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Reality of Government Policy & Intervention in
Responding to Trafficking of Women in Lao PDR*

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Policy & Intervention in Responding to Trafficking of Women in Lao PDR*

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Abstract

Lao PDR is considered as a source, transit route, and destination of human trafficking. Human trafficking is a serious crime and it affects vulnerable individuals regardless of gender, age, and background. Many trafficking victims, especially women and girls, are under 18 years old and are exploited in sexual industries in Thailand, and some in forced labor in domestic services. Men, as well as boys, tend to end up in forced labor in the construction industry, and fishing and agriculture sectors. Lao PDR has made significant progress to address the issue of human trafficking in various ways by issuing a number of laws and regulations including the National Plan of Action on Prevention and Combating of Human Trafficking 2013-2015 (NPA). The NPA is a key guideline that government uses to respond to the problem. This research aims to examine government policy, especially NPA, which emphasize prevention, protection, and prosecution, and explore ways to improve government policy and intervention to respond to human trafficking, especially women trafficking in Lao PDR. This research has been conducted by investigating NPA through a document analysis and in-depth interviews with key informants from both government agencies and international organizations. Upon the investigation of this study, it became clear that the Lao government faces some challenges in achieving its goals. Coordination mechanisms, human resources, law enforcement, prevention programs and Monitoring and Evaluation (M&E) are in need of improvement in order to have better performance on NPA implementation.

Keywords: Human Trafficking, Government Policy, National Plan of Action

1. Introduction

Human trafficking is a serious crime, taking place on a global transnational scale which affects vulnerable individuals regardless of gender, age and background. Human trafficking has become a lucrative market of modern slavery, wherein persons who fall victim to trafficking are coerced to work in servitude of 'their owner' until liberated by authorities. Victims are trafficked for different reasons such as for sexual exploitation, organ transfer, ransom, domestic work, or slavery in factories, fishing industries, and other sectors (U.S.TraffickinginPersonReport, 2016).

Lao PDR is considered as a source, transit route, and destination of human trafficking. Many trafficking victims are women who are under 18 years old who are exploited in sexual industries in Thailand. Some of the victims are forced into labor by entering the domestic services industry. Whereas men, on the other hand, tend to end up in construction, fishing and agriculture sectors. In addition, a number of young women are being sold as brides in China and trafficked in sexual industries after they have arrived in their destination country (U.S.TraffickinginPersonReport, 2016). As noted, the majority of victim are women who migrated to work in foreign countries in search of better economic and social opportunities; a drive to escape poverty in various forms and increasing modernization, and the strong desire to migrate, are the main factors in the choice to migrate in search of work opportunities that can make individuals more or less vulnerable to trafficking (Haughton, 2006).

According to the Trafficking in Person Report (TIP) from 2010 to 2016, the "Lao government does not fully meet the minimum standard for the elimination of trafficking in persons,"¹. The TIP report was seen as the leading global report based on government efforts to clamp down on human trafficking. Subsequently, the information of each country was used to rank them on one of the three tiers, which includes the Tier 2 Watch List. The TIP report received information through an open email, which was submitted by various agencies such as the US embassies, International Organization/Non-Government Organizations (NGOs), foreign government officials, media reports, academic scholars and news articles (Brunner, 2015).

¹ U.S Trafficking in Persons (TIP) Report is a report produce yearly by the U.S. State Department's Office to observe and clamp down trafficking in person and helps to rank state/government of their performance in this matter. More information see website at <https://www.state.gov/j/tip/rls/tiprpt/>

The TIP report showed that Lao PDR has not improved in their policy to eliminate human trafficking within the country.

Nonetheless, Lao PDR has made significant progress in recent years to address the issue of human trafficking in various ways, particularly on prevention, protection, and prosecution. However, Lao PDR is still lacking in institutions to respond as the situation is very complicated. Lao PDR has approved a number of Laws, i.e. Penal Law (2005), Law on Development and Protection of Women (2004), Law on Labor (2006), Law on the Protection of the Rights and Interests of Children (2006), Law on Preventing and Combating Violence against Women and Children (2015), Decree on Child Adoption (2014), and Law on Anti-Trafficking in Persons (2015). Additionally, Lao PDR also approved specific policy to address the issue, namely the National Plan of Action on Prevention and Combating of Human Trafficking (2013-2015), but these laws and policies are not yet fully operational. The consequence of this is that Lao PDR is lacking in adequate efforts to eliminate human trafficking in the eye of the international community.

