the Australian Federal Policies' support plan irrespective of whether they are willing or able to assist with the investigation or prosecution of a human trafficking case.⁴⁴

Case Study: the NRM in the United Kingdom

The United Kingdom implemented the OSCE's NRM in 2009 and it is the framework in place for identifying and assisting trafficked persons. Potential cases are referred to the Home Office by police, NGOs, local authorities, or the Border Force. The competent authority (The UK Human Trafficking Centre or the Home Office) makes a first determination regarding initial identification, or "reasonable grounds decision", within five days of the person's referral, applying a low threshold test ("I suspect but cannot prove") that is lower than the criminal standard of proof. People who are presumed to be victims of trafficking then start a minimum 45-day reflection period (90 days in Scotland) with access to services such as accommodation, health care, and counseling, during which they decide whether to cooperate with law enforcement and assist in the prosecution process. This 45-day recovery and reflection period is offered even if the victim in question decides not to assist the police in their investigations. It should be noted that non-European Economic Area (EEA) nationals do not have the right to work and cannot access public services. At the end of the recovery period, a substantive conclusive grounds decision is made on whether the person is in fact a victim of trafficking, according to a higher threshold.⁴⁵ For those confirmed as victims of trafficking, the Home Office will automatically consider whether the granting of a renewable residence permit is appropriate under the following criteria: those relating to personal circumstances, assisting police with inquiries, and pursuing compensation once a positive conclusive grounds decision is issued.⁴⁶ Those adults with a positive grounds decision are also entitled to a further period of move-on support, the length of which is determined based on individual needs and independent of the victim's willingness to cooperate with law enforcement.⁴⁷

42 TemaNord (2012). *Balancing protection and prosecution in anti-trafficking policies A comparative analysis of reflection periods and related temporary residence permits for victims of trafficking in the Nordic countries, Belgium and Italy*. [online] Denmark: Nordic Council of Ministers, p.37, 39. Available at: <http://www.diva-portal.org/smash/get/diva2:701729/FULLTEXT01.pdf> [Accessed 24 June 2019].

43 Policy Guide on Identifying Victims of Trafficking (2015). p. 9. Ibid.

44 United States Department of State (2019). p. 76., Ibid.

45 United Kingdom Home Office (2018). *Victims of modern slavery – Competent Authority guidance*. [online] p. 12, 14. Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/797903/victims-modern-slavery-competent-auth-v7.0-ext.pdf [Accessed 24 Jun. 2019].

46 United Kingdom Home Office (2018). *Discretionary leave considerations for victims of modern slavery*. [online] p.7. Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/739436/dl-for-victims-of-modern-slavery-v2.pdf [Accessed 24 Jun. 2019].

47 Cps.gov.uk. (2019). *Human Trafficking, Smuggling and Slavery*. [online] Available at: <https://www.cps.gov.uk/legal-guidance/human-trafficking-smuggling-and-slavery> [Accessed 8 Sep. 2019].

NON-GOVERNMENTAL SHELTER CARE MODELS

NGO Shelters

Despite the need for these types of services, government programs — in Thailand and elsewhere — may be limited in their ability to provide trafficked survivors with interventions centered on their needs. Governments tend to privilege a criminal justice approach to human trafficking that places more emphasis on prosecuting perpetrators than on supporting victims' rights. Because victim-focused NGOs are non-state actors and not driven by law-enforcement prerogatives, they may be better able to provide assistance that is responsive to victims' needs. Starting around 2006, NGOs in Thailand established parallel victim support services for trafficking victims alongside the government's response in particular localities. These NGOs have shouldered the responsibility of providing shelter and other services to victims. In accordance with Thailand's Anti-Trafficking in Persons Act B.E. 2551 (2008), the National Operational Center on Prevention and Suppression of Human Trafficking initiated the registration of anti-trafficking NGOs with the MSDHS in 2010 to allow them to support the government in prevention, protection, and prosecution,⁴⁸ but without government oversight or financial support. Key informants (including government shelter staff) view NGO-operated shelters as valid alternatives for TIP victims, as they can remove some of the burden on government shelters and fill gaps in government shelter services by assisting those who are not formally identified as victims and providing them with more family-like living conditions that allow for greater freedom of mobility.

NGOs operate a variety of shelter models. According to Raks Thai Foundation study, many organizations working on anti-trafficking have adapted their facilities to provide shelter and legal assistance to Thai and non-Thai victims. These agencies/organizations include the MAP Foundation (Tak, Mae Sot), the Foundation for Education and Development (Phang Nga), Migrant Worker Rights Network (Samut Sakhon), and the Labor Protection Network Foundation (Samut Sakhon).⁴⁸ The NGO shelters chosen for this study are representative of NGO shelters in Thailand and reflect the advantages and challenges of the different models. The following are examples of different service models assessed in this study.

ZOE INTERNATIONAL, CHIANG MAI PROVINCE, THAILAND

ZOE Children's Homes welcome orphans, at-risk children, and rescued trafficking victims aged 0 to 17 years into its restoration program. As part of its aftercare package, boys and girls are placed in a safe home where they receive meals, education, and vocational and life-skills training. The goal of ZOE's aftercare program is to restore the lives of human trafficking survivors so they have the courage to plan for their future.

