



Bureau of Anti-Trafficking
in Women and Children
and
Japan International Cooperation Agency



MDT Operational Guideline for the Protection of Victims of Human Trafficking

Practical Version

Project on Strengthening Multi-Disciplinary Teams (MDTs) for
the Protection of Trafficked Persons

Note:

This book is the translation of the 'MDT Operational Guideline for the Protection of Victims of Human Trafficking (2nd edition)' originally published in Thai language in March 2013.

FOREWORD

“MDT Operational Guideline” is developed by the Multi-Disciplinary Teams (MDTs) supported by BATWC/JICA “Project on Strengthening of MDTs for the Protection of Trafficked Persons” (hereafter referred to as the Project). The Project is jointly implemented by the Department of Social Development and Welfare, Ministry of Social Development and Human Security of Thailand and Japan International Cooperation Agency (JICA) to combat human trafficking. It was launched on 17 March 2009 with five year project period.

The idea of developing a “MDT Operational Guideline” (hereafter referred to as the Guideline) was proposed by MDT members at workshops in 2009. MDT members requested to develop the Guideline as a response to the frequent transfer of its members and to share lessons and experiences among MDT members.

During the course of developing the Guideline, all the contents were proposed by experienced MDT members at the MDT Workshop and decided by the Working Group, which consisted of 16 members from different disciplines of MDT. We can say this Guideline is for the MDT, of the MDT and by the MDT.

After publishing the first edition of the Guideline in 2011, the Project has monitored its usefulness and held the Working Group meetings and workshops. Now with the revision and addition, the Guideline is consisted of 5 books. We have added two books in 2013 which we call “Practical Version” that contains flow of work, timeline of the work, checklist, and formats to be utilized in order to assist trafficked persons in Thailand.

We would like to thank the Working Group members and the practitioners who have sent valuable comments to us to make the Guideline.

Last but not least, our deepest appreciation goes to Dr. Ratchada Jayagupta and Dr. Arphatchanee Hongswadhi, consultant for the Guideline development, for their devotion and enthusiasm.

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TABLE OF CONTENTS

Foreword	1
Table of Contents	2
List of Abbreviations and Acronyms	5
Objectives and Structure of the Guideline	6
Section I: Assistance to foreign victims of trafficking in Thailand	7
Section I / User Instruction	8
Part 1.1: Receiving Incident Report, Rescue Operation and Transferring to a Shelter	10
F1A: Check-list of Receiving an Incident Report	11
F1B: Check-list of Pre-rescue Operation	13
F1C: Check-list to Notify Information and Rights of the Rescued Person	18
F1D: Form of Preliminary Interview for Screening Victim of Trafficking	19
F1E: Questions to be Asked and Purpose of Each Question	
When Conducting Fact-finding Interview	21
F1F: Recommended Skills in Interviewing VoT Applying	
Victim-centered Approach and Gender-based Practices	23
F1G: Check-list: Rights and Entitlements of Victims of Trafficking	25
F1H: Sample of form for Rights' Notification of Trafficked Person	29
Part 1.2: Procedures for Short-term Shelter	31
F2A: Form of Temporary Protection for Trafficked Persons (Article 29)	33
F2B: Sample of Request Form for Seven-day Extension for	
Temporary Protection	34
F2C: Sample of Request Form of Compensation and Remedies	36
F2D: Procedures to Claim Rights	38
Part 1.3: Procedures after Intake of a Trafficked Person into the Protection and Occupational Development Center	41

Section II: Assistance to Thai and foreign nationals having permanent residence in Thailand who were victims of trafficking in foreign countries and have returned to Thailand	43
Section II / User Instruction	44
Part 2.1: Flow Chart of Operations prior to the Repatriation of Thai VoT to Thailand / Preparation needed in receiving the VoT	47
R1A: Check-list of Receiving an Incident Report	48
R1B: Information to be Received from the Agency in Destination Country	49
Part 2.2: Flow Chart of Practices When Receiving VoT at the Airport / Immigration Check Point or Encouraging the VoT at Community	50
R2A: Recommended Skills in Interviewing VoT Applying Victim-centered Approach and Gender-based Practices	51
R2B: Check-list to Notify Information and Rights of the Rescued Person	54
R2C: Format for Fact-finding Interview of VoT	56
R2D: Questions to be Asked and Purpose of Each Question When Conducting Fact-finding Interview	62
R2E: Check-list: Rights and Entitlements of Victims of Trafficking (VoT)	64
R2F: Form for Rights' Notification of Trafficked Returnee at One-Stop-Service Center, Suvarnabhumi Airport	68
Part 2.3: Procedures for Short-term Shelter	69
R3A: Form of Temporary Protection for Trafficked Persons (Article 29)	71
R3B: Sample of Request Form for Seven-day Extension for Temporary Protection	72
R3C: Sample of Request Form of Compensation and Remedies	74
R3D: Procedures to Claim Rights	76
Part 2.4: Procedures after Intake of a Trafficked Person into the Protection and Occupational Development Center	79

Part 2.5: Planning of Services and Service Provision	81
R5A: Social Service Provision	82
R5B: Legal Procedures after Being Identified as VoT	84
Section III: Information on Procedures in Claiming for the Anti-TIP Fund	85
Operational Guideline of the Anti-TIP Fund	86
Application Form According to the Fund Administration Committee's Announcement on "Rules, Terms and Condition in Approving the Utilization of the Anti-TIP Fund"	97

List of Abbreviations and Acronyms

AHTD	Anti-Human Trafficking Division (Royal Thai Police)
BATWC	Bureau of Anti-Trafficking in Women and Children
BAAC	Bank of Agriculture and Agricultural Cooperatives
BKK	Bangkok
CI	Certificate of Identity
CM	Case Manager
DSDW	Department of Social Development and Welfare
GO	Governmental Organization
IOM	International Organization for Migration
IQ	Intellectual Quotient
JICA	Japan International Cooperation Agency
Kor Por Khor 01	Form of Project Proposal
Kor Por Khor 02	Form of Project Implementation/Progress Report
Kor Por Khor 03	Contract of Receiving Fund from the Anti-Trafficking in Persons Fund
MFA	Ministry of Foreign Affairs
MDT	Multi-Disciplinary Team
MOL	Ministry of Labour
MOU	Memorandum of Understanding
MSDHS	Ministry of Social Development and Human Security
NGO	Non-Government Organization
NOCHT	National Operational Center on Prevention and Suppression of Human Trafficking
RTE	Royal Thai Embassy
POCHT	Provincial Operational Center on Prevention and Suppression of Human Trafficking
PODC	Protection and Occupational Development Center
PSDHS	Provincial Social Development and Human Security Office
The Project	The Project on Strengthening Multi-Disciplinary Teams for Protection of Trafficking Persons in Thailand
TIP	Trafficking in Persons
Tor Mor	Immigration Bureau
VoT	Victim of Trafficking

Objectives

This Guideline (practical version) is a concise and easy-to-use tool for MDT members in their operations of protecting victims of trafficking (VoT). The practitioners shall refer to “Flow-charts of operations” and use “Check-lists” or other documents attached to ensure that all necessary steps were followed and all necessary information was fully transferred to other team members in the next step of operation. Moreover, the person-in-charge of each step, such as a case manager or an operational team leader, can also use this Guideline as a tool in overseeing or managing the operations.

***Note:** Practitioners shall study details of operations using other manuals or guidelines along with this ‘practical version’. Other manuals or guidelines include; “Operational Guideline for Protection of Trafficked Persons” Book II ‘Provision of assistance and protection to trafficked persons in Thailand’ (DSDW/JICA); “Guideline for practitioners in the operations for prevention and suppression of human trafficking” (MSDHS/IOM/ American Center for International Labor Solidarity/ Human Rights and Development Foundation); “Manual for public prosecutor in prosecuting human trafficking cases” (Office of Criminal Litigation, Office of the Attorney General); “Manual on Human Trafficking; sexual exploitation of children and women” (Faculty of Law, Institute of Police Administration Development) and etc.

Structure of the Guideline

This Guideline consists of 3 sections.

The first section states about **foreign victims in Thailand**.

The second section is about both **Thais and Non-Thais trafficked persons residing in Thailand**.

The third section is about information on **procedures in applying for the Anti-TIP Fund and application form is also attached**.

Section I

Assistance to foreign victims of trafficking in Thailand

Section I: Assistance to Foreign Victims of Trafficking in Thailand

Part 1 of Section I shows the steps of receiving incident report, rescue operation until transferring a potential VoT / VoT to a shelter. Attached documents of this part are as follows;

- 1) **Check-list of receiving an incident report** (F1A), that guides the person/organization receiving an incident report to collect all necessary information from the informant(s);
- 2) **Check-list of pre-rescue operation** (F1B), that enables the case manager or the operational team leader to check all details during the planning for rescue;
- 3) **Check-list to notify information and rights of the rescued person** (F1C), which allows social workers or officers from NGO to provide information appropriately to the rescued person prior to the victim identification step;
- 4) **Form of preliminary interview for screening victim of trafficking** (F1D), which should be used along with the next format (F1E)
- 5) **Questions to be asked and purpose of each question when conducting fact-finding interview** (F1E). This document is expected to enhance effectiveness of victim identification by letting officers in charge of fact-finding interview understand why each question should be asked;
- 6) **Recommended skills in interviewing VoT applying victim-centered approach and gender-based practices** (F1F);
- 7) **Check-list: rights and entitlements of victims of trafficking** (F1G), which allows practitioners to inform rights and entitlements of VoT in details. This will be used together with the next format (F1H)
- 8) **Sample of form for rights' notification of trafficked person** (F1H), which requires a signature of the trafficked person before s/he will be transferred to the Protection and Occupational Development Center (PODC).

Part 1.2 shows **the procedures for the staff of a short-term shelter**, when providing protection services to a potential trafficked person as per the Article 29. The procedures start from intake of a potential VoT, victim identification, and legal procedures after being identified as a VoT until the step of referral to the PODC. The flow-chart in page 28-29 also specifies a timeframe, such as within 24 hours, 2-3 days or 7 days, which are the periods that practitioners are allowed to legally keep a potential VoT under their protection. Besides, there are also a check-list of information to be received from the rescue team, a check-list of information to be submitted to an inquiry officer to forward to the public prosecutor for criminal prosecution, and a check-list of documents needed when referring a VoT to PODC.

Attached documents in Part 1.2 are as follows;

- 1) **Form of temporary protection for trafficked persons** (Article 29) (F2A);
- 2) Sample of **request form for seven-day extension for temporary protection** (F2B);
- 3) Sample of **request form for compensation and remedies** (F2C), which is the form that a competent official of the Anti-Trafficking in Person Act shall submit to public prosecutor at the time of filing a case in the criminal charges against traffickers;
- 4) **Procedures to claim rights** (F2D), e.g. as per the Article 35 of the Anti-TIP Act, as per the Damages for the Injured Person and. Compensation and Expense for the Accused in Criminal Case Act, as per the Witness Protection Act and as per the Labour Protection Act.

Part 1.3 concludes **procedures for PODC**, by separating tasks into social, medical and legal aspects. Roles of social workers, psychologist, and legal officers and ideal timeframe are also specified.