1.1. Research Objective and Research Question

This research aims to examine the government policy that responds to the issue of women trafficking in Lao PDR, especially the National Plan of Action Plan on Prevention and Combating of Human Trafficking 2013-2015 (NPA), and also aims to explore ways to improve government policy and intervention. In order to achieve the objective, this research poses a key question as below:

- 1) How can government policy and intervention be improved?

This research addresses the problems concerning government policy in regards to interventions in human trafficking, specifically on women trafficking in Lao PDR. Without government enforcement and effective policy implementation, it is challenging to address the issue of human trafficking, either internal trafficking or transnational trafficking. Likewise, there is also a challenge posed in finding adequate means to counter them. Thus, the government should work to contribute strong efforts to implement policies in order to have more impact effective in terms of policy implementation in solving the case of women trafficking in Lao PDR.

2. Review of Literature

2.1. Definition of Human Trafficking

The international community has agreed upon a definition of trafficking in persons within the Trafficking in Persons Protocol. The definition provides a common basis for the criminalization of trafficking in persons in national laws that will then favor greater international cooperation in enforcing these laws. According to Trafficking in Persons Protocol, Article 3 of the protocol defines human trafficking as:

“(a) Trafficking in persons shall mean the recruitment, transportation, transfer harboring or receipt of person, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs;

(“Trafficking in Persons Protocol,” 2003)

The definition of human trafficking can be broken down into three main elements: *action, means and purpose*. Table 1 below shows the elements of identification of human trafficking.

Table 1: Identification of Human Trafficking (Process, Means, Purpose)

Process	Means	Purpose
<ul style="list-style-type: none"> ● Recruitment ● Transportation ● Transfer ● Harboring ● Receipt of person 	<ul style="list-style-type: none"> ● Threat ● Force ● Coercion ● Abduction ● Fraud ● Deception ● Abuse of power ● Abuse of vulnerability ● Giving and receiving of payments 	<ul style="list-style-type: none"> ● Exploitation which includes: <ul style="list-style-type: none"> a) Prostitution and other forms of sexual exploitation b) Forced labor and services c) Slavery and similar practices d) Involuntary servitude e) Removal of organs

Source: UNODC (2009), Anti-Human Trafficking Manual for Criminal Justice Practitioners, Available at http://www.unodc.org/documents/human-trafficking/TIP_module1_Ebook.pdf

As seen in the definition given above, human trafficking has a universal common understanding, and it is very important for the state to implement this concept and meaning in its domestic legal systems effectively. Lao PDR has been a member of the Trafficking in Person Protocol since 2003, and the Protocol requires states to demonstrate the use of the definition of human trafficking in national laws. Soon after, Lao PDR began translating and strengthening its legal framework to address the issue of human trafficking; the Law on Development and Protection of Women was established in 2004 and used a definition of human trafficking in Article 24. However, this Article has no provision to protect males over 18 years of age. Later on, Article 134 of the Penal Code introduced the definition of human trafficking to protect all citizens without gender discrimination.

In 2015, Lao PDR established its first single Law on Anti-Trafficking in Persons (TIP), and used a definition of human trafficking that complies with the Trafficking In Persons protocol. Article 2 of the Lao Law on TIP defines Trafficking in Person as follows:

“Trafficking in persons shall mean recruitment, abduction, movement, transportation or transfer, harbouring or receipt of persons, by means of persuasion, recommending, deception, payment or giving benefit, inducement, incitement or abuse of power, the use of threat or other forms of coercion, debt bondage, concealed child adoption, concealed engagement, concealed marriage, pregnancy for other, forced bagging, producing, showing and publishing pornographic materials or by other forms for the labour exploitation, sexual exploitation, slavery, prostitution, involuntary prostitution, removal of organs for purpose of trade and other forms of unlawful conducts contradicting to the national fine culture and traditions or for other purposes to gain benefits.”