Services provided:

When a child victim is rescued, he or she enters one of ZOE's safe houses. They receive short-term specialized care that involves rehabilitation, counselling, medical check-up, acclimation, and witness protection. In certain cases, the Department of Social Welfare may recommend that the child move into ZOE's aftercare facility for long-term or permanent care when government shelters are found unsuitable for the needs of the victim. At the time of this study, ZOE housed one female child referred by the multidisciplinary team in Chiang Mai. The girl was supposed to be sent to the government shelter, but she and her family wished for her to be in ZOE in Chiang Mai, as it was much closer to their home. The Chiang Mai multidisciplinary team accepted their request in accordance with the best interest of the child principle outlined in the Child Protection Act B.E. 2541.⁴⁹ The multidisciplinary team and the shelter worked closely to ensure that the child received all necessary service through ZOE.

Approach to service provision:

According to the key informants representing ZOE, the shelter provides a family-like environment for children, with a caretaker-to-child ratio between 1:1 and 1:6, depending on the age and needs of each child.

The organization takes a victim-centered approach in conducting a needs assessment of a child. The shelter used to have a one-size-fits-all schedule from Monday to Sunday but has since adopted a more victim-centered approach, allowing the children to decide how their time is spent, based on facilities and services available. The staff members conduct a weekly meeting to report on the development of each child. Some children stay with

48 Raks Thai Foundation (2017, p.8. Ibid.

49 Section 22, Child Protection Act B.E. 2541

ZOE until their court case finishes. Others stay for only a few days before being referred to government shelters. For children who reach the age of 18, ZOE provides continued support and offers scholarships for those pursuing higher education. Several former ZOE children have graduated from college and returned to ZOE to work as staff.

Family tracing is an important step for ZOE. The shelter believes that children should stay with their families in their own community and that institutional care is the last resort. Prior to returning the child to its family, in cooperation with the multidisciplinary team, the family is consulted to ensure they are ready to take the child back. If the family collaborates, there is a higher likelihood of successful integration.

STELLA MARIS CENTER FOR SEAFARERS, SONGKHLA (BAAN SUKSAN), THAILAND

The Stella Maris Center for Seafarers in Songkhla (Baan Suksan) was established in 1986 under the Catholic Bishops' Conference of Thailand. The Center provides assistance for women and child laborers, HIV/AIDS patients, migrant workers (particularly those from Myanmar, Cambodia, and Laos), and Thai laborers who work abroad. Currently, the Center operates under the National Catholic Commission on Migration and Prisoners.

Baan Suksan is certified by the multidisciplinary team in Songkhla (following Songkhla's Anti-Trafficking Operational Guidelines) to provide shelter for trafficking victims. At present, the Center can hold approximately 50 people at full capacity. They organize mental and psychosocial recovery activities; provide interpretation, counselling, and reintegration services; and refer survivors to partner agencies. The Baan Suksan shelter also provides lodging to sick workers who have been referred by the hospital or their employers.

The government also refers some TIP victims to stay in the shelter when faced with particularly complicated cases. For example, a male victim under 15 years old rescued from fishing boats - who was not entitled to stay at the government shelters for men and was too old to stay at the provincial shelter for children and families - was referred to the shelter.

The Baan Suksan shelter allows for greater personal freedom and mobility than do government shelters. There is no fence, and tenants can move freely with the understanding that they must inform staff members if they want to leave the premises. The shelter is next to the Stella Maris office and is minded by the beneficiaries themselves. They take turns cooking, cleaning their bedrooms, and doing laundry. Staff members organize group and individual development activities regularly.

According to the key informant representing Stella Maris, the shelter has never had a major security issue. Police officers were sent to guard the shelter on one occasion, when Baan Suksan harbored a large group of trafficked fishermen who were waiting to pursue a legal case, but no incident occurred.

CHALLENGES

While NGO-operated shelters offer advantages, their independence from the government presents disadvantages. For example, the majority of trafficked persons residing in NGO shelters have not been formally identified as victims, and therefore do not benefit from MSDHS assistance. Furthermore, NGO-run shelters are not funded by the government. They receive grants from donors, usually on a project-basis, and may not enjoy stable or secure funding. According to the Raks Thai report on government shelters, NGOs cited "insufficient budget for daily operations" as the biggest constraint on service provision. NGOs may also be restricted by their donor's requirements in the scope of services they can deliver. These organizations often have clearly defined target groups — for instance, women and/or children trafficked for sexual exploitation — and may deny assistance to trafficked persons outside that group.

In addition, NGOs may experience the same challenges the government faces in providing shelter services. Many struggle to provide adequate psychosocial services, offer individualized vocational and employment opportunities to survivors, and recruit enough translators or interpreters. Like government shelters, NGO shelters experience shortages of staff for certain key positions, including nurses, counselors, social workers, and lawyers.

Unregistered NGOs in Thailand present a specific set of challenges. These NGOs are often voluntary, grassroots organizations that work within the boundaries of their communities and rely on donations to fund their activities.

Because they are not obligated to report to any government authority on their funding and activities, they enjoy no oversight and relatively little accountability. This may compromise the welfare of trafficking survivors when security protocols and safety regulations are not well-established or well-respected. The RTG estimates that there are several hundred unregistered NGO shelters in Thailand offering services to victims of trafficking, mostly women and children. Many unregistered, community-based organizations face challenges in offering quality care to beneficiaries due to their less complex organizational structure, lack of qualified paid staff, and over-reliance on volunteers to provide assistance..