User Instruction

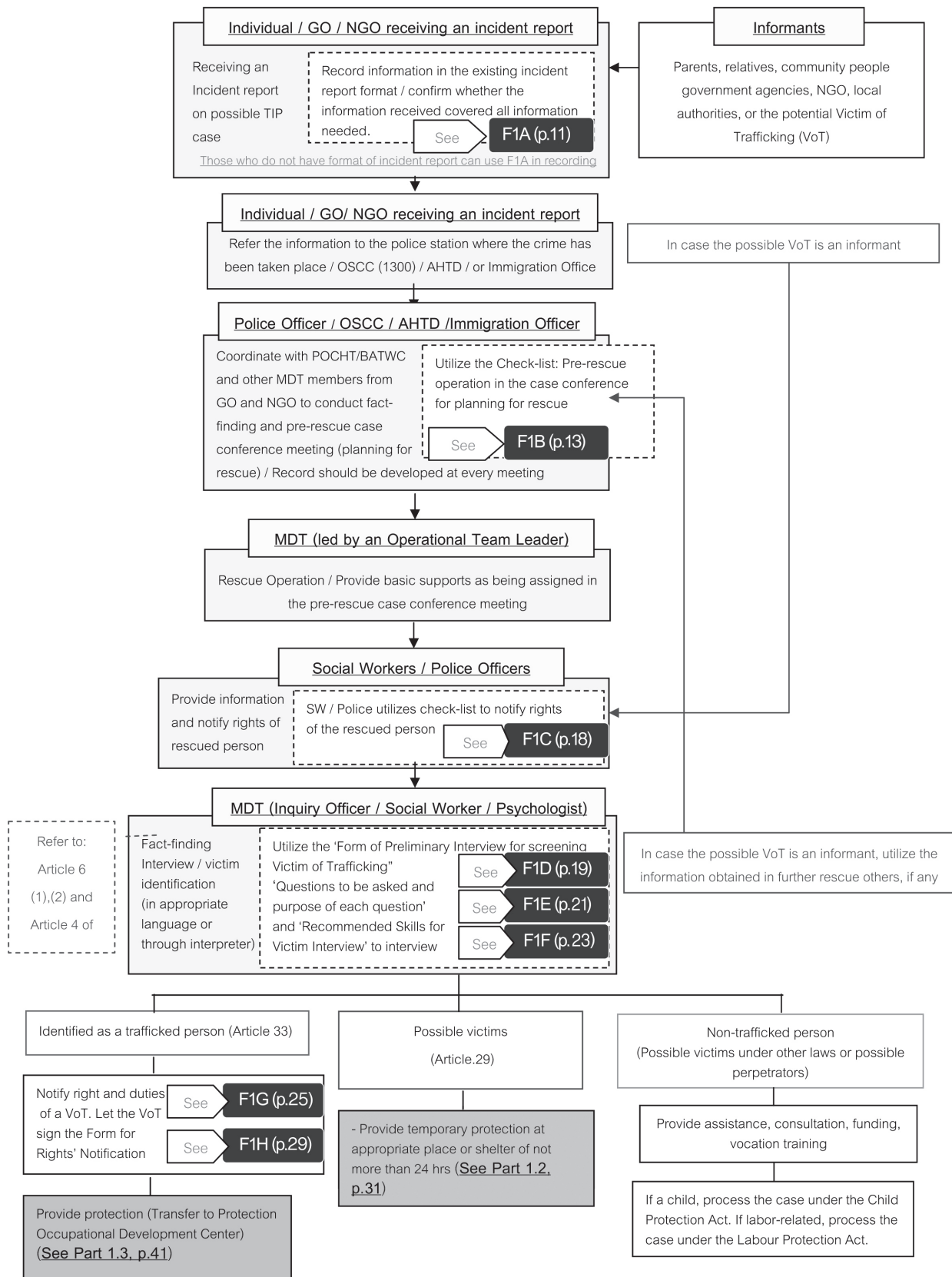
MDT members may make a copy of necessary formats or check-lists and utilize them for actual operations.

Individual or organizations receiving an incident report and MDT members in charge of rescue operation shall refer to Part 1.1. Start from the flow chart in Page 10. Follow steps as identified in the flow and utilize attached documents such as check-lists as deemed necessary. However, rescue team shall also check the list of documents to be forwarded to the short-term shelter in page 31.

Officers of the Shelter for Children and Family or Reception home that receives the potential VoT as per the Article 29 shall refer to Part 1.2 of this Guideline. See the flow chart in page 31-32 and utilize attached documents specified in the flow chart as deemed necessary. The case manager of the Shelter for Children and Family or the Reception home shall mark (✓) the tasks completed in page 31-32 and submit it to PODC, together with other necessary documents. This is expected to enhance case management by informing PODC of services that have been already provided to the VoT at previous steps.

Officers of the PODC that provide protection services to the VoT as per the Article 33 shall receive the filled-in format from the Shelter for Children and Family (page 31-32 of part 1.2), which specifies the services being provided to the VoT. Practices needed by PODC can be referred to in page 41-42.

Part 1.1 Receiving incident report, rescue operation and transferring to a shelter



F1A Check-list of receiving an incident report

The person receiving incident report may utilize this format to confirm whether the received information covered all information needed.

- ☐ Name of informant.....
- ☐ Contact no. of informant.....
- ☐ Level of urgency..... ☐ Highly urgent, because.....
☐ Others.....
- ☐ Personal information of the potential trafficked person.....(Name / Nick-name, if any) Other details / appearance..... (for example, color of complexion, height, weight, forehead, hair, eyes, ears, nose, mouth & lips, tattoo, scar, and other physical abnormalities of the trafficked person)
- ☐ Number of potential trafficked person(s) in average.....persons
- ☐ Method of contact to potential trafficked person(s).....
- ☐ ☐ Thai Nationality ☐ Foreigners
 Interpreter of.....language needed
- ☐ Approximate age of the potential trafficked persons.....
- ☐ There is possibility of having VoT of under 18 years of age. If any, how many?
☐ No ☐ Yes. Approximately.....persons
- ☐ The crime of trafficking occurred at (province).....
 Under the police station of.....
- ☐ General condition of the place.....
- ☐ Safety condition/condition that the VoT was facing (Any weapons being used).....
- ☐ Kinds of assistances needed.....
- ☐ The informant has reported to other agencies.
☐ No
☐ Yes. To which agency?
 (Please specify name.....Tel. No.)

If time permitted, other information that should be obtain

- ☐ Information of offender / perpetrator, such as shop or factory owner (name, surname, sex, age, nationality, race, language utilized, complexion color, height, appearance, feature and other remarkable feature).....

Acts (Article 6)

- ☐ Procuring ☐ Buying ☐ Selling ☐ Vending ☐ Bringing from
☐ Sending to ☐ Detaining ☐ Confining ☐ Harboring ☐ receiving

In case of adults, any of the following acts (Article 6)

- ☐ Threat ☐ Use of force ☐ Physical abuse ☐ Beating ☐ Sexual abuse
☐ Deception ☐ Abduction ☐ Abuse of power ☐ giving money or benefits to achieve
the consent of a person having control over another person in allowing the offender to
exploit the person under his control

The above acts were done with any of the purpose of (Article 5)

- ☐ Prostitution ☐ Production or distribution of pornographic materials
☐ Other forms of sexual exploitation ☐ Slavery
☐ causing another person to be a beggar ☐ Forced labour or service
☐ coerced removal of organs for the purpose of trade
☐ any other similar practices resulting in forced extortion, regardless of such person's
consent

F1B Check-list of pre-rescue operation

In the case conference for preparation of the rescue, a case manager or case conference team leader may confirm all necessary details by utilizing this check-list. S/he can also record important points discussed in the conference and use it as a tool in managing the operation. Other items can be added freely as deem appropriate.

Date of case conference meeting.....Time.....hrs.-.....hrs. Place of meeting.....

No.	Item	Detail / Responsible person
1	- Assign a case conference team leader - Find minute taker	Case conference team leader's name:..... Minute taker's name:
2	Representatives present their incident report/ result of fact-finding	
3	Verify the facts of incident report/ result of fact-finding	
4	Assess numbers of target groups	Approximate number of potential victims of trafficking (VoT).....prsn. Approximate number of foreigner (Nationality)prsn. Approximate number of foreigner (Nationality)prsn. Approximate number of perpetrator..... prsn. Approximate number of others (such as customers).....prsn.prsn.
5	Assess situation/ urgency/ possible risk	<input type="checkbox"/> The best way to enter the place..... <input type="checkbox"/> Having trafficked persons being sick / injured <input type="checkbox"/> The perpetrator has previous criminal record or seems having arms..... <input type="checkbox"/> The place might be unsafe.....

	No.	Item	Detail / Responsible person
	6	Designate operation date and time/ rescue and arrest method / Number of officers (including interpreters needed) as per No. 7 onwards	<input type="checkbox"/> Date and time of operation..... Caution: Entering a place when having no explicit evidence or no authority to arrest offenders may result in having to release the suspect. This will increase difficulties in later finding the suspect. Hence, entering the place shall be conducted after investigating and collecting enough evidences and applying for the court warrant. This excluded an urgent case.
	7	Designate 1. Operational Team leader to command, make decision, resolve emerging problems 2. Legal team leader 3. Social team leader to coordinate with social worker, psychiatrist and interpreter	<u>Operational team leader's name:</u> normally head of investigating officer/ inquiry officer..... <u>Legal team leader:</u> (same person as team leader if possible) <u>Social team leader:</u>
	8	Identify members and roles of each member in the rescue team, identify numbers of staff needed, assign duties of each personnel	<input type="checkbox"/> Arrest team consists of..... @persons <input type="checkbox"/> Evidence collection team consists of..... @persons <input type="checkbox"/> Social team consists of..... @ persons <input type="checkbox"/> Screening team consists of@ persons <input type="checkbox"/> ...(language).....Interpreter..... @ persons <input type="checkbox"/> ...(language).....Interpreter..... @ persons
	9	Designate and prepare a symbol of each team	All symbols to be prepared by..... <input type="checkbox"/> Symbol of the arrest team (police)..... <input type="checkbox"/> Evidence collection team (police) ID..... <input type="checkbox"/> VoT protection team (police)to refer to social worker team ID..... <input type="checkbox"/> Social worker team ID..... <input type="checkbox"/> VoT identification team ID..... <input type="checkbox"/> Interpreter (.....language) ID..... <input type="checkbox"/> Interpreter (.....language) ID.....