(“The Law on Anti-Trafficking in Persons,” 2015)

Human trafficking can occur in the form of migrant smuggling. Human trafficking and migrant smuggling can use the same means and act but differ slightly in their purpose. Those who are smuggled are left to their own devices at the point of the destination country, while those who are trafficked remain under the control of the traffickers and end up being exploited at the destination country. In order to avoid confusion for practitioners, table 2 below is a key guideline for practitioners and relevant authorities to handling and identifying the difference between human trafficking and migrant smuggling.

Table 2: Key Difference between Human Trafficking and Migration Smuggling

	Human Trafficking	Migration Smuggling
Action(s)	<ul style="list-style-type: none"> ● Recruitment, transportation, transfer, harboring o receipts of a person by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position vulnerability or of the giving or receiving of payments or benefits 	<ul style="list-style-type: none"> ● Procurement of illegal entry of a person into a country of which the person is not a national or permanent resident
Transnationality	<ul style="list-style-type: none"> ● Not required 	<ul style="list-style-type: none"> ● Required

Consent of the trafficked or smuggled person	<ul style="list-style-type: none"> ● Irrelevant once the means are established ● For children, the consent is irrelevant regardless of the means 	<ul style="list-style-type: none"> ● The smuggled person consents to the smuggling
Purpose	<ul style="list-style-type: none"> ● Exploitation which includes: <ul style="list-style-type: none"> a) Prostitution and other forms of sexual exploitation b) Forced labor and services c) Slavery and similar practices d) Involuntary servitude e) Removal of organs 	<ul style="list-style-type: none"> ● For financial or other material benefit

Source: UNODC (2009), Anti-Human Trafficking Manual for Criminal Justice Practitioners, Available at http://www.unodc.org/documents/human-trafficking/TIP_module1_Ebook.pdf

Table 2 above highlights the key importance of similarities and differences between human trafficking and migrant smuggling. These two tables are important to use as legal instruments to assist states including Lao PDR to combat and prevent human trafficking.

2.2 Women Trafficking in Lao PDR

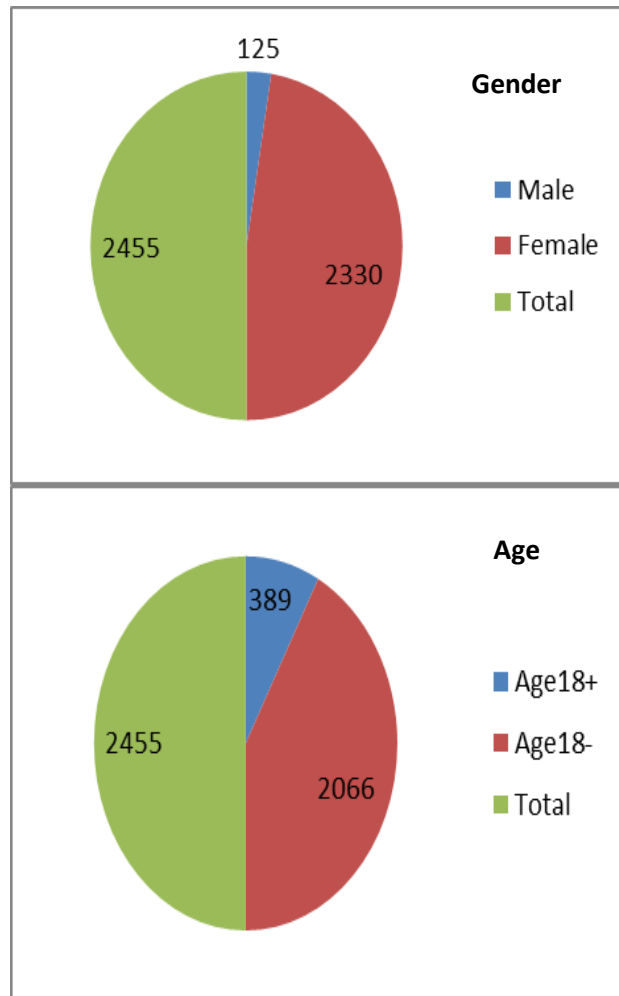
Lao PDR is a landlocked country that shares her borders with Thailand, Cambodia, Myanmar, Vietnam and the People’s Republic of China. Lao PDR covers an area of 236,800 km² and approximately 80 percent of its land features mountain and plateaus. Lao PDR’s population is estimated to stand at 6.8 million with a significant diversity of ethnic groups. There are 49 officially recognized groups and they are divided into four main ethnicities: "Lao-Tai, Hmong-Lu Mien, Mon-Khmer, and Chine-Tibetan". The official language is Lao-Tai and some of the ethnic groups do not speak this national language (UN, 2015).