Government-Certified NGO Shelters

One possible solution proposed by the RTG is to combine the strengths and limit the weaknesses of the government and NGO shelter models by contracting out shelter management to qualified NGOs. In 2017, the RTG issued the Regulation Permitting NGOs to Establish Shelters to Assist Victims of Trafficking, B.E. 2560. In a follow-up of the registration process that was initiated in 2010, the regulation allows qualified NGOs to apply for funds from the MSDHS anti-trafficking fund and receive technical support from MSDHS. These NGO-run shelters must operate in accordance with the SOP finalized by the MSDHS. According to the RTG, this regulation will “improve support for victims of trafficking as well as allow victims to freely choose protection services that best suit their needs”. If implemented, this regulation could encourage victims weary of a stay in government shelters to come forward for victim identification and assistance. It would also allow participating NGOs to benefit from sources of funding and technical assistance that might have otherwise been lacking. The government has so far registered three NGO shelters to provide services to victims under government authority. A total of 15 victims chose to be protected in registered NGO shelters in 2018.

CHALLENGES

The new regulation issued by the MSDHS allows NGO shelters to house TIP victims for only seven to 14 days. As many NGO shelters in Thailand cater to child victims, this stipulation was included to conform with the seven-day limit on children’s stays in shelters as outlined by Section 42 of the Child Protection Act B.E. 2546 (2003). However, if the registering NGO caters to adult victims, the RTG should change the regulation to allow the shelters to provide services on a long-term basis, as is the case in government shelters. Uncertainty around government funding should also be addressed, as this may discourage NGOs from registering with the MSDHS. As of yet, the RTG has not provided the three registered NGO shelters with additional funding to support their operations.

While registered shelters can apply for MSDHS financing through the anti-trafficking fund, this is intended to support core activities related to shelter care provision rather than institutional capacity building. Thus, complying with the MSDHS’s SOP may be a significant financial burden for NGOs, especially in the recruitment of permanent key staff positions such as nurses, psychologists, social workers, lawyers, and the provision of 24-hour security.

In addition, while participating NGOs will have to respect the SOP outlined above, it is not yet clear how much freedom they will have in managing and operating the shelter under government oversight. For instance, it remains to be seen how much freedom of mobility adult victims will be allowed. If this regulation is to improve victim assistance, the service offerings and living conditions must be better than those in government shelters.



Requirements for Government-Certified NGO Shelters

The Regulation Permitting NGOs to Establish Shelters to Assist Victims of Trafficking, B.E. 2560, includes the following key operational requirements:

Staff composition

Shelters are required to have the following staff members: director, social worker, caretaker, security guard, interpreter, and staff performing medical treatment, physical and psychological rehabilitation, education, vocational training, and legal aid. The regulation also suggests that shelters should have a multidisciplinary team to provide protection to TIP victims.

Facilities

The shelter should have the following spaces: bedrooms, activity rooms, kitchens, bathrooms, and other rooms as necessary. The facility should be private and respect the human dignity of victims, regardless of gender, age, nationality, or culture. The facility should be equipped with a security system and equipment.

Assistance and protection of victims

- Respect the human dignity, safety, physical and mental condition, gender, nationality, race, and culture of the victims, and protect their confidentiality except for the benefit of the government.
- The shelter shall not charge victims or people related to them any fee or expense except for their personal expenses.
- The shelter shall inform victims about their rights to protection – including the timeframe of the process, rules, and regulations – at each stage, including before, during, and after the process.
- The shelter shall report to the Anti-Human Trafficking Bureau, MSDHS, or Provincial Office of Social Development and Human Security to claim compensation for the victim.

Procedures specific to foreign victims

- Inform the Anti-Human Trafficking Bureau for permission for a temporary stay in Thailand, and to receive assistance and protection as TIP victims.
- Victims who want to temporarily work in the country shall inform the Anti-Human Trafficking Bureau to request permission based on appropriateness and safety.

The shelter shall have a status of temporary shelter as specified in Section 29 of the Anti-Human Trafficking Act, B.E. 2551



NON-SHELTER CARE PROVISIONS

Community-Based Care

While shelters operated by NGOs may allow survivors more freedom and mobility than government shelters, they have limited amenable resources and may pose unwanted constraints on survivors. Trafficked persons interviewed for this study said they would prefer to receive services in their own community rather than in a shelter. For this reason, NGOs have begun experimenting with community-based care. This model can take the form of in-home living and assistance, kinship care, temporary foster care, and independent living homes. Services can be the same as those provided in shelters, including health care, psychosocial support, education and vocational training, legal information and representation, and community integration or reintegration.⁵⁰ However, because the scope of this research is limited to shelter-based care, this report has examined alternative models of service provision that are situated half-way between traditional shelter programs and community-based interventions. NGOs are developing transitional housing programs through independent, non-restrictive, home-like living arrangements that promote self-sufficiency and empower survivors to take an active role in their own reintegration. The following are examples of alternative models for service provision.

NIGHTLIGHT, BANGKOK, THAILAND

NightLight Foundation provides assistance and interventions to both national and international victims of trafficking and prostitution. Services include emergency shelter, rehabilitation/counselling, childcare, life-skills courses, employment and job training, leadership development, and support for continuing education. **NightLight Design, Co. Ltd** is a registered jewelry business that offers dignifying employment and personal development opportunities to women who have come out of prostitution or trafficking in Thailand.