Check-list of pre-rescue operation

	No.	Item	Detail / Responsible person
	10	Equipment / vehicle preparation	<input type="checkbox"/> Bullet-proof vest / safety kits for operational team officers totalPrepared by..... <input type="checkbox"/> Vehicle type/ total no,..... Prepared by <input type="checkbox"/> Camera/ Video camera/ total..... Prepared by..... <input type="checkbox"/> Walky-talky/ total.....Prepared by <input type="checkbox"/> Printer/photocopier/total.....Prepared by <input type="checkbox"/> Laptop computer/ total.....Prepared by <input type="checkbox"/> Flashlight / total.....Prepared by <input type="checkbox"/> First aid kit/ total.....Prepared by <input type="checkbox"/> Audio recorder/ total.....Prepared by <input type="checkbox"/> Bag to collect trafficked person's belonging/ total..... Prepared by.....
	11	Prepare formats and relevant documents	<input type="checkbox"/> Victim Identification form / total no. To be prepared by <input type="checkbox"/> MOU, relevant laws / total no.To be prepared by <input type="checkbox"/> Interview format / total no...To be prepared by <input type="checkbox"/> Motion form for aid / totalPrepared by
	12	Budget	<input type="checkbox"/> Food and beverage for trafficked persons / totalto be procured. by..... <input type="checkbox"/> Food and beverage for officers / totalby..... <input type="checkbox"/> Vehicle expense & fuel / totalby..... <input type="checkbox"/> Allowance / totalby..... <input type="checkbox"/> Accommodation expense / totalby..... <input type="checkbox"/> Others..... / totalby.....
	13	Explain roles and obtain consensus on steps of practices of each practitioner.	Details of operations <u>Police officer</u> <input type="checkbox"/> Situation control right after raid <input type="checkbox"/> Evidence collection team who enters the place in the first place takes photos of the place right after raid

	No.	Item	Detail / Responsible person
			<p><input type="checkbox"/> Arrest team arrests the offender(s) and escorts the suspect(s) at once to prevent them from destroying / hiding evidence, prevent any risks that may occur, and prevent them from communicating with others. Use confining tools, if necessary.</p> <p><input type="checkbox"/> VoT protection team arranges and escorts VoT to a safe place. Then, clarify the situation and assign one person to take care before referring them to social workers, who will later enter the place.</p> <p><input type="checkbox"/> Operational team leader takes interpreters, social workers and other officers into the place.</p> <p><input type="checkbox"/> After moving the suspects and potential VoTs to other places, evidence collection team investigates vehicles and the place, where the crime of trafficking has been occurred, collects evidence (witness, physical evidence and document) and makes a record.</p> <p><u>Social Worker Team and officers of foundation (if any)</u></p> <p><input type="checkbox"/> Self-introduction and introduction of roles of officers and rescued persons</p> <p><input type="checkbox"/> Preliminary assess physical and mental condition of the rescued persons and identify people needing urgent assistance</p> <p><input type="checkbox"/> Notify information and rights of the rescued before screening. Obtain understanding and collaboration from the rescued persons and explain steps of assistance available.</p> <p><input type="checkbox"/> Inform evidence collection team (police officer), without touching anything, if any evidence was found.</p>

	No.	Item	Detail / Responsible person
			<input type="checkbox"/> Move the target group out to the designated parking and move to the safe place for victim identification, such as police station, reception home or hospital. <input type="checkbox"/> Provide food and beverage / let rescued persons take rest as deemed appropriate. <input type="checkbox"/> Preliminary grouping/ screening. <input type="checkbox"/> Notify rights of those screened as VoT and ask the VoT to sign the form of rights' notification.
	14	Operational Team leader declare list of evidence to be collected or informed to evidence team (police officer)	<i>Refer to the Manual for public prosecutor in handling trafficking cases, by the Office of Criminal Case, Office of the Attorney General)</i>
	15	Specify meeting point/ muster point/ parking point	meeting point/ muster point..... Parking point before mobilize.....

F1C Check-list to notify information and rights of the rescued person

Before screening by the inquiry officers or other officers, the rights for the rescued person should be notified. This document can be used for reference when informing the rights (**self-check**). It does not have to go one after another respectively

	Item	Detail
1	Introduction	<input type="checkbox"/> Introduce oneself, the role, and responsibility of each officer in order to build relationship with potential trafficked persons
2	Rights notification	Notify the rights of the rescued person as follows <input type="checkbox"/> (For non-Thai) Foreigners receive as many public services as Thais <input type="checkbox"/> With language difficulties, interpreter or sign-language interpreter should be arranged <input type="checkbox"/> Foreigners are entitled to receive the same rights for protection and legal right as Thai
3	Providing information	<input type="checkbox"/> Inform about the situation and sequence of operation (starting from fact-finding interview, sending the information to inquiry officers, followed by interrogation by inquiry officer) <input type="checkbox"/> Request for collaboration from trafficked and non-trafficked persons to give accurate information as much as possible during the fact finding interview. Officers should inform them that their information will be useful to identify what assistances they need. Providing assistance to each victim may be different. <input type="checkbox"/> Ask for collecting and verifying personal documents <input type="checkbox"/> Ask for gathering personal belongings e.g. cell phone (turned off or temporary confiscate up to consideration of the operational team leader) <input type="checkbox"/> Inform that photograph will be taken for record and further submitted to relevant agencies, without any public exposure <input type="checkbox"/> Inform that there is no disclosure of information or story of the informant or trafficked person e.g. name & address to public except to(name the relevant multi-disciplinary team members).....
4	Rights of officer clarification	<input type="checkbox"/> The officers should respect the decision made by trafficked persons whether they choose to seek for temporary protection (in case having a legal status to stay in the country), although officers need to ensure the utmost benefit of trafficked persons. Meanwhile, officers have a duty to give protection for possible victims as well (Section 29).

F1D



Order No.....

Form of Preliminary Interview for Screening Victim of Trafficking

Place of Interview.....

DateMonth.....Year.....

This interview form was developed base on the fact that, today athrs., the officer and other relevant members comprising of;.....

.....

have interviewed a person to screen a victim of trafficking as follows.

1. Information of interviewee

Name () Miss () Master () Ms. () Mrs. () Mr.....

(In case not being able to specify name-surname, please specify flaw, appearance or special features.....)

Date of Birth.....Age.....years old. Nationality.....

Race.....() Other, please specify.....

Father's name-surname.....Mother's name-surname.....

Address.....

ID card No.Passport No.....

Other personal documents () Yes. Please specify.....() No

Enter into / from Thailand through the channel of

Mode of travel () On foot

() Vehicle / By () Car () Bus () Others. Please specify.....

Name-Surname of the person who facilitated the travel.....

2. Has any of the following acts been done to the interviewee?

() Procuring () Buying () Selling

() Vending () Bringing from () Sending to

() Detaining () Confining () Harboring

() Receiving a person

3. The act in No.2 was conducted by means of;

() Threat () Use of force () Abduction

() Fraud () Deception () Abuse of power

() Giving money or benefits to achieve the consent of a person having control over another person in allowing the offender to exploit the person under his control

4. The above act in 2 and 3 was conducted with any of the purposes of

- ☐ Prostitution ☐ Production or distribution of pornographic materials
☐ Other forms of sexual exploitation ☐ Slavery
☐ Causing another person to be a beggar ☐ Forced labour or service
☐ Coerced removal of organs for the purpose of trade
☐ Any other similar practices resulting in forced extortion

5. Behavior and opinion

Summary of behavior.....
.....
.....
.....

Conclusion of opinion

- ☐ Not a trafficked person
☐ May be a trafficked person. Shall provide temporary protection or wait for re-screening
☐ A trafficked person

6. Suggestion for further assistance.

.....
.....
.....

Recorded to be an evidence.

(Signature).....Interviewee

()

(Signature).....Interviewer

()

Position.....

(Signature)..... Interviewer

()

Position.....

(Signature).....Interpreter

()

Position.....

(Signature).....Interviewer/Recorder

()

Position.....

F1E Questions to be asked and purpose of each question when conducting fact-finding interview

In interviewing a rescued person for the purpose of fact-finding, the interviewer may utilize the form of preliminary interview for screening VoT. However, the interviewer shall acknowledge which questions should be asked and understand the purposes of each question.

Questions	Purposes
A. Personal History	
1. Age	1) "Age" is essential in the determination of TIP. If a person under 18 years of age has been unlawfully exploited, it is always TIP regardless of use of force or other factors such as transferring methods. 2) To ascertain other laws to be applied. For example, if the rescued person was under 18 years of age, there should be special interview process. If no such process was conducted, public prosecutor would not be able to file a case to the court.
2. Family, name of parents, siblings, spouse, children, relatives and domicile.	1) For repatriation and reintegration purpose
3. Previous occupation	1) For the purpose of claiming compensation or unpaid wages during the trafficked period.
B. Personal documents	
1. Personal documents such as passport or other ID cards	1) For the purpose of age verification
2. Whether personal documents were seized by the employer	1) To ascertain detention
C. TIP organization	
1. Whether the possible VoT was recruited or brought from the origin country	1) To identify those involved in TIP crime 2) To ascertain whether the rescued person became trafficked person from the beginning (at origin country) or later on (at destination country)
2. Persons met at each stop along the way	1) To identify those involved in TIP
3. What promises or work conditions were told by the broker in the origin country	1) To ascertain deception

Questions	Purposes
4. Whether the broker knew the purposes of transporting the rescued persons into Thailand	1) To identify the law to charge the broker. If s/he did not know, s/he can be charged under the Immigration Act 1979 for smuggling of people. If s/he knew, s/he can be charged as an accomplice in the Anti-TIP Act 2008.
5. Date of entry into Thailand	1) To calculate the amount of compensation and remedy
6. Question on the date of arrival at the workplace and the date of starting the work	1) To provide basis for claiming unpaid wages and damages
D. Working Conditions	
1. Time to wake up, time to work, time to finish work, time to eat, number of meals	1) To ascertain use of force, threat or abuses
2. Availability of medical care, freedom to rest, threats or physical abuses	1) To assess whether the labour welfare of the rescued persons was protected
E. Wages or indentured debts	
1. Promised wages vs actual wages received	1) To determine whether the rescued person was exploited by the employer 2) To provide the basis for claiming unpaid wages and damages
2. Any expense or subtraction for debt payment	1) Whether there was a use of force 2) To provide the basis for claiming damages
F. Environment and Living Conditions	
1. Freedom to go outside, employer's instruction to remain inside, whether escorted by others when going outside	1) To ascertain detention
2. Number of entrances and exits, the placements of closed circuit cameras, the use of barbed wires	
3. Freedom to communicate with outside	

F1F Recommended skills in interviewing VoT applying victim-centered approach and gender-based practices

Key factors	Recommended skills
Build a friendly and trustful relationship	<ul style="list-style-type: none"> ● Start with introduction of interviewers and explain objectives of the interview. ● Interviewers should wear normal clothes, not uniforms. ● Interviewers should be the same sex and speak the same language as VoT. If not being able to speak the same language, arrange an interpreter(s). (Same nationality does not mean speaking same language). ● The relationship is built on trust.
No further traumas to victims	<ul style="list-style-type: none"> ● Interviewer should prepare physically and mentally, and be ready to cope with any problems that the VoT has faced.
A safe, secure and comfortable interview environment	<ul style="list-style-type: none"> ● Never organize an interview which may do harm to victims. ● Ensure privacy and safe interview (no other people, except for the victim supporters, can hear the interview).
Utilize victim rights based approach	<ul style="list-style-type: none"> ● Victims should be informed that what they say will be respected, heard, acknowledged, and treated with dignity. ● Victims should understand the purpose of the interview. They have the right to participate or stop the interview at any time. ● Victims can add or change any information that they said. ● Interviewer should bear in mind that facts might not be obtained at once in the fact-finding and victim identification process. ● When needing to decide something, interviewer should provide alternatives to VoT and encourage him/her to consider pros and cons of the choices. Decision of the VoT should be respected. ● Victim's consent should be sought before sharing.
Soft Interview Method	<ul style="list-style-type: none"> ● Use simple language. Do not use legal technical terms. ● Start with normal questions (not sensitive questions). ● Ask appropriate, simple questions.

Key factors	Recommended skills
	<ul style="list-style-type: none"> ● Allow potential VoT to narrate his/her story as much as possible from the day when they have decided to go to work until the day of rescue. ● Use open-ended questions. Use the question like; <ul style="list-style-type: none"> - 'Please tell me what you had to do at the Karaoke in.....?' - 'I heard that the employer made you do something against your will. Can you tell me what happened?' - 'As far as you can remember, how many of your friends were abused by the employer? Men or Women? How old were they?' ● Avoid repeating the same questions. ● Avoid re-traumatization to victims.
Soft Interview Method (cont.)	<ul style="list-style-type: none"> ● Rude, threatening, forcing or humiliating attitudes are not accepted during the interview. For example; ● "You would be provided with food and a place to rest after telling all stories" ● "If you tell the truth, you would not be punished" ● "Everyone told the truth except you" ● "If you do not tell me the truth, I won't help you"
Keep information confidential	<ul style="list-style-type: none"> ● Information that victims provided should be kept confidential and will be used only in case of need.
Trust, no judging	<ul style="list-style-type: none"> ● Judgmental attitudes should not be shown because it discourages victims to share information openly.
Provide sufficient information	<ul style="list-style-type: none"> ● Provide full information on services they are entitled to and information on agencies that provide services ● Never promise anything over your authority
Be professional	<ul style="list-style-type: none"> ● Show respect and treat interviewees without bias. ● Convey sympathy and encouragement to interviewees. ● Ensure interviewees are ready for interview physically and mentally. ● Tell them they are not to be blamed.
Child victims	<ul style="list-style-type: none"> ● In case of interviewing child victims, ensure privacy and the best interest of the children ● Before interviewing child victims, consent should be obtained from the child, his/her family or the guardian. ● Interviews should be conducted in the presence of the his/her family or guardian.