Due to the geographical position of Lao PDR and its location at the center of regional development, it creates potential for the country's development in the area of trade, tourism, and industry (Phetsiriseng, 2003). Laos' socio-economic condition such as the urban-rural gap has become a key factor leading Lao people to migrate through formal and informal crossing points along the country's borders, with a hope to access better life opportunities abroad. However, the vast majority of Lao migrants originate from the lowland of the country with low education, and are helplessly handed in their pursuit of a better life into the hands of illegal traffickers (UNICEF, 2004).

As the economy experiences rapid growth, a number of problems associated with this have been identified. Due to this phenomenon, women fall into the trap of wanting a better life as a factor in choosing to migrate. Greater economic links and integration increase both opportunity and risk. With such great economic development in neighboring countries, the desire for migration especially to Thailand increase as well. Taking this new development to their advantage, trafficking networks lure these innocent women and force them into sexual activities and domestic service (ADB&WorldBank, 2012; Mihyo, Siliphong, Al-Hamad, Phonyaphanh, & Brown, 2005).

Table 3: Number of all victims of trafficking returned from Thailand by year, 2001-2017

Year	Male	Female	Total
2001	0	65	65
2002	3	73	76
2003	2	79	81
2004	1	65	66
2005	21	225	246
2006	9	249	258
2007	9	255	264
2008	1	234	235
2009	7	148	155
2010	7	138	145
2011	10	185	195
2012	26	169	195
2013	9	94	103
2014	2	155	157
2015	4	101	105
2016	13	86	99
2017	1	9	10
Total	125	2330	2455



Source: United Nations Action for Cooperation against Trafficking in Persons (UN-ACT)²

Based on Table 3 shown above, it can be seen that majority of victims are women. It is worth noting that women tend to be more vulnerable to being trafficked than men. Moreover, the number of victims is continuing to increase as shown above, increasingly becoming a serious problem in Lao PDR. However, it is important to note that there is only official data from Thailand, due to limited of data collection in Lao PDR. In order to address human trafficking, the study suggests that laws and policies plays an important role in discussing the problem (Kosaidilok, 2015; Saad & Salman, 2014).

² This statistic is unpublished on UN-ACT's website. However, the government also acknowledges this statistic.

2.3 Government Policy to Respond to Women Trafficking in Lao PDR

Human trafficking is a global social phenomenon and it violates human rights and human dignity. The government of Lao PDR is alarmed by these issues and has established legislation to intervene in the problem. The National Plan of Action for the Prevention and Combating of Human Trafficking 2013-2015 (NPA) is a crucial instrument for government to intervene in the problem.