The main service areas for TIP victims include:

Shelter and repatriation:

NightLight provides rescue and emergency relief for women and children at risk in the Nana/Sukhumvit area. Eight apartments are rented as living quarters shared by rescued women, and six of them are in the same building. Women have their own bedrooms. At the time of this study, NightLight had 14 female survivors in its care. They take turns visiting the center for activities such as counselling and medical checkups.

Holistic restoration:

NightLight offers emergency shelter and crisis intervention (as needed), childcare, life-skills training classes, educational scholarships, and spiritual-development opportunities. Each week, women employed by NightLight take part in small group sessions for personal healing and development. As part of the organization's restoration program, the women visit the Thai and international program centers to participate in these activities as a community.

Vocational training and employment:

Women receive paid vocational training and employment through NightLight Foundation and NightLight Design. They can work in a variety of areas, including jewelry, apparel, screen-printing, baking, its coffee shop, and its childcare center. As they develop their skills, they can branch out into technology, accounting, purchasing, management, marketing, networking, and public relations.

NightLight has security protocols and requires women to remove the sim cards from their phones to ensure that contact with traffickers is cut off. NightLight has never faced security issues, even though the apartments have no guard.

The NightLight model is more community-based than shelter-based. According to a key informant, operating a shelter is costly and burdensome, and shelters provide dissimilar living conditions akin to living in an institution. The informant said it is important that the women learn to live in a real community so their needs and vulnerabilities can be identified and addressed. The center provides the women with vocational job training, which they must attend every day. If they are late or absent, the wages they are paid for training are deducted. This practice helps prepare the women for the challenges of the working world.

50 Mauney, R. and Srun, R. (2012). p.7. Ibid.

A model for community-based care

The Coalition to Abolish Slavery and Trafficking (CAST) is a Los Angeles–based non-profit organization “that is working to put an end to modern slavery and human trafficking” through direct assistance and advocacy work. CAST’s services include a long-term 12 to 24-month transitional housing program for trafficking survivors that is “designed to help clients establish independence and self-sufficiency, build community, and expand their own supportive networks”. The program is open to single, adult women who are exiting CAST’s short-term emergency housing or have completed rehabilitation or reintegration programs within CAST or other partner organizations. Eligibility is assessed based upon safety, availability, and current needs. The shelter serves up to 10 women (18 and older) and offers one to two years of “transitional housing, case management, a financial savings program, social and cultural activities, group therapy, supportive counselling and more. Shelter residents are also taught skills in conflict resolution, job training, independent living and financial planning”. The housing provides a home-like environment and includes “an outdoor sanctuary filled with fruit trees and a garden where residents can plant herbs and spices to use in their cooking”. All services are voluntary, and no restrictions are placed on women’s freedom of communication or movement. From the beginning, CAST encourages women to participate in the decisions that affect them and makes accommodations for languages and culture when necessary. CAST provides services to clients after they exit the program on an as-needed basis, although most of the women who graduate from transitional housing are already self-sufficient and require little support. CAST staff did not mention any major problems, although a senior CAST staff member noted that transitional housing had yet to be extended to male victims. Scalability was not cited as a concern, as the staff member said the program’s small size was necessary to provide personalized services in a home-like environment.

A best practice for multi-stakeholder cooperation

CAST is part of the Los Angeles Regional Human Trafficking Task Force (LARHTTF), an anti-trafficking coalition that offers an instructive model of multi-stakeholder cooperation. The LARHTTF brings together community, government, law enforcement, and NGOs under the shared mission of increasing early victim identification, strengthening the investigation and prosecution of trafficking cases, and addressing the individualized needs of trafficking victims. The task force was born out of an “enhanced collaborative” grant model developed by the U.S. Department of Justice in the early 2000s to allow local NGOs and law enforcement agencies to create joint task forces to combat trafficking. The LARHTTF is made up of CAST, the Los Angeles County Sheriff’s Department, the division of Homeland Security Investigations, and the U.S. Attorney General’s Office. According to Philip Gnaedig, the Task Force Coordinator, the LARHTTF has been effective in identifying and assisting victims and providing them with access to justice. Each stakeholder’s role and responsibility are clearly stated in written protocols, ensuring a seamless transition between services for trafficking survivors. The L.A. County Sheriff’s Department investigates cases while CAST focuses on victim assistance and protection (food, shelter, trauma-informed care, legal assistance, referral services, etc.). For its part, the Department of Homeland Security supports or takes the lead on cases that involve cross-border criminal activity. The U.S. Attorney General’s office is kept abreast of all ongoing cases to determine which are viable federal prosecutions. Members of the LARHTTF work together from the same physical location in Los Angeles, which facilitates coordination.

One challenge associated with this multi-stakeholder model is that law enforcement and NGOs have different prerogatives. The L.A. County Sheriff’s Department’s imperative is to prosecute perpetrators while CAST’s priority is to defend the interest of victims. This can lead to tensions, for instance, when a victim refuses to cooperate in investigations. However, protocols are in place to ensure that the stakeholders are aware of their respective roles and responsibilities. The greater concern for a victim-focused organization like CAST is that the policy orientation of law enforcement has an impact on how they prioritize trafficking cases. For example, the L.A. Sheriff’s Department tends to focus on sex trafficking rather than labor trafficking, because the L.A. Sheriff is an elected official and his constituents are more concerned about sexual exploitation than labor exploitation.