F1G Check-list: Rights and Entitlements of Victims of Trafficking

Apart from having the trafficked person sign the right's notification format, the service providers should spare time to explain in details the rights that a victim of trafficking (VoT) is entitled to during their stay in the Shelter for Children and Family or the Protection and Occupation Development Center. This does not mean that the service provider shall read out the following items to the VoT, but rather study all details and consider appropriate timing and situation for conveying each item to the VoT.

The service providers should also inform what is expected from VoT. For example, VoT is expected to notify the police and collaborate with interrogating officer in stating facts and to prepare necessary documents.

Rights and entitlements of VoT can principally be divided into 2 parts; the rights and entitlements as per the Anti-TIP Act and the rights and entitlements as per other acts.

Act	Details
Rights and entitlements as per the Anti-TIP Act 2008	<input type="checkbox"/> Rights to receive appropriate assistance on food, shelter, medical treatment, physical and mental rehabilitation, education, training, legal aid, and return to the country of origin safely (Article 33)
	<input type="checkbox"/> Right to receive compensation for damages as a result of the commission of human trafficking (Article 35)
	<input type="checkbox"/> Right to receive protection, whether prior to, during and after prosecution. Providing protection to family members of trafficked persons should be taken into account including the right to be under the protection according to the law on protection of witness in criminal case in all respects. (Article 36)
	<input type="checkbox"/> Right to be granted a temporary residence and temporary work permit prescribed by the law (Article 37)
	<input type="checkbox"/> Right to be exempted from the offences of leaving, entering, or residing in the Kingdom without permission under the law on immigration, giving false information to the official, forging or using a forged travel document under the Penal Code, offence under the law on prevention and suppression of prostitution, particularly on contacting, persuading, introducing and soliciting a person for the purpose of prostitution and assembling together in a place of prostitution for the purpose of prostitution, of offence of being an alien working without permission under the law on working of the alien (Article 41)

Act	Details
	<p data-bbox="529 360 1343 570"><u>In addition to notifying the above 5 points, which are those written in the Form for Rights' Notification of Trafficked Persons by DSDW, at appropriate timing and situation, the case manager may also notify other rights and entitlements as per the Anti-TIP Act as follows.</u></p> <p data-bbox="482 586 1343 979"><input type="checkbox"/> Legal proceedings will not be detrimental or prejudicial to the rights of the trafficked persons and are consistent with the psychological and physical safety of the trafficked persons. For example, methods of investigation or gathering evidence will not interfere with the human rights or human dignity of the trafficked persons. Besides, defendants (traffickers) are not permitted to utilize the personal history or previous occupation of the trafficked persons as a defense evidence (Respect to human rights and human dignity as per the Article 33)</p> <p data-bbox="482 995 1343 1167"><input type="checkbox"/> The trafficked persons can contact the embassy, consulate, a diplomatic representative or international authority, whose task is the protection of such persons, of the country in which the trafficked is a citizen (Safety as per the Article 36)</p> <p data-bbox="482 1183 1343 1300"><input type="checkbox"/> Non-disclosure of information of trafficked persons to public or other persons than.....(specify relevant MDT members) (Confidentiality as per the Article 56)</p> <p data-bbox="482 1316 1343 1988"> <input type="checkbox"/> Rights to TIP fund as per the announcement of TIP fund committee (National Gazette No. 126 Section 170 ngor dated 23 Nov 2009) <ul style="list-style-type: none"> ● Actual medical cost of not more than 30,000 baht including transportation and food during such a period of not more than 2,000 baht, however payable not more than 3 times a year. ● Actual expense for physical and mental recovery, not more than 20,000 baht ● Compensation for revenue during the off days, not more than 200 baht. per day for not more than 1 year from the first day-off (for those working regularly before trafficked) ● Expense for legal process or prosecution to claim compensation or as indicated by court order ● Repatriation expense </p>

Act	Details
	<p>Rights as per other laws such as, Right to compensation under other relevant laws such as compensation under the Damages for the Injured Persons and Compensation and Expense for the Accused in Criminal Case Act 2001 and wage compensation and court proceedings against employers under Labour Protection Act 1998, etc <u>Apart from notifying such rights written in the Form for Rights' Notification of Trafficked Persons by DSDW, the case manager may also notify other rights and entitlements at appropriate timing and situation as follows.</u></p>
Rights as per Criminal Procedure Act	<ul style="list-style-type: none"> <input type="checkbox"/> The trafficked person has rights to institute a prosecution by oneself even having an order of non-prosecution by a public prosecutor (Article 34) <input type="checkbox"/> The trafficked persons can request for special witness hearing (Article 172-3) without having to face traffickers by utilizing CCTV or other electronic devices, or can do it through counselor, social worker or other persons specified by the trafficked persons. <input type="checkbox"/> Provision of a translator and legal representative before and during all criminal and civil proceedings, in which the person is a witness, complainant or defendant, can be provided without cost (Article 13-2)
Rights as per Witness protection Act 2003	<ul style="list-style-type: none"> <input type="checkbox"/> The witness can apply for special protection measures at the Witness Protection Bureau, Ministry of Justice. <input type="checkbox"/> The witness can request for a new place of accommodation from the government. <input type="checkbox"/> The witness can request for arrangements for a 24-hour bodyguard service for a necessary period of time. <input type="checkbox"/> The witness can request for allowance when going to give statement to the inquiry officer or going to the court. Within the province is 200 baht and outside the province is 500 baht. <input type="checkbox"/> The witness is entitled to receive compensation for damage costs related to life, body, health, liberty, honor, and property as being a witness in Criminal Case.

Act	Details
Rights as per Damages for the Injured Person and. Compensation and Expense for the Accused in Criminal Case Act 2001	<input type="checkbox"/> Those injured physically and mentally from the offense relating to sexuality and offense against life and body under the Article 246 of the Criminal Code can file a request to the Committee Determining Damages for the Injured Person and Compensation and Expense for the Accused in the Criminal Case within one year from the date the committed offense has known to the injured person (Section 22). <input type="checkbox"/> Actual medical expense, not more than 30,000 baht. <input type="checkbox"/> Actual physical and mental recovery, not more than 20,000 baht. <input type="checkbox"/> Compensation of days not being able to work : 200 baht a day, counting from the day not being able to work, but not exceed more than 1 year. <input type="checkbox"/> Other compensation that may deemed necessary by the Committee but not more than 30,000 baht (According to Ministerial Order No.3)
Rights as per the Child Protection Act 2003	<input type="checkbox"/> The trafficked person under 18 can request protection and welfare service from the competent official of this Act. <input type="checkbox"/> Can request to stay in the Shelter for Children and Family or in the Protection and Occupational Development Center. <input type="checkbox"/> Can request to be hosted by a foster family. <input type="checkbox"/> Can request to receive education or vocational training or to receive treatment or rehabilitation in the Protection and Occupational Development Center.
Rights as per Labor Protection Act, 1998	<input type="checkbox"/> Rights to claim unpaid wages
Rights as to press charges against traffickers	<input type="checkbox"/> Regardless of legitimacy of the entry or work, the trafficked person can press charges against traffickers and others who have benefitted from the trafficked person. Officers of the Protection and Occupational Development Center will facilitate the procedure of notifying the police, conducting crime scene identification, conducting alleged offender identification and sketching, etc.

F1H Sample of Form for Rights' Notification of Trafficked Person

Place of the writing.....

Department of Social Development
and Welfare

Ministry of Social Development and
Human Security

Date.....Month.....Year.....

I, Mr. / Mrs. / Ms. / Master / Ms.....Age.....years old
Nationality.....Ethnicity.....ID / Passport / Border pass / Other docu-
mentation no.....is a trafficked person of human trafficking and protected
at.....Department of Social Development and Welfare,
Ministry of Social Development and Human Security.

As being protected as a trafficked person of human trafficking according to
the Anti-Trafficking in Persons Act 2008, the trafficked person is entitled following rights:

1. Right to receive assistance as appropriate to a trafficked person on food,
shelter, medical treatment, physical and mental rehabilitation, education, training, legal aid,
and return to the country of origin safely.

2. Right to receive compensation for damages as a result of the commission of
human trafficking

3. Right to receive protection, whether it be prior to, during and after prosecution.
Providing protection to family members of trafficked persons should be taken into account
including the right to be under the protection according to the law on protection of witness
in criminal case in all respects

4. Right to be granted a temporary residence and temporary work permit prescribed
by the law

5. Right to be exempted from the offences of leaving, entering, or residing in
the Kingdom without permission under the law on immigration, giving false information to
the official, forging or using a forged travel document under the Penal Code, offence
under the law on prevention and suppression of prostitution, particularly on contacting,
persuading, introducing and soliciting a person for the purpose of prostitution and
assembling together in a place of prostitution for the purpose of prostitution, of offence of
being an alien working without permission under the law on working of the alien

6. Right to compensation under other relevant laws such as compensation under the Damages for the Injured Persons and Compensation and Expense for the Accused in Criminal Case Act 2001 and wage compensation and court proceedings against employers under Labour Protection Act 1998, etc.

I have been fully informed, understand rights of trafficked person as a result of the commission of human trafficking, from the competent officials/staff through.....
(interpreter) already.

☐ I intend to be under protection with my consent and I am willing to comply with regulations of the Protection and Occupational Development Center.

☐ I have no intention to be under protection since.....

Signature.....Protected person
(.....)