As noted, the government established NPA as a national guideline to respond to the problem. The Secretariat to the National Committee on Anti-Trafficking in Persons (the Secretariat) is leading this NPA (the Secretariat operates under the Ministry of Public Security), for managing, monitoring, implementing and coordinating the implementation of activities that are set out in the NPA ("Decree of the Prime Minister on the Endorsement of the National Plan of Action for the Prevention and Combating of Human Trafficking," 2013). The objectives of the NPA are mainly to protect the victims of trafficking, to prosecute traffickers and prevent human trafficking. According to the Decree of the Prime Minister on the Endorsement of the National Plan of Action for the Prevention and Combating of Human Trafficking (2013), the programs and activities set out in NPA 2013-2015 are as below³:

- **Policy and International Cooperation**

Both policy and international cooperation are the first step in implementing the NPA. For the part of the NPA, the government is focused on policy making and disseminating it to all relevant organizations. Therefore, governments also openly collaborate with international organizations and improve bilateral and multilateral cooperation with neighboring countries, focusing on victim assistance, and exchanging information on prosecution and law enforcement.

- **Prevention**

Lao PDR is considered as a source of human trafficking. Thus, the government of Lao PDR is prioritizing prevention. Prevention is focused on awareness raising of the negative impacts of human trafficking and strengthening the capacity of communities and other counter human

³ This is snapshot from the NPA 2013-2015

trafficking measures. Therefore, it includes vocational training which provides job opportunities for marginalized and vulnerable groups.

- **Prosecution**

For the prosecution, it is focuses on strengthening the capacity for law enforcement officers to be able to identify victim of trafficking and prosecute cases complying with the laws. Therefore, it is important to enhance the coordination between law enforcement agencies and victim assistance providers.

- **Protection**

Human trafficking is a serious matter and directly affects the victim both physically and mentally. Hence, protection is focused on safe shelters, medical services, legal support, educational and vocational training support, including reintegration and repatriation.

3 Research Methodology

The methodological approach of this research used is primarily qualitative in nature. To facilitate the study, this research employed both primary data and secondary data. Primary data has been obtained through the Delphi technique which focuses on in-depth interviews of key informants in both government agencies (Ministry of Labor and Social Welfare and Lao Women's Union) and international organizations (Village Focus International, United Nation Office on Drug and Crime, United Nation Action for Cooperation against Trafficking in Person and victim and family members). The author carried out the data collection procedure from July – August 2017 in Vientiane Capital, and interviewed seven key informants who consist of two representatives of government agencies, three representatives of international organizations, one victim and one family member. The secondary data was obtained through extensive analysis of documents related to this matter. For example international laws, nationals laws and national plans of action on prevention and combating of human trafficking (2013-2015) including NGO/INGO's report.

4 Findings and Discussion

4.2 Implementation of the NPA 2013-2015

As mentioned above, this research objective aims to examine government policy and interventions in the case of women trafficking in Lao PDR and the emphasis on the National Plan of Action on Prevention and Combating of Human Trafficking 2013-2015 (NPA). The findings indicated that NPA 2013-2015 has been implementing various activities.

● Policy and International Cooperation

Human trafficking is a transnational crime and a serious problem in the region which requires states to share responsibilities and strengthen cooperation in responding to the problem. The government has a commitment to cooperate on anti-trafficking by signing a Memorandum of Understanding (MOU) with neighboring countries such as Thailand, Vietnam, and China. Notwithstanding, the fact is that the most active MOU amongst these is the MOU between Lao PDR and Thailand which is focused on victim protection and repatriation. However, it is worth noting that, the government should provide significant efforts to implement the rest of the MOUs; particularly the MOU between Lao PDR and China due to the fact that there are a number of women being sold as brides to China (Ministry of Labor and Social Welfare, August 2, 2017; U.S.TraffickinginPersonReport, 2016; UN-ACT, July 19, 2017).

● Prevention

According to data collection from interviews with key informants (CPCWC, August 3, 2017; UN-ACT, July 19, 2017; UNODC, July 19, 2017; VFI, July 19, 2017) and a government report (*National Plan of Action on Prevention and Combating of Human Trafficking (2017-2020)*, 2017), the author found that, government conducted various activities on prevention. For example: government organized the Ceremony on World Day against Trafficking in Persons in Vientiane Capital, conducted awareness raising along the Lao-Vietnam border, and Lao-Cambodia border, in accordance with the respective MOUs. Furthermore, the government also provides awareness raising at universities, factories, and local communities. Workshops for government officers to increase their knowledge on this matter have also been provided. However, the study found that many activities do not have monitoring and evaluation (M&E). Therefore, prevention activities especially along the Laos-Vietnam and Laos-Cambodia do

not fully respond the problem of human trafficking. This is because the target communities are not a priority region in terms of high-risk human trafficking routes.