One other potential limitation of the LARHTTF relates to scalability. Much of the LARHTTF’s success is due to the fact that each of its four steering members have invested their own financial resources into the task force. This may not be possible for NGOs and law enforcement agencies in other localities that can only use the funding provided by the Department of Justice. That said, the LARHTTF task force coordinator pointed out that smaller task forces in other cities have also been effective. Their smaller size can make it easier to streamline inter-agency coordination and focus on particular forms of trafficking. For example, the Washington Advisory Committee on Trafficking, in particular, has been effective in investigating and prosecuting labor trafficking cases and providing assistance to victims.

URBAN LIGHT TRANSITIONAL HOUSING PROGRAM, CHIANG MAI, THAILAND

Urban Light is an organization “dedicated to empowering, restoring and providing emergency services and support to boys in Chiang Mai who are victims of trafficking exploitation”. The Urban Light Transitional Housing Program (ULTHP) provides a good model for transitional housing programs. The ULTHP empowers participants to live independently for 12 months while maintaining access to Urban Light community resources. Eligibility to participate in the program is determined by a counsellor and a team of case managers at the intake phase. To be eligible, participants must have found alternative employment and/or be enrolled in an educational program.⁵¹ The emotional and mental stability of the participants and their overall ability and willingness to commit to the reintegration process is also taken into account. Once a beneficiary has been enrolled in the program, Urban Light rents a space for them or provides funds for housing for about one year. After roughly three months, participants are expected to start contributing to their own maintenance, such as paying for their water and electric bill. The aim of the program is to teach its beneficiaries, specifically boys, to learn to live independently and to start supporting themselves.

Case managers check in on a regular basis to assess their situation and identify outstanding needs. The beneficiaries transition out of the program after about one year, although some may still have access to certain services on a case-by-case basis.

The program has supported positive personal development and prepared youth to live a life beyond trafficking and exploitation. One shortcoming of the model, however, is its limited reach. Of the approximately 600 to 700 clients the organization supports through direct assistance each year, few participate in the program. This is mainly because transitional housing is not the most appropriate option for beneficiaries, who express different needs and may be at different stages in the recovery and rehabilitation process.

Challenges of the Community-Based Care Models

While the transitional housing programs described above do not have noticeable flaws, they do have limitations. The first relates to scalability, as these independent, community-like living arrangements can often only be maintained by limiting the number of participants. The second limitation relates to suitability, as transitional housing may only be appropriate for trafficking survivors who are at an advanced stage of recovery. Trafficked persons who have just exited a trafficking situation must prioritize needs such as legal assistance, medical care, or psychosocial support before seriously considering longer-term living arrangements and reintegration services. In addition, transitional housing may not be well-suited to survivors who experience safety concerns, because transitional housing rarely offers a high level of security.

Lessons learned in Thailand and other countries point to more serious concerns with the community-based care model. A study by Hagar Cambodia (2015)⁵² examined the reintegration services provided by 12 NGOs to trafficked men in their home communities. The study found that case managers could not provide adequate support and follow-up when beneficiaries were geographically dispersed, and the NGOs were not nearby. Community-based care models may also put survivors at risk if the perpetrator is still present in the community. Lastly, victims may be vulnerable to re-trafficking if they cannot earn enough money in their home communities⁵³ or they are unable to reintegrate due to poor mental health or psychological trauma. Community-based models are therefore only appropriate for survivors with limited security concerns and good social and economic reintegration prospects. The suitability of this model should be assessed with care, as unpredictable social environments may not be conducive to recovery and reintegration after trafficking.⁵⁴

51 Urban Light (n.d.). [online] Available at: <https://www.globalgiving.org/pfil/24026/projdoc.pdf> [Accessed 24 Jun. 2019].

52 Day K. (2015). (Re)integration of Cambodian Trafficked Men – Trends in Trafficking and available aftercare services. Hagar Cambodia. Online at <https://hagarinternational.org/wp-content/uploads/2018/04/Hagar-Research-ReIntegration-of-Cambodian-Trafficked-Men.pdf> (Retrieved 23 June 2019).

53 Mauney, R. and Srun, R. (2012). p. 30. Ibid.

54 Surtees, R. (2013). After Trafficking: Experiences and Challenges in the (Re)integration of Trafficked Persons in the Greater Mekong Sub-region. [online] UNIAP/NEXUS Institute, p.49. Available at: <http://un-act.org/publication/view/traffick-ing-experiences-challenges-reintegration-trafficked-persons-greater-mekong-sub-region/>.

CONCLUSION AND RECOMMENDATIONS

Thailand has made great strides in combatting trafficking in persons and implementing a more victim-centered approach to service provision, as attested by its recent climb in the annual TIP report rankings. However, its current model for shelter-care provision does not always fully consider survivors' individual needs and interests and may even discourage victims from identifying themselves and participating in prosecutions. This study identified several key challenges faced by both the RTG and NGOs in the provision of care to trafficking survivors. These range from the missed identification of trafficked persons, the lack of individualized assistance in shelters, the restrictions placed on survivors' mobility and communication, and the requirement that victims cooperate with law enforcement and participate in prosecutions in order to receive services. While other models for out-of-shelter-care provision also have limitations, this report identified good practices that could be adapted by both the RTG and anti-trafficking NGOs to the Thailand context. The following are recommendations to the RTG and local NGOs, based on the assessment of the strengths and weaknesses of these alternative shelter models.