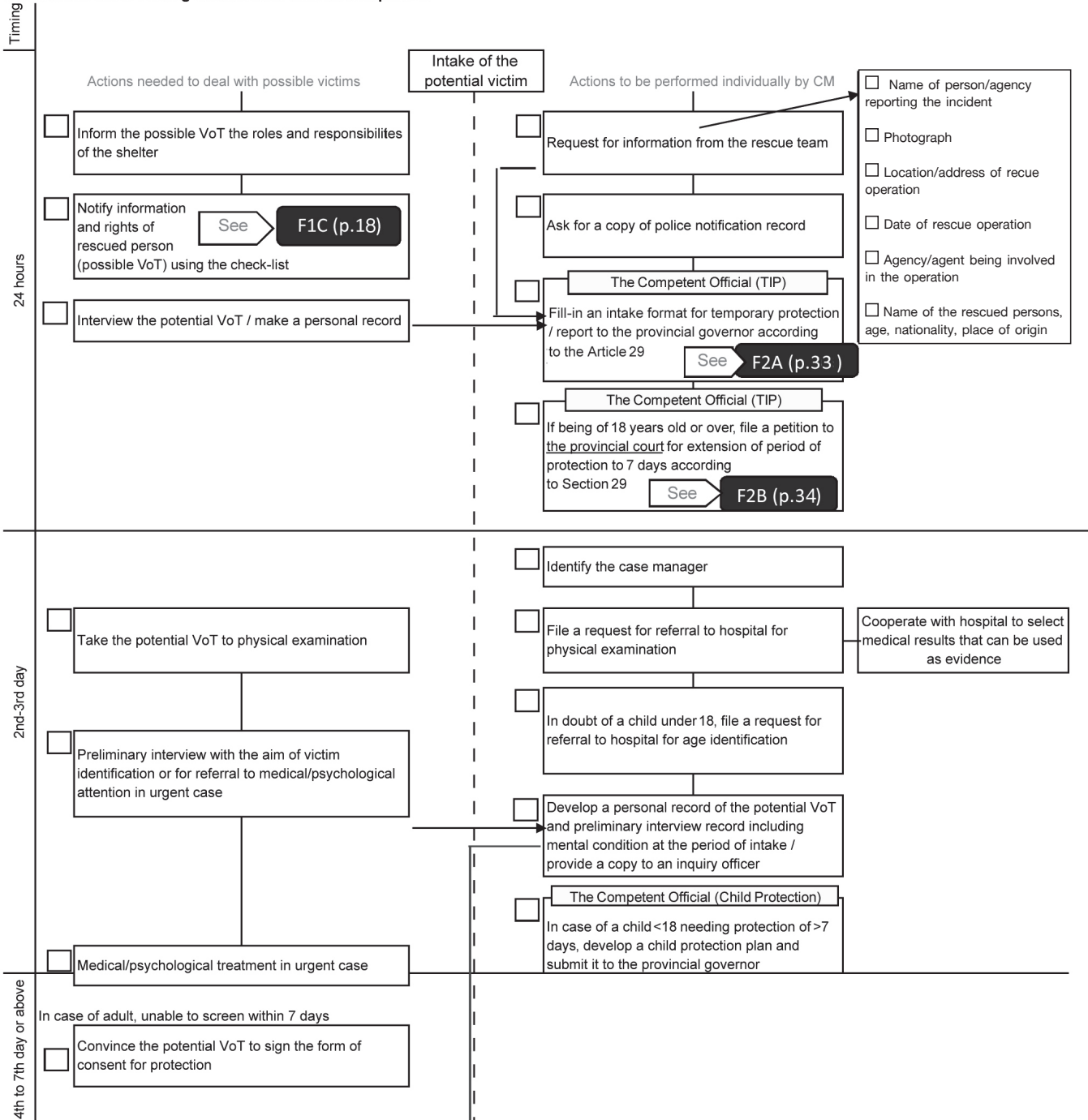
Signature.....Officer
(.....)

Signature.....Witness
(.....)

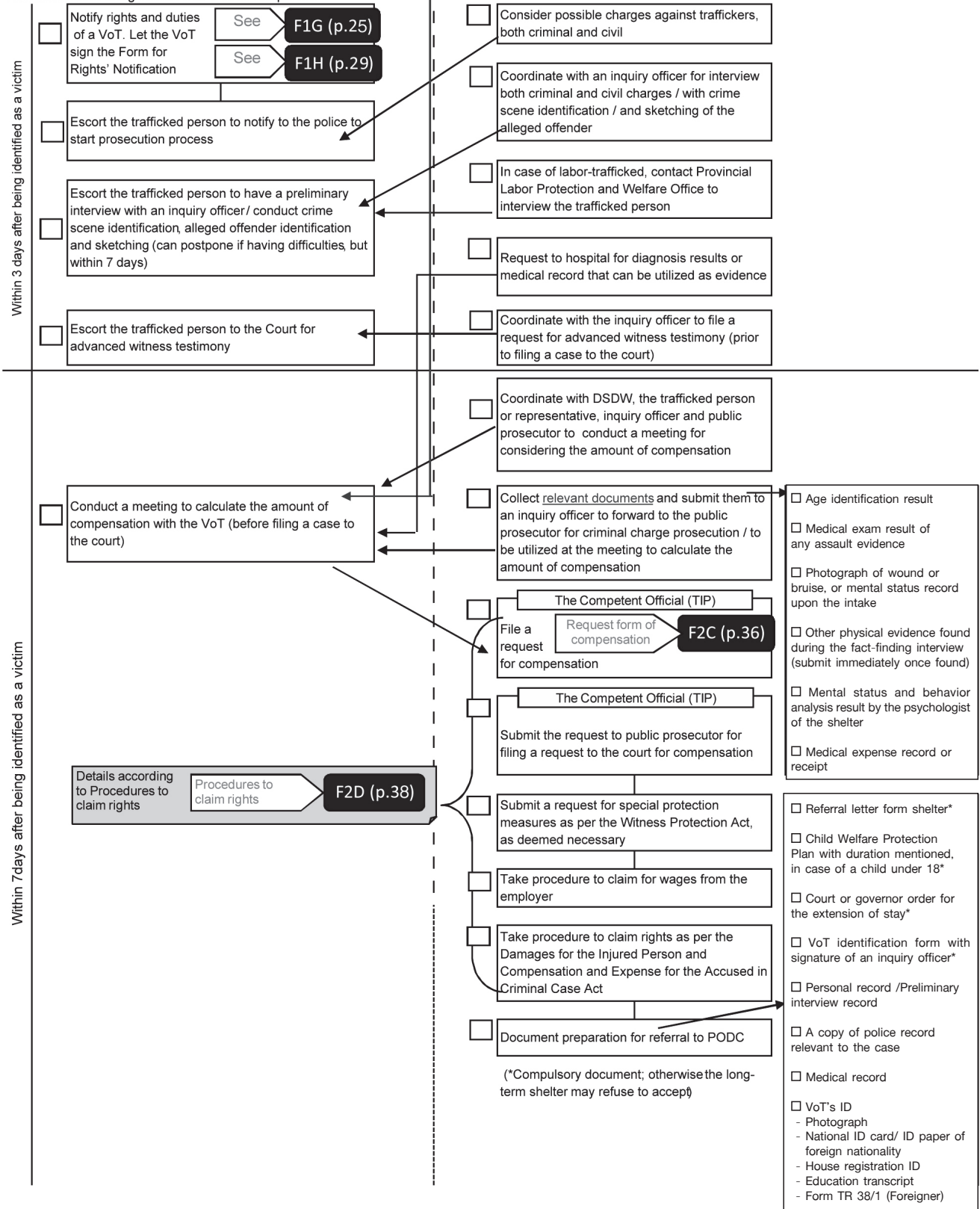
Signature.....Witness/Typing
(.....)

Part 1.2 Procedures for Short-term Shelter

Procedures before being identified as a trafficked person



Procedures after being identified as a trafficked person



F2A

Form of Temporary Protection for Trafficked Persons
As per the Anti-Trafficking in Persons Act B.E. 2551 (Article 29)

Place of the writing

Date.....Month.....Year.....

Today at.....am/pm(Organization).....Transferred potential
 trafficked victims Name..... Age.....years
 old Nationality..... Domicile..... Is protected at (organiza-
 tion)..... Address no..... Village.
 Road..... Sub-district..... District.....
 Province..... Which is an appropriate place where the Minister for the
 Ministry of Social Development and Human Security guarantees in order to find more fact
 and protect for..... As the Anti-Trafficking in Persons Act B.E
 2551 Article 29.

The transferring organization will find the fact together with the receiving
 organization within 24 hours from Date..... Month..... Year.....
 Time.....am/pm. In case the process takes time over 24 hours, a competent official
 of transferring organization may submit a request letter on temporary protection extension
 to the court. If the court has an order, the competent official will inform the receiving
 organization with a copy of the order letter. But if the court does not order anything,
 the person will be sent back to the transferring organization.

Please be informed as the evidence.

(Signature).....Transferor
 (.....)

(Signature).....Receiver
 (.....)

(Signature).....witness
 (.....)

(Signature).....witness / typing
 (.....)

F2B**Sample of request form for seven-day extension for temporary protection**

(7)

Petition Request temporary Protection
Extension under the Anti-
Trafficking in Person Act 2008



Case (Black) No. /Year.

Case (Red) No.
/Year.
...

Court

Date

Month

Year

Issue: Protection and Welfare

Competent Official under the Anti-Trafficking in Person Act 2008

Petitioner

Between

Objector

I

a competent officer/petitioner

Ethnicity

Nationality

Occupation

Date of birth

Month

Year

Age

years old

Address no.

Village

Road

-

-

Near

- Sub-district

District

Province

Telephone no.

Want to file a petition as following matters.

1. The petitioner is a competent official under the Anti-Trafficking in Persons Act 2008 as
Shown in the copy of official ID card attached in this petition

On the date of time hrs., the petitioner was notified by the police of
.....(station name),province, to help a person who is a potential victim of trafficking at.....
Village.....,sub-district,district,province. Subsequently, the
competent official in collaboration with police and other relevant officials had inspected such a location and found
the following persons:

1.1.....

1.2.....

The competent official has undertaken victim identification process and found that there are reasons to believe that
the persons mentioned above are trafficked persons and it is necessary for the persons to be inquired further
regarding human trafficking. To protect the safety of the persons, they are temporarily protected at the Shelter for

Remark ** I am waiting for the approval. If not, I deem the court has already acknowledged.

Petitioner

Children and Family,Province., where is suitable to stay safely, not a prison jail or detention center, as
designated by the Minister of Social Development and Human Security, since Date.....Month.....Year.....,

Sample of request form for seven-day extension for temporary protection

Time.....hrs.. The petitioner has already reported the provincial governor without delay.

2. At the moment, the competent official has been protecting the 2 persons and 24-hour protection period will be ended on Date.....Month.....Year..... Time.....hrs. However, due to the facts that the inquiry should be further processed: contacting the parents of such persons to give Information about the family and coordinating with relevant agencies to process advanced witness testimony. With such conditions and for the safety of the 2 persons, I therefore request the Court to extend another 7-day protection period, starting from the Date.....Month.....Year

Please kindly approve as per request.

May this matter rest upon your request

Signature.....Petitioner

This petition, a competent official.....(name)....., is editing and typing person

Signature.....Editing/Typing person

F2C**Sample of Request Form of Compensation and Remedies According to Anti-Trafficking in Persons Act 2008**

At Provincial Social Development and Human Security Office

.....Province

I.....age.....years old. Nationality.....is a trafficked person according to the Anti-Trafficking in Persons Act 2008. The current residence is Protection and Occupational Development Center,.....province. Address No.....Village... ,.....Sub-district..... DistrictProvince.

Due to the fact that I was deceived by Mr./Mrs..... age years old, conspiring with Mr./Mrs..... age years old, exploited me for the purpose of(prostitution, recruitment, intimidation, force into prostitution), which violated the Anti-Trafficking in Person Act 2008. The event was at.....located at.....(address)..... ,province. Presently, the case is ☐ being investigated by an inquiry official ☐ during advanced witness testimony ☐ being prosecuted in court.

In the event of asserted claim, I shall request compensation resulting of the commission of human trafficking as followings;

- 1) Compensation for mental and physical abuses, freedom deprivation, medical treatment expense including physical and mental rehabilitation expense.....Baht
- 2) Compensation being forced into prostitution.....Baht
- 3) Compensation for the damage/loss of personal belongings: (please specify).....Baht
- 4) Compensation for the lost earnings during the period I was unable to earn income as usual fordays,Baht / day, Total.....Baht
- 5) Compensation of unpaid wage.....Baht

6) Either ones as above or other compensation deemed as necessary, in other words, as I am a minor and I have mentally suffered because of sexual intercourse against my will. I have lost confidence and a chance to have family.....Baht.

The total compensation cost.....Baht

(.....written number.....)

I truly understand all the content. I hereby certify that the above mentioned are true and correct in every aspect and therefore sign my name in the presence of witness.

Signature.....Trafficked Person
(.....)

Signature.....Witness
(.....)

Signature.....
(.....)