- **Prosecution**

According to NPA, the main objectives of prosecution are focused on strengthening the capacity for law enforcement officers, to enhance the coordination between law enforcement agencies and victim assistance providers, and prosecution of trafficking cases effectively and in compliance with the laws ("Decree of the Prime Minister on the Endorsement of the National Plan of Action for the Prevention and Combating of Human Trafficking," 2013). As a result of the study, the author found that, the government provided a number of workshops on capacity building for law enforcement officers and relevant organizations from the central level to the provincial level. Therefore, prosecutions have been successful in a number of case convictions. However, it is reported that government officers might have contributed to trafficking vulnerability by accepting bribes for the facilitation of immigration and transportation to neighboring countries. However, there is no report from the government about investigations, prosecutions or convictions of officers who contributed human trafficking (U.S.TraffickinginPersonReport, 2016).

Table 4 Statistics of Prosecution from 2010-2016

Year	2010	2011	2012	2013	2014	2015	2016
Investigation	50	20	49	56	56	38	41
Prosecution	-	-	47	69	24	31	9
Conviction	11	33	37	35	35	21	13

Source: Trafficking in Person Report, 2010-2016

The number of cases shown in table 4 is likely low if compared with table 3 on the number of victims. There is no information provided about the cases because of limited of data collection either from international organizations or government agencies.

- **Protection**

In terms of protection, the government mainly aims to provide assistance with safe shelters and basic needs for victims. Currently, there are only two shelters operating under government agencies and they are located in Vientiane Capital (Ministry of Labor and Social Welfare and the Lao Women Union) which is not enough to meet the needs of victim protection, due to the fact that victims are from different places, and only 2 shelters is inadequate to provide for the number of victims of trafficking in Lao PDR. (CPCWC, August 3, 2017; Ministry of Labor and Social Welfare, August 2, 2017; UN-ACT, July 19, 2017; VFI, July 19, 2017). In term of victim identification, the findings also found that there is no systematic victim identification. This is because immigration officers or frontline officers are lacking awareness of human trafficking identification needs (U.S.TraffickinginPersonReport, 2016). Lack of victim identification is a serious problem and may leave victims unidentified, meaning they cannot access official protection that is provided by the government.

4.3 Analysis of the Challenges of National Plan of Action for the Prevention and Combating of Human Trafficking 2013-2015 Implementation

According to the data collection, the author found that there are numerous challenges in implementing government policy. Among the challenges that are found are those listed below:

4.3.1 Ineffective of Coordination Mechanism

According to Law on Anti Trafficking in Persons (2015) the assigned Secretariat leads the implementation of the policy, particularly NPA. As a result, the Secretariat attempts to establish a “one door service” to control all activities related to human trafficking, and it is unclear about the distribution responsibilities between relevant Ministries and organizations. This may lead to some challenges such as budget, resource persons, networking or coordinating between ministries, international organizations and other countries. Any Ministries or organizations that want to conduct a project or activity related to human trafficking are required to seek approval or report to the Secretariat in order to get a budget approval. This also includes international partners to get permission to implement their activities related to human trafficking. However, in terms of government procedure, it takes

time to get an approval for any request. As a result, many projects or activities cannot be completed on time, according to NPA.

The Secretariat is responsible for managing, monitoring and coordinating relevant Ministries and organizations to implement the government policy. Thus, the Secretariat should facilitate collaboration between relevant Ministries and organizations in order to implement the government policy and intervention into human trafficking rather than try to control or manage everything itself. It includes coordination amongst ministry lines, international organizations and inter-state collaboration. Nevertheless, without an effective coordination mechanism, the government cannot achieve their goals to eradicate human trafficking.