1. Mainstream trafficking assistance within government social services

- There are nine government shelters in Thailand that cater specifically to TIP victims. These do not cover all areas of the country and therefore cannot serve all trafficked persons in a timely and efficient manner. Provincial Homes for Children and Family, located in all of Thailand's 76 provinces, could play a more important role in providing services to TIP victims, especially children.
- This could be done by strengthening the capacity of the case managers in these provincial homes on international standards and victim-centered approaches in TIP service provision and applying the Child Protection Act's best interest of the child principle to refer children to registered NGO shelters for children whenever possible.

2. Increase support for NGO-run shelters

- The RTG should provide incentives to boost NGOs' registration; for example, allocating funds for institutional capacity-building to better enable NGOs to comply with the MSDHS's SOP, especially as it relates to key personnel. Any existing laws prohibiting government agencies from directly funding non-profit organizations should be amended to allow the RTG to provide funding to NGO-run shelters.
- Alternatively, the RTG could relax certain requirements in the regulation's SOP to allow volunteers or part-time staff to occupy certain required positions, such as interpreters, when these are too difficult or costly to fill.
- The Thai government could also systematize referrals of identified victims of trafficking to designated NGO trafficking shelters during court proceedings, even if these have not been officially registered. Much like the regulation outlined above, this could encourage victims weary of a stay in government shelters to cooperate in prosecutions.

3. Offer out-of-shelter assistance models for trafficked persons

- Long-term shelter-care options (12-24 months following emergency care) may not be necessary for trafficking victims who experience low levels of trauma and have supportive communities or home environments. As a result, the RTG could continue to invest in witness-protection services and place survivors in witness safe-house provided by the Rights and Liberties Protection Department instead of shelters where appropriate.
- Pilot transitional housing programs in collaboration with NGOs, such as the one in place between CAST and the LAR-HTTF, including with countries of origin where possible. Introduce regional drop-in centers at the provincial level for identified victims so that they can access MSDHS assistance throughout the country without staying in shelters.
- Reassess shelter placements periodically to determine if they are still necessary.

4. Consider a recovery and reflection period and extend government assistance to "presumed" victims of trafficking

- The RTG could provide potential victims of trafficking with a recovery and reflection period of at least 30 days, as out-

lined in The Bali Process's Policy Guide on Protecting Victims of Trafficking to allow survivors to recover from their trauma, access government services, and make an informed decision on cooperating with authorities.

- In line with the recommendation above, the recovery and reflection period and its associated benefits could be provided to individuals who are "presumed" to be victims of trafficking but have not yet been formally identified as such by the competent authorities, in accordance with The Bali Process's Policy Guide on Identifying Victims of Trafficking.
- The RTG could introduce the concept of "presumed" victims by removing the eight-day screening window and conducting victim identification in several stages, as in the United Kingdom: first, through an initial screening with a low-threshold test to determine whether an individual is a "presumed" victim of trafficking and later through a "final higher" threshold identification.
- Such reforms would allow the RTG to identify more victims of trafficking and extend assistance to survivors who may have otherwise never been identified.

5. Include "presumed" victims of trafficking in assistance

- The RTG is already working on a centralized and streamlined national referral mechanism that would help formalize cooperation among government agencies and NGOs dealing with trafficked persons.
- In parallel, however, it could continue to develop referral mechanisms at the provincial level using the LARHTTF as a model of interagency cooperation. The RTG could allocate funding to local NGOs and law enforcement agencies interested in forming a regional anti-trafficking task force. Like the LARHTTF, these regional task forces could coordinate at the national level with agencies such as the MSDHS, DATIP, the Royal Thai Police, and the Department of Special Investigations.
- In addition, the RTG could strengthen these referral systems by enlarging their scope to cover "presumed" trafficking victims, as outlined in the OSCE's framework on national referral mechanisms.
- When the MDTs identify vulnerable individuals who need assistance but have not been formally identified as victims of trafficking — either because there is a lack of evidence or the person has not met all identification criteria — the RTG could set up a system to refer them to NGO shelters (registered or not) that cater to TIP victims. When carried out in tandem with the granting of a recovery and reflection period to "presumed" victims, this policy could boost the number of identified victims.

6. Train shelter staff on utilizing a rights-based and victim-centered approach when developing a recovery plan and include victim participation in all steps.

- As stated in the U.S. Department of State's 2019 TIP report, the RTG should also conduct a study to review the rules and regulations that limit the freedom of communication and movement of victims in shelters. Certain restrictions on freedom of movement could be eased with protection measures including alarm systems, closed circuit cameras, increased staffing, or even providing victims with mobile phones.
- Trafficking survivors should be involved at every step in the service delivery system. They should participate in their own individual service plans and be involved in the evaluation of services and service providers. Survivors should also be empowered to participate in the design and delivery of service responses.
- One way to make trafficking survivors more involved in service delivery is by establishing self-help groups and volunteer networks. These can provide basic counselling and psychosocial support to beneficiaries and support NGOs' existing programs (e.g., through community outreach and awareness-raising activities). They can also have an empowering and rehabilitative effect on members who are trafficking survivors themselves, by giving them a sense of purpose and agency.

7. Develop guidance on the provision of care to LGBTQI TIP victims

- As the specific needs of LGBTQI trafficking survivors is not well understood, the RTG and NGOs could commission a needs assessment to better understand how to provide tailored services to these different categories of individuals (e.g., lesbian, gay, transgender, etc.).
- Given that government shelters are receiving an increasing number of transgender survivors, the RTG could establish an SOP on where to place transgender victims.