Chief of..... Provincial Social Development and Human Security Office
Authorized by the Permanent Secretary of Ministry of Social Development and Human Security


F2D Procedures to claim rights

Related law	Procedures	Document required
Compensation claim for the trafficked person in Section 35 of Anti-human trafficking Act 2008	<p>1. When public prosecutor meets the trafficked person or the trafficked person is sent to meet the public prosecutor for advanced witness-hearing, the public prosecutor notifies the right to the trafficked person as in Section 35.</p> <p>2. Department of Social Development and Welfare or Provincial Office of Social Development and Human Security organizes a meeting with the Multi-Disciplinary Team (inquiry officer, public prosecutor and other appropriate persons) and the trafficked person.</p> <p>3. Report the result of meeting to the provincial governor, assigned by the permanent secretary of Ministry of Social Development and Human Security, to request the public prosecutor to collect evidence, prepare litigation, and call for witness interview and proof of evidence, which would be conducted in the same way as a civil case.</p>	<p>1. Request letter for compensation prepared by the competent official together with the trafficked person</p> <p>2. Evidence collected from the time of rescue to present as follows.</p> <p><input type="checkbox"/> Crime scene photograph to demonstrate the living condition or abusive act</p> <p><input type="checkbox"/> The condition of the trafficked person upon the rescue</p> <p><input type="checkbox"/> Medical certificate or any document stating the wound, the suffering of the trafficked person</p> <p><input type="checkbox"/> Medical receipt</p> <p><input type="checkbox"/> Psychiatrist opinion for mental remedy claim</p> <p>3. Others</p> <p><input type="checkbox"/> Photograph of wounds upon the intake to the shelter</p> <p><input type="checkbox"/> History record of the trafficked person upon the intake and the counseling record of social worker, psychologist or other officers on physical mental behavioral traits after some time in the shelter</p>
Damages for the Injured Person and. Compensation and Expense for the Accused in Criminal Case Act 2001	<p>1. The injured person, the accused or his/her heir submits a request form in person to the Committee via the Office of Financial Assistance for the Injured Person and the Accused in the Criminal Case, Ministry of Justice, within one year from the date when the committed offense has known to the injured person. Details of offices outside Bangkok can be found in the</p>	<p>1. Request form for compensation (Form Sor Chor1)</p> <p>2. Personal documents e.g. copy of ID card or government official ID card of the trafficked person or person who submits the form, house registration copy, marital document copy, birth certificate copy, name/surname alteration record copy, death certificate</p>

Related law	Procedures	Document required
	<p>following link. http://www.rlpd.moj.go.th/rlpd12/index.php?option=com_content&task=view&id=32&Itemid=93#1</p>	<ul style="list-style-type: none"> 3. Power of Attorney 4. Medical expense receipt, if any 5. Medical Certificate copy 6. Copy of police record at police station, and case report copy 7. Medical examination result copy 8. Compensation record if compensated by other agencies 9. Income certificate 10. Copy of ID card of the income certificate issuer (Village chief, or trustworthy person) 11. Copy of house registration of the income certificate issuer
Witness Protection Act 2003	<ul style="list-style-type: none"> 1. The trafficked person, inquiry officer, public prosecutor or court files a request for special protection measures to Rights and Liberties Protection Officer at the provincial office of justice 2. The Rights and Liberties Protection Officer notifies possible special protection measures to the trafficked person 3. Interview and make a statement record by the Rights and Liberties Protection Officer to verify facts. Questions to be asked include; a. personal information, b. case information, c. risk behavior, d. types of protection needed by the trafficked person 4. Provincial office of justice submits the documents to Right and Liberties Protection Department, and the result will be later notified 	<ul style="list-style-type: none"> 1. Request form (obtain from provincial office of justice or download from Witness Protection Office, Ministry of Justice website) 2. Copy of ID card, government official ID card, or any official ID paper 3. Copy of house registration 4. Paper identifying as a witness (e.g. warrant) 5. Paper indicating precedent witness protection 6. Letter of consent in case of a child witness Etc

Related law	Procedures	Document required
Request for unpaid wages under the Labor Protection Act 1998	<ol style="list-style-type: none"> 1. The trafficked, or representative (employee) files either a complaint to Labor Inspection Official at the Provincial Labour Protection and Welfare Office or a petition to the labor court. (The court accepts the petition only when the consideration of Labour Inspection Officer is finalized) 2. Labor Inspection Officer verifies the facts and issues an order within 60 days from the complaint submission date 3. In case the order states that the employer pays, the payment must be done within 15 days. If not, the trafficked person or representative can file a complaint to executing officer 	<ol style="list-style-type: none"> 1. Record showing working details, duration, job description, or responsibility (Shelter officer might assist the trafficked person in preparing these documents) 2. Official ID card or other personal ID document 3. Work contract (if any)

Part 1.3 Procedures after Intake of a Trafficked Person into the Protection and Occupational Development Center

Timeline	No.	(Social)	role			No.	(Medical : Physical/mental)	role			No.	role			
			S	C	L			S	C	L		S	C	L	
Procedures of the trafficked person intake to the main shelter															
Day 1	1	Document check (Compulsory document for reception, or decline the reception) <input type="checkbox"/> Referral letter endorsed by the governor* <input type="checkbox"/> Child Welfare protection plan with duration mentioned in case of a child under 18* <input type="checkbox"/> Court or governor order for the extension of stay* <input type="checkbox"/> Trafficked person identification form with signature of an inquiry officer* <input type="checkbox"/> Personal record / Preliminary interview record <input type="checkbox"/> A copy of police record <input type="checkbox"/> Medical record <input type="checkbox"/> ID of the trafficked person o Photograph o ID card o House registration o Educational certificate o Form TR 38/1 (Foreigner)													
Day 1	2	Check and record valuables of the trafficked person					1 Preliminary physical/mental condition assessment								
Day 1	3	Shelter introduction (roles and responsibility of the shelter, officers, and rules of the Shelter)					2 Record the physical condition, wound, and trauma in written form and photograph								
Day 1	4	Notify rights and duties of a VoT. Let the VoT sign the Form for Rights' Notification 													
Day 1	5	Apply to the Shelter Director for an official acceptance of the trafficked person													
Within 1 day after approval	6	Submit the letter of acceptance of the trafficked person to the referring agency, if not yet signed in the referral letter													
Process of fact-finding / information gathering															
The Thai															
Within 3 days	1	Coordinate with family or transfer the victim to other organization. However, utmost security of the trafficked should be considered. Ask for additional documents on protection.					3 Coordinate with the hospital for checking signs of torture or sexual abuse, blood check for sexually transmitted diseases or checking any sign of drug-addiction				1 Consider possible charges against traffickers for both criminal and civil charges				
Within 3 days	2	Interview additional fact, on top of that from the temporary shelter <input type="checkbox"/> Biography and family history <input type="checkbox"/> Education <input type="checkbox"/> Address of hometown and the living situation <input type="checkbox"/> Identify either the person is a VoT or not					4 Refer to the hospital for the above check-up				2 In case not yet reported to the police of the crime, coordinate for a return to the short-term shelter for interview both criminal and civil charges by an inquiry officer / with crime scene identification / and sketching of the alleged offender etc.				
within 2 weeks	3	Send the request letter to the short-term shelter to conduct family-visit (in case the trafficked person was referred from other provinces) or conduct a family visit for further information/ assessment					5 Intellectual assessment (IQ) 6 Counseling, use info for rehabilitation or assistance planning								

Timeline	No.	(Social)	role			(Medical : Physical/mental)	role			No.	role			
			S	C	L		S	C	L		S	C	L	
In case of non-Thai trafficked person														
Day 1	1	Coordinate with interpreters	<input type="radio"/>			3	Coordinate with the hospital for checking signs of torture or sexual abuse, blood check for sexually transmitted diseases or checking any sign of drug-addiction	<input type="radio"/>		1	Consider possible charges against traffickers for both criminal and civil charges	<input type="radio"/>		<input type="radio"/>
Within 3 days	2	Interview and report basic info, including the number and nationality of protected trafficked persons to BATWC for referring to the Ministry of Interior for registration	<input type="radio"/>							2	In case not yet reported to the police of the crime, coordinate for a return to the short-term shelter for interview both criminal and civil charges by an inquiry officer / with crime scene identification / and sketching of the alleged offender etc.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Day 2 -14 BKK, Day 2-20 the provinces	3	Fact-finding interview according to the case report format (through interpreter)	<input type="radio"/>			4	Refer to the hospital for the above check-up	<input type="radio"/>						
	4	Produce Case Report in Thai and English language	<input type="radio"/>			5	Intellectual assessment (IQ)	<input type="radio"/>						
Within 15 days BKK, 20 for provinces	5	Submit Case Report and photograph to BATWC to further submit to the country of origin	<input type="radio"/>			6	Counseling, use info for rehabilitation or assistance planning	<input type="radio"/>						
Further steps of assistance after fact finding														
	1	Team meeting / Analyse trafficked person's problems for developing an assistance plan	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	6	Exchange medical examination result (age, physical assault, rape, blood test) in the team meeting to plan for assistance and legal process	<input type="radio"/>	<input type="radio"/>	3	submit documents to an inquiry officer, further to public prosecutor, for criminal charge or claim for compensation	<input type="radio"/>		<input type="radio"/>
		<input type="checkbox"/> Other possible assistance e.g. HIV fund, family-welfare	<input type="radio"/>			7	Exchange counseling record (physical/mental/behavioral condition) for social planning or for calculating for compensation	<input type="radio"/>			<input type="checkbox"/> Age identification result			
		<input type="checkbox"/> Rehabilitation activities or activities to strengthen family bond	<input type="radio"/>								<input type="checkbox"/> Medical exam result of any assault evidence			
		<input type="checkbox"/> Provision of service on non-formal education	<input type="radio"/>								<input type="checkbox"/> Photograph of wound, bruise, on the body or the mental condition record upon the intake			
		<input type="checkbox"/> Vocational Training : in case of a Thai trafficked person, it can be coordinated with the labour skill development institute of the Ministry of Labour	<input type="radio"/>								<input type="checkbox"/> Mental status and behavior analysis result by the psychologist of the shelter			
	2	Job Placement service for non-Thai trafficked persons, only for appropriate case of foreign trafficked persons	<input type="radio"/>								<input type="checkbox"/> Other physical evidence found during the fact-finding interview (submit immediately once found)			
		<input type="checkbox"/> Once approved by Ministry of Interior, bring the trafficked person to district office for registration	<input type="radio"/>								For compensation, these could be included.			
		<input type="checkbox"/> Medical check-up for work permit	<input type="radio"/>								<input type="checkbox"/> Medical expense receipt			
		<input type="checkbox"/> Job placement	<input type="radio"/>								<input type="checkbox"/> Mental rehabilitation expense etc.			
		<input type="checkbox"/> Labor registration with Department of Labor	<input type="radio"/>								Refer to Part 1.2 Procedure for Short-term Shelter for other procedures (claiming for unpaid wages, claiming for rights as per the Damages for the Injured Person and Compensation and Expense for the Accused in Criminal Case Act, Rights as per TIP fund, advanced witness hearing and etc.)			
		<input type="checkbox"/> Escort the trafficked person to meet the employer	<input type="radio"/>											

Section II

**Assistance to Thai and foreign nationals
having permanent residence in Thailand
who were victims of trafficking in foreign countries
and have returned to Thailand**

Section II

Section II consists of 5 parts.

Part 2.1 shows the practice of operations in case the VoT is still in the destination country. The steps in this part are; receiving incident report, the operation by the person/organization that received the incident report in Thailand and preparation to receive the VoT from the destination country.