4.3.2 Challenges with Human Resource

Human resources play an important role in implementing the NPA. However, the study found that there is a limited amount of human resources devoted to working on this matter either at central or local levels (CPCWC, August 3, 2017; Ministry of Labor and Social Welfare, August 2, 2017; UN-ACT, July 19, 2017; UNODC, July 19, 2017; VFI, July 19, 2017). Firstly, the numbers of resource persons who work in these areas are limited and lack knowledge. Some law enforcement officers cannot provide an effective workshop or law dissemination program regarding human trafficking. Therefore, in term of prosecuted cases, some of them cannot identify the difference between human trafficking and other criminalized activities, and this affects directly the prosecution of traffickers and protection of victims that is described in the law (*National Plan of Action on Prevention and Combating of Human Trafficking (2017-2020)*, 2017).

Secondly, the issue rotating resource persons causes some problems. According to government policy, within two or three years of working experiences, the government will rotate persons to work in other positions (CPCWC, August 3, 2017). This is challenging because the government needs to build the skills of a new person to replace them, and it takes time to train a new person in order to understand the concept of human trafficking, build skills in identifying victims of human trafficking, and prosecuting traffickers according to the law.

Thirdly, there are concerns about the language barrier. Human trafficking is a cross-border issue and needs collaboration with neighboring countries and international organizations. For this reason, there is a strong need for resource persons who can communicate with others in foreign languages – especially English. However, there is only a small number of persons who can communicate in foreign languages and it makes it challenging to coordinate with them to combat human trafficking (UN-ACT, July 19, 2017; UNODC, July 19, 2017).

4.3.3 Ineffective Victim Identification

Strong victim identification procedures are important to assist a victim of human trafficking in order to access official assistance provided by the government. Victims who are able to access official assistance need to be identified and approved by authorities only (CPCWC, August 3, 2017; Ministry of Labor and Social Welfare, August 2, 2017; UN-ACT, July 19, 2017; UNODC, July 19, 2017; VFI, July 19, 2017). However, in practice, there is no system of victim identification, and this is causing a gap in victim identification as government officers do not identify migrants who were deported from Thailand as possible trafficking victims. Furthermore, data on internal victim trafficking is limited. The official data on victims of trafficking is mainly derived from Thai authorities (U.S.TraffickinginPersonReport, 2016; VFI, July 19, 2017). As a result, there are no exact statistics of victims of trafficking, and many of them are left behind and cannot access the victim assistance system. It is possible that they will be pushed back into re-trafficking if they cannot gain access to the official services with long-term assistance to ensure that they can reintegrate into communities.

4.3.4 Lack of Monitoring and Evaluation

The outcome of NPA implementation is important in order to find out the impact of the interventions on women trafficking in Lao PDR; and in order to find out its impact, it is required to have strong monitoring and evaluation procedures (M&E). However, the author found that the government is failing to conduct M&E on government policy implementation. The study indicates there is no measure of the impacts of government policy intervention on women trafficking and human tracking in general (UN-ACT, July 19, 2017; UNODC, July 19, 2017; VFI, July 19, 2017). For example, for the prevention activities, there is no M&E on its impact and whether it is helpful for communities or not. The government only counts the number of times and the number of participants who attended the prevention activities.

This does not measure the real impact of this activity. Consequently, this cannot respond to the goal of prevention of human trafficking.

M&E is one of the necessary components for government policy implementation seeking good results. The government should establish real mechanisms to do M&E and collaborate with relevant Ministries and organizations in order to find out what has been done and what are the key challenges to implementing and intervening in women trafficking. By doing this, the government will find ways to improve their policy and intervention in this problem.

5. Conclusions and Recommendation

Government policy plays an important role in responding to women trafficking in Lao PDR. This study has explored the government policy implementations and seeks to provide ways to improve government performance in this matter. There are core elements that government needs to improve in order to strengthen its policies. These core elements include coordinating among relevant Ministries and organizations; increasing the human resources and providing training on human trafficking; increasing law enforcement, in particular, MOUs with neighboring countries; targeting high-risk communities in prevention activities, and establishing mechanisms on M&E.