8. Improve mental health and psychosocial services

As stated in the U.S. Department of State's 2019 TIP report, government and NGO shelters need to increase their capacity to provide psychosocial services and trauma-informed care that are tailored to victims' needs, especially those of male victims, who do not receive adequate mental health support. This could be achieved by:

- Training shelter staff in the use of simple screening tools to detect signs of trauma and mental health disorders among trafficking victims and build their capacity to refer the patients for immediate treatment when necessary.
- Conducting more assessments to evaluate the mental health needs of trafficked persons and what interventions have been most successful in addressing these needs in a low-resource setting.
- Hiring qualified psychologists and counselors in shelters where the position remains vacant; nurses, physicians, and social workers could also be trained in psychosocial support services.

9. Increase the capacity of interpreters in NGO and Government shelters

- Government and NGO shelters could hire additional Cambodian, Laotian, or Burmese language coordinators to better serve the needs of foreign trafficking victims. In particular, regional shelters should hire interpreters fluent in the ethnic minority languages most commonly used by Burmese workers in the provinces in question.
- Lists of volunteer interpreters or coordinators could be established at the provincial level to fill potential capacity gaps.
- The MSDHS and relevant NGO shelters could build the capacity of interpreters, translators, or language coordinators to ensure the accuracy of translations/interpretations, including terminology around mental health.

10. Incentivize TIP victims' participation in prosecutions

The services provided by the MSDHS to identified trafficking victims should not be made conditional on participation in prosecutions. However, measures should still be put in place to incentivize victims to participate in legal proceedings, in line with international norms. This might include:

- Extending the duration of stay for victim-witnesses in human trafficking cases to two and a half years.
- Providing increased opportunities for advanced witness hearings and testimonies via videoconferencing to allow victims to testify from their home country.
- Offering survivors (especially women) better employment opportunities while they receive shelter protection during court proceedings; for example, by partnering with private-sector partners to provide them with job placements, setting up vocational trainings that are based on labor market needs in their home communities, or collaborating with government agencies under the Ministry of Labor to develop unskilled labor; the RTG could also make it easier for foreign victims to obtain work permits.
- Renewing efforts to provide victims with compensation through criminal restitution or the MSDHS victim fund.
- In line with recommendation number two, providing TIP victims with the possibility of staying out of government shelters whenever possible.

ANNEXES

ANNEX 1

Workplan: August – December 2018

Item No.	Task and Deliverables	Days of Work	Due Date
1	Conduct desk review and stakeholder mapping to support research objectives and questions.	2	By August 18
2	Develop a detailed research design and timeline outlining proposed methodology, research questions, and final report structure Submission of the inception report	2	1 Sep 18
3	Data collection <ul style="list-style-type: none"> • Desk review (4 days) <ul style="list-style-type: none"> • Current international, regional, and national norms and policies guiding victim service provision • TIP survivors' care model • Interviews (MSDHS, NGOs, INGOs, survivors) (6 days) • Field visits to government shelters and NGO-operated services in Chiang Mai, Pathum Thani, Nonthaburi, Ranong, Surat Thani, and Songkhla (7 days) 	15	3 Sep – 15 Oct 18
4	Data analysis and report writing	6	16 – 30 Oct 18
5	Submission of the first draft of the report		30 Oct 18
6	Address comments from Winrock	2	1 – 20 Nov 18
7	Submission of the final draft		20 Nov 18
8	Presentation at the workshop	1	Within 2018
Total days			30

ANNEX 2

List of Persons Consulted

Governmental Representatives

No.	Key Informants	Date of Interview
1	Division of Anti Trafficking in Person, MSDHS	24 Aug 18
2	Provincial Office of Social Development (Chiang Mai)	4 Oct 18
3	Nonthaburi Welfare Protection Center for Victims of Trafficking (Kredtakarn Home)	5 Oct 18
4	Surat Thani Welfare Protection Center for Victims of Trafficking (Sri Surat Home)	26 Sep 18
5	Pathum Thani Welfare Protection Center for Victims of Trafficking (Men)	10 Oct 18
6	Songkhla Welfare Protection Center for Victims of Trafficking (Men)	24 Sep 18
7	Chiangrai Welfare Protection Center for Victims of Trafficking (Men)	3 Oct 18

NGOs and CBOs

No.	Key Informants	Date of Interview
1	International Justice Mission (IJM)	4 Sep 18
2	Raks Thai Foundation	4 Sep 18
3	Foundation for Women	11 Sep 18
4	SR Law	3 Sep 18
5	Labor Right Protection Network (LPN)	25 Aug 18
6	Alliance Anti Traffic (AAT)	13 Sep 18
7	NightLight, Bangkok	28 Sep 18
8	Stella Maris, Songkhla	24 Sep 18
9	World Vision Chiang Mai	4 Oct 18
10	World Vision Chiang Rai	3 Oct 18
11	Center for Girls, Chiang Rai	1 Oct 18
12	Destiny Rescue, Chiang Rai	2 Oct 18
13	ADRA, Chiang Rai	2 Oct 18
14	ZOE International Chiang Mai	4 Oct 18
15	World Vision Suratthani	26 Sep 18
16	Raks Thai Suratthani	25 Sep 18
17	World Vision Chiang Mai	4 Oct 18
CBOs		
1	Thai Women Network in Europe	10 Sep 18
2	TIP Survivors' group of Foundation for Women	10 Aug 18
3	AAC Samutsakhon	20 Sep 18