Attached documents of this part are as followed;

- 1) **Check-list of receiving an incident report (R1A)**, that guides the person/organization receiving an incident report to collect all necessary information from the informant(s);
- 2) **Check-list of information to be received from the agency in destination country (R1B)**, which facilitates the preparation of the practitioner who will receive the VoT at the airport.

Part 2.2 shows the step of practices when the central CM receives a VoT at the airport or when the community CM encounters a VoT at community. The steps, after the encountering, rapport building, notification of information, victim identification, provision of social and legal supports after being identified as a VoT, and etc, are included in this Part. Attached documents of this part are as follows;

- 1) **Recommended skills in interviewing VoT applying victim-centered approach and gender-based practices (R2A)**;
- 2) **Check-list to notify information and rights of the rescued person (R2B)**, which allows social workers or officers from NGO to provide information appropriately to the rescued person prior to the victim identification step;
- 3) **The format for fact-finding interview of VoT (R2C)**, which should be used along with the next format (R2D)
- 4) **Questions to be asked and purpose of each question when conducting fact-finding interview (R2D)**. This document is expected to enhance effectiveness of victim identification by letting officers in charge of fact-finding interview understand why each question should be asked;

- 5) **Check-list of rights and entitlements of victims of trafficking** (R2E), which allows practitioners to inform rights and entitlements of VoT in details. This check-list should be used together with the next format (R2F)
- 6) **The form for rights' notification of trafficked returnee at one-stop-service center, Suvarnabhumi Airport** (R2F).

Part 2.3 shows the procedures for the staff of a short-term shelter, when providing protection services to a potential trafficked person as per the Article 29. The procedures start from intake of a potential VoT, victim identification, and legal procedures after being identified as a VoT, until the step of referral to the PODC. The flow-chart in page 69-70 also specifies a timeframe, such as within 24 hours, 2-3 days or 7 days, which are the periods that practitioners are allowed to legally keep potential VoT under their protection. Besides, there is also a check-list of information to be received from the rescue team, a check-list of information to be submitted to an inquiry officer to forward to the public prosecutor for criminal charge prosecution, and a check-list of documents needed when referring VoT to PODC.

Attached documents in Part 2.3 are as follows;

- 1) **Form of temporary protection for trafficked persons** (Article 29) (R3A);
- 2) Sample of **request form for seven-day extension for temporary protection** (R3B);
- 3) Sample of **request form for compensation and remedies** (R3C), which is the form that a competent official of the Anti-Trafficking in Person Act shall submit to public prosecutor at the time of filing a case in the criminal charges against traffickers;
- 4) **Procedures to claim rights** (R3D), e.g. as per the Article 35 of the Anti-TIP Act, as per the Damages for the Injured Person and. Compensation and Expense for the Accused in Criminal Case Act, as per the Witness Protection Act and as per the Labour Protection Act.

Part 2.4 concludes **procedures for PODC**, by separating tasks into social, medical, and legal aspects. Roles of social workers, psychologist, and legal officers and ideal timeframe are also specified.

Part 2.5 is the flow chart of operation when the VoT is received at the airport and the other being met at community. The chart includes the steps of planning of services (immediate / short-term / long-term), service provision, monitoring & evaluation and service termination (case closure). Attached documents in part 5 are; 1) **social service provision** (R5A), and 2) **Legal procedures after being identified as VoT** (R5B)

User Instruction

MDT members may make a copy of necessary formats or check-lists and utilize them for actual operations.

Central CM / Officer picking-up the VoT at the airport shall refer to;

Part 2.1 has details on practices after receiving incident report and coordination for rescue of potential VoT in the destination country;

Part 2.2 specifies details of practices in receiving VoT at the airport and victim identification;

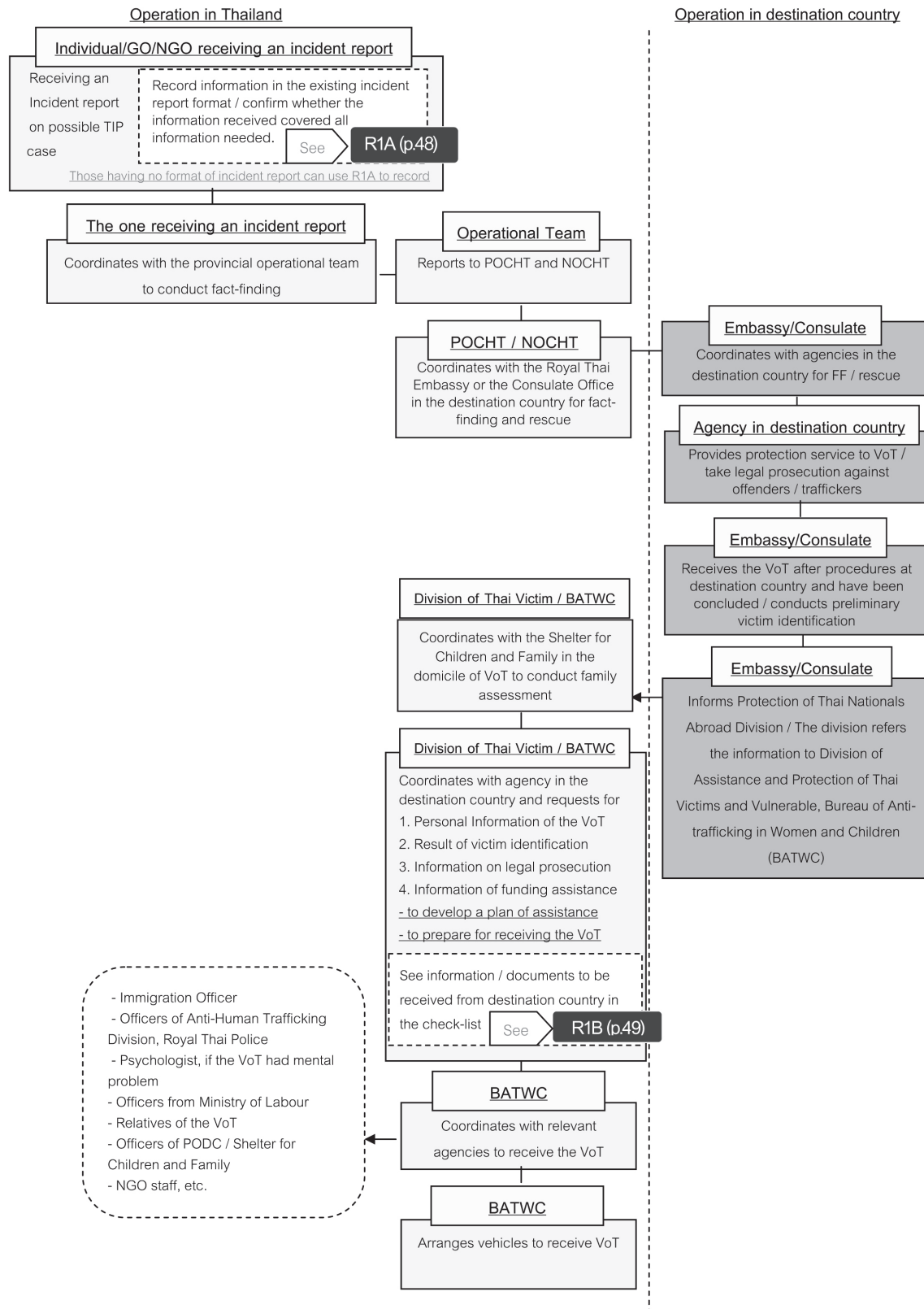
Part 2.5 states about planning of services, provision of social and legal services, monitoring & evaluation, and termination of services.

Community volunteer, sub-district MDT, district MDT, provincial MDT (community CM/ provincial CM) shall also refer to part 2.1, 2.2, and 2.5. The practices for an officer receiving the VoT at the airport, which were indicated in the blue boxes in part 2.2, can be neglected.

Officers of the Shelter for Children and Family or Reception home when receiving potential VoT as per the Article 29 shall refer to Part 2.3 of this Guideline. See the flow chart in page 69-70 and utilize attached documents specified in the flow chart as deemed necessary. The CM of the Shelter for Children and Family or the Reception home shall mark (√) on the checklist in page 69-70 and submit it to PODC together with other necessary documents. This is expected to enhance case management by informing PODC about services that have already been provided to the VoT.

Officers of the PODC that provide protection services to the VoT as per the Article 33 shall receive the filled-in format from the Shelter for Children and Family (page 69-70 of part 2.3), which specifies the services being provided to the VoT. Practices needed by PODC can be referred to page 79-80.

Part 2.1 Flow chart of operations prior to the repatriation of Thai VoT to Thailand / preparation needed in receiving the VoT



R1A Check-list of receiving an incident report

The person receiving incident report may utilize this format to confirm whether the received information covered all information needed.

- ☐ Name of informant
- ☐ Contact no. of informant.....
- ☐ Level of urgency..... ☐ Highly urgent, because.....
☐ Others.....
- ☐ Total number of potential trafficked persons, in average.....persons
- ☐ Specify personal information of each VoT (Name/Nick-name, if any) Other details / appearance.
(for example, color of complexion, height, weight, forehead, hair, eyes, ears, nose, mouth & lips, tattoo, scar, and other physical abnormalities of the trafficked person)

No.	Name /Nick-name /Nationality (Thai or Non-Thai having residence in the Kingdom)	Age (approximate)	Appearance	Method of contact to the potential trafficked person (e.g. Tel. No. / Tel. No of relatives)
1				
2				
3				
4				

- ☐ There is possibility of having VoT of under 18 years of age. If any, how many?
☐ No ☐ Yes. Approximately.....persons
- ☐ Need to arrange an interpreter at the destination country oflanguage
- ☐ Photo(s) ☐ No ☐ Yes (Arrange to get those photos from the informant)
- ☐ Country of incident.....
City / Province.....
- ☐ General condition of the accommodation / workplace of the potential trafficked persons.....
- ☐ Safety condition / condition that the VoT was facing (Any weapons being used).....
- ☐ Kinds of assistances needed.....
- ☐ The informant has reported to other agencies.
☐ No
☐ Yes. To which agency?
(Please specify name.....Tel. No.)
Assistance obtained.....