Coordination mechanisms among relevant Ministries, organizations and international organizations need to improve. The government, especially the Secretariat, should facilitate and increase collaboration with other ministries, organizations and international organizations that are involved in this matter. Therefore, the Secretariat should have a clear picture of the division of responsibility between relevant Ministries and organizations in order to measure the NPA implementation at all levels.

Human resources are crucial for this matter. The government needs to increase numbers of personnel at all levels (central and local levels) and limit rotation of personnel who are responsible for this matter. Therefore, the government should provide training on human trafficking to officers' lines especially law enforcement personnel. The training should cover all necessary knowledge of human trafficking such the definition of human trafficking and smuggling, legislation on human trafficking, and victim identification procedures in order to ensure an effective enforcement of the law.

Law enforcement, in particular, the MOUs with neighboring countries needs to be enforced, especially the MOU with the People's Republic of China due to the fact that the number of women being trafficked to China has increased. Thus, the government should increase efforts to enforce this MOU by increasing collaboration with Chinese authorities, the Lao embassy in the People's Republic of China, and in partnership with local and international organizations, especially in the areas of victim assistance, repatriation, and prosecution of traffickers.

The prevention of human trafficking needs to shift towards targeted communities. The government needs to prioritize target communities where the problems are happening and there is a high risk, which is along the Laos-Thailand border, as those who migrate or are victims are mainly trafficked into Thailand. The government needs to increase efforts in prevention activities along this border region. Therefore, the government should consider the trends of human trafficking from the People's Republic of China and should increase prevention activities in the north of Laos as well. Without prioritizing the right target communities, the government cannot fully respond and prevent human trafficking.

Finally, the government should establish an M&E system. M&E is significant for government to find out the result of policy implementations and seek ways to improve such policy implementations. M&E should cover all programs and activities related to this matter. Therefore, the government should collaborate with other stakeholders, both government agencies, and international organizations on M&E in order to ensure an effective M&E system, which will support the government to improve the policies and interventions into the problem.

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- August 2016 – Present: Master of Arts in Asia Pacific Studies, College of Interdisciplinary Studies, Thammasat University, Thailand. Sponsored by Thammasat University
- 2004-2009: Bachelor of Law, Faculty of Law and Political Science, National University of Laos.



Scholarship

- 2016: Recipient of Thammasat University Scholarship for Academic year 2016

Publications

Clinical-Legal-Education. (2016). *Manual on Fundamental of Laws and Regulations under the Good Forest Governance (GO-FoGo)*. Vientiane Capital, Lao PDR.

Clinical-Legal-Education. (2015). *Community Legal Education & In-House Consultation Clinic*. Vientiane Capital, Lao PDR.

Lao-Land-Rights-Group. (2016). *Manual on Fundamental of Land Use* Vientiane Capital, Lao PDR.

Work Experiences

March 2016 – Present: Pro Bono Program Manager and Legal Advisor at Law and Development Partnership (LDP), Vientiane Capital, Laos

April 2016 – Present: Senior Legal Support Officer at Bridges Across Borders Southeast Asia Community Legal Education Initiative (BABSEACLE), Vientiane Capital, Laos

- February – July 2016: Legal Trainer at Land Learning Initiatives for Food Security Enhancement (LIFE), Vientiane Capital, Laos
- November 2015 – March 2016: Project Coordinator at Ministry of Justice for the Cooperation Project on Supporting for Legal Aid and Justice in Local level of the Lao DPR fund by the Asia Foundation (Short-Term Contract), Vientiane Capital, Laos
- August 2013 – September 2015: Laos National CLE Coordinators at Bridges Across Borders Southeast Asia Community Legal Education Initiative (BABSEA CLE), Vientiane Capital, Laos
- January –July 2013 Legal Advisor at VNA Legal Sole Company, Vientiane Capital, Laos
- September 2009- December 2012: Legal Fellow at Bridge Across Border Southeast Asia Community Legal Education Initiative (BABSEACLE) AND Faculty of Law and Political Science Clinical Legal Education (FLPCLE), Vientiane Capital, Laos
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