ANNEX 3

List of Questions for the Key Informants' Interviews

- **From your experience, what are immediate, short-term and long-term needs for care of TIP survivors?**
 - Do they want to stay in a shelter?
 - What do they need prior to reintegration?
- **Please comment whether aftercare for TIP survivors in Thailand is effective and respond to the needs of survivors. What are the strengths and weaknesses of current aftercare services, including:**
 - Services operated by GOs?
 - Services operated by NGOs?
- **What are your recommendations for improving TIP survivors' care services in Thailand?**
- **Do you think Thailand should have alternative models for TIP survivors' care? What are some suggested models?**

ANNEX 4

Ethical Considerations - Framework for Protecting Participants in Research

The research will be conducted in compliance with Winrock International's Research Policy and Standards. Some of the key principles include:

No.	Research Policy and Standards	Practice of Research Team
1	Informed consent	Research participants are informed about the objectives of the research and how the information will be used before asking for their consent.
2	Voluntary participation	Research participants who do not want to participate in the research can decline, and are free to leave the conversation in the middle of the data-collection methods.
3	Confidentiality and anonymity	The reference of research participants (especially TIP survivors) will not be referenced in the research findings by their names or the names of their village and communities.
4	Steps to minimize discomfort and harm, including intervention and support	Keep research instruments short and focused, and try to avoid overlapping or repetitive questions. Aim for 60 minutes (at most) for an individual interview and not more than 90 minutes (two hours) for group discussions.
5	Feedback of study findings to participants/communities	The team will discuss with Winrock the possibility of providing feedback to research participants.
6	Gender issues	The research will include female participants in all research tools. The research will always consider gender-specific needs and service provided when looking at models for TIP survivors.

ANNEX 5

Strengths and Weaknesses of Each Assistance Model

Models of Care for Trafficking Survivors	Strengths	Weaknesses
Shelter-based	<ul style="list-style-type: none"> • Shelters provides a safe place for victims to be protected from their abusers. • It is easier to provide a range of services (legal, therapy, etc.) in one location. • In addition to providing safe shelter, shelter programs often provide long-term rehabilitation services (e.g., via counseling or vocational training). • From the RTG's perspective, people are easier to find/reach during the prosecution process. 	<ul style="list-style-type: none"> • Institutional care should be the last option for alternative care, as it provides unnatural living conditions and can violate human rights, especially freedom of association and movement. • Shelter services are primarily based in destination areas for trafficking, not the home community for victims, making repatriation challenging and costly. • Shelters are unable to give the level of individual care that a family can provide. • There are limited options for livelihoods/income generation in shelters.
Government Shelter	<ul style="list-style-type: none"> • These shelters are fully funded by government to provide continuous care for trafficking victims. • Service delivery (safe and secure temporary housing, meals, clothes, and medical assistance) is provided to victims in both GO and CSO shelters. 	<ul style="list-style-type: none"> • The shelter can provide services only to formally identified victims. • Victims who are not officially identified as victims are not eligible for government support.
NGO Shelter	<ul style="list-style-type: none"> • Shelters also provide services to victims of labor-rights abuses or those with poor health conditions. • Victims who are not officially identified as victims by the government can still receive support. 	<ul style="list-style-type: none"> • Funding is usually project-based so sustainability is a challenge. • Victims going to NGO shelters do not have legal standing as "TIP victims" and therefore are not eligible for government protection services according to the TIP Act.
CBO shelter	<ul style="list-style-type: none"> • Shelter openly provided services for those abused in labor rights or having poor health conditions. • Service is flexible, informal, timely, and responds to the needs of beneficiaries. • Access to and trusted by beneficiaries. 	<ul style="list-style-type: none"> • There is no organizational structure and management, nor secured funding. • Lack of capacity and skills in social work, psychosocial support. • There is potential over-reliance on volunteers to provide support

Models of Care for Trafficking Survivors	Strengths	Weaknesses
Community-based care model	<ul style="list-style-type: none"> Survivors most often want to be with their family or in the community. Survivors can return to their normal life and generate income. Survivors can adjust and reintegrate back to normal life quickly. Working within the context of families and communities can effectively supplement traditional psychotherapy.⁵⁵ 	<ul style="list-style-type: none"> It may not be safe for survivors to return to their community, as perpetrators can be part of the family or community. Most organizations providing community-based reintegration services are not based near the home of the trafficking victims and it is difficult for survivors to travel to receive services. Mobile nature of the migrant workers can make it difficult to trace them to provide follow-up services Victims can be vulnerable to re-trafficking in the community if they do not have income opportunities or other supports.
Former Victim Self-Help Group	<ul style="list-style-type: none"> Survivors have shared experience with victims. They are trusted by victims and can speak the same language. Another strength is giving survivors the opportunity to earn a living and to parlay this negative experience into something positive. This model is strong when combined with/linked to formal organizations that offer the full range of shelter and out-of-shelter services (livelihoods training, legal and medical support, etc.) 	<ul style="list-style-type: none"> There is no organizational structure and management; funding is not secure. Lack of capacity and skills in social work, psychosocial supports. Victims need to heal before helping others. If they try to take on too much responsibility too fast and they fail, it may have negative psychological consequences.

55 Kulvadee "A" Thongpibul (2016). Scoping of Mental Health Interventions for Survivors of Trafficking and Forced Labor in Thailand. Freedom Fund (unpublished document).

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