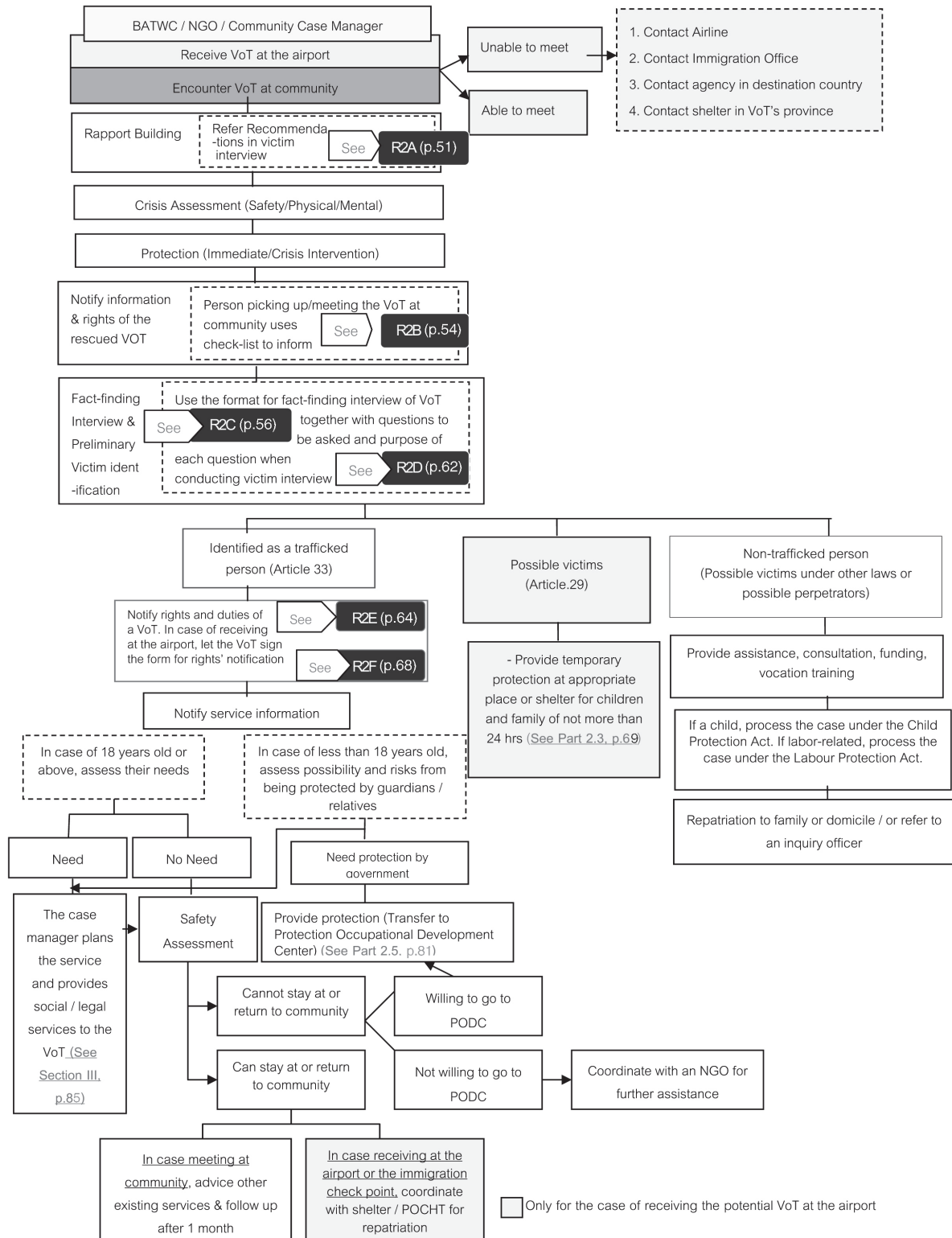
R1B**Information to be received from the agency in destination country**

- ☐ Name-Surname.....Sex.....
- ☐ Date of Birth (DD/MM/YY).....Age.....
- ☐ ID Card No.....Passport No.....Nationality.....
- ☐ Name of parents.....
- ☐ Addressor ☐ born at.....province
- ☐ Tel.No of the Victim of Trafficking (VoT).....
- ☐ Special cautions needed (e.g. safety / risk / physical or mental health)
-
- ☐ Date of departure from destination country.....Flight no. (if any).....
- Arrival at Thailand on.....Airline/ Flight no. (if any).....
- Arrival time at Thailand...../ Immigration check-point atprovince
- ☐ Name of person(s) escorting the VoT, i.e. doctor, staff of the Thai Consulate.....
-

The practitioners should also request following documents from the agency in destination country

- ☐ Preliminary Fact-finding Interview Record
- ☐ Medical Treatment Record
- ☐ Details of Offender(s)
- ☐ Photos of the VoT
- ☐ Civil registration documents
- ☐ Identification Card
- ☐ Passport
- ☐ CI (Certificate of Identity)

Part 2.2 Flow chart of practices when receiving VoT at the airport / immigration check point or encountering the VoT at community



R2A**Recommended skills in interviewing VoT applying victim-centered approach and gender-based practices**

Key factors	Recommended skills
Build a friendly and trustful relationship	<ul style="list-style-type: none"> ● Start with introduction of interviewers and explain objectives of the interview. ● Interviewers should wear normal clothes, not uniforms. ● Interviewers should be the same sex and speak the same language as VoT. If not being able to speak the same language, arrange an interpreter(s). (Same nationality does not mean speaking same language). ● The relationship is built on trust.
No further traumas to victims	<ul style="list-style-type: none"> ● Interviewer should prepare physically and mentally, and be ready to cope with any problems that the VoT has faced.
A safe, secure and comfortable interview environment	<ul style="list-style-type: none"> ● Never organize an interview which may do harm to victims. ● Ensure privacy and safe interview (no other people, except for the victim supporters, can hear the interview).
Utilize victim rights based approach	<ul style="list-style-type: none"> ● Victims should be informed that what they say will be respected, heard, acknowledged, and treated with dignity. ● Victims should understand the purpose of the interview. They have the right to participate or stop the interview at any time. ● Victims can add or change any information that they said. ● Interviewer should bear in mind that facts might not be obtained at once in the fact-finding and victim identification process.

Key factors	Recommended skills
	<ul style="list-style-type: none"> • When needing to decide something, interviewer should provide alternatives to VoT and encourage him/her to consider pros and cons of the choices. Decision of the VoT should be respected. • Victim's consent should be sought before sharing.
Soft Interview Method	<ul style="list-style-type: none"> • Use simple language. Do not use legal technical terms. • Start with normal questions (not sensitive questions). • Ask appropriate, simple questions. • Allow potential VoT to narrate his/her story as much as possible from the day when they have decided to go to work until the day of rescue. • Use open-ended questions. Use the question like; <ul style="list-style-type: none"> - 'Please tell me what you had to do at the Karaoke in.....?' - 'I heard that the employer made you do something against your will. Can you tell me what happened?' - 'As far as you can remember, how many of your friends were abused by the employer? Men or Women? How old were they?' • Avoid repeating the same questions. • Avoid re-traumatization to victims. • Rude, threatening, forcing or humiliating attitudes are not accepted during the interview. For example; <ul style="list-style-type: none"> o "You would be provided with food and a place to rest after telling all stories" o "If you tell the truth, you would not be punished" o "Everyone told the truth except you" o "If you do not tell me the truth, I won't help you"
Keep information confidential	<ul style="list-style-type: none"> • Information that victims provided should be kept confidential and will be used only in case of need.

Key factors	Recommended skills
Trust, no judging	<ul style="list-style-type: none"> ● Judgmental attitudes should not be shown because it discourages victims to share information openly.
Provide sufficient information	<ul style="list-style-type: none"> ● Provide full information on services they are entitled to and the information on agencies that provide services. ● Never promise anything over your authority.
Be professional	<ul style="list-style-type: none"> ● Show respect and treat interviewees without bias. ● Convey sympathy and encouragement to interviewees. ● Ensure interviewees are ready for interview physically and mentally. ● Tell them they are not blameworthy.
Child victims	<ul style="list-style-type: none"> ● In case of interviewing child victims, ensure the privacy and the best interest of the children ● Before interview child victims, consent should be obtained from the child, his/her family or the guardian. ● Interviews should be conducted in the presence of the his/her family or guardian.

R2B Check-list to notify information and rights of the rescued person

Before screening by the inquiry officers or other officers, the rights for the rescued person should be notified. This document can be used for reference when informing the rights. It does not have to go one after another respectively.

Item		Detail
1	Introduction	<input type="checkbox"/> Introduce oneself, the role, and responsibility of each officer in order to build relationship with potential trafficked persons
2	Rights notification	<p>Notify the rights of the rescued person as follows</p> <p><input type="checkbox"/> (For non-Thai) Foreigners receive as many public services as Thais</p> <p><input type="checkbox"/> With language difficulties, interpreter or sign-language interpreter should be arranged</p> <p><input type="checkbox"/> Foreigners are entitled to receive the same rights for protection and legal right as Thais</p>
3	Giving information	<p><input type="checkbox"/> Inform about the situation and sequence of operation (starting from fact-finding interview, sending the information to inquiry officers, followed by interrogation by inquiry officer)</p> <p><input type="checkbox"/> Request for collaboration from trafficked and non-trafficked persons to give accurate information as much as possible during the fact finding interview. Officers should inform them that their information will be useful to identify what assistances they need. Providing assistance to each victim may be different.</p> <p><input type="checkbox"/> Ask for collecting and verifying personal documents</p> <p><input type="checkbox"/> Ask for gathering personal belongings e.g. cell phone (turned off or temporary confiscated up to consideration of the operational team leader)</p> <p><input type="checkbox"/> Inform that photographs will be taken for record and further submitted to relevant agencies, without any public exposure</p> <p><input type="checkbox"/> Inform that there is no disclosure of information or story of the informant or trafficked person e.g. name & address to public except to(name the relevant multi-disciplinary team members).....</p>

Item		Detail
4	Rights of officer clarification	<input type="checkbox"/> The officers should respect the decision made by trafficked persons whether they choose to seek for temporary protection (in case having a legal status to stay in the country), although officers need to ensure the utmost benefit of trafficked persons. Meanwhile, officers have a duty to give protection for possible victims too (Section 29).

R2C**Format for Fact-finding Interview of VoT**

For Interviewer

1. Introduce oneself / organization and mission of the organization(s) responsible for interview
2. Inform objectives of the interview. Make it clear that information would be collected for the purpose of providing assistance to the interviewee
3. Inform the interviewee that the information obtained would be kept confidential and only be utilized for assisting and safe protection to the interviewee will be provided

Part 1 Reference Information

Interviewing Agency.....Reference Order.....Destination Country.....
 Reference No. of MOFAImmigration No. Reference No. of MoL.....
 Identity No. of the Detained Person.....Name/Code of Detention Center.....
 (In case being arrested) Arrested on (date).....on the Charges of.....
 Period of Imprisonment.....
 Name of Interviewee (Eng).....
 (Thai).....
 Sex ☐ Male ☐ Female Age.....years old Problem/Trouble.....
 Name of Interviewer.....Date of Interview.....
 Signature of Interviewee.....

Part 2 Details of Interviewee**Personal Information**

1. Name.....Surname.....Maiden Name.....Nickname/Other.....
 Name in English.....
2. Birth date.....Month..... B.E.....Age.....years.....months
3. Document/Certificate of Identity
 - 3.1 Identity Card No ☐-☐☐☐☐☐-☐☐☐☐☐☐☐-☐ Issued at.....
 Date of Issue.....Date of expiry.....
 - 3.2 Passport No.....Issued by.....
 Country.....Date of Issue.....Date of Expiry.....
 - 3.3 The person left Thailand with or without visa

☐ Without Visa: Type of documents used in entering destination country.....
 Period of permission of stay in destination country.....Date of entry.....

☐ With Visa: Visa No.....Issued by..... Date of Issue.....
 Date of Expiry.....Duration.....days Type of Visa.....

- 3.4 Certificate of Identity (CI) No.....Issued by.....Date of Issue.....
- 3.5 Other documents ☐ Highland ID Card ☐ House Registration ☐ Others (specify).....
- 3.6 Status of documents (real or fake) / The documents were kept by / any extension?.....
4. Permanent Address No.....Village.....Street.....Sub-district.....
District.....Province.....Postal Code.....Tel No.
5. Present Address No.....Village.....Street.....Sub-district.....
District.....Province.....Postal Code.....Tel No.
6. Marital Status ☐ Single ☐ Married ☐ Divorced ☐ Separated ☐ Unmarried Cohabitation
Spouse Name/Surname.....Occupation.....
Address of Spouse No.....Village.....Street.....Sub-district.....
District.....Province.....Postal Code.....Tel No.
Workplace.....No. of childrenpersons
7. Educational Level.....Graduated from.....
8. Language Ability ☐ Thai ☐ English ☐ Chinese ☐ Japanese ☐ Others.....
Workplace.....
Reasons for leaving the workplace.....

Number of family members.....persons. Provide details of name, address and occupation of such members

Name	Relationship	Age	Occupation	Address	Remarks
1.					
2.					
3.					
4.					
5.					
6.					
7.					

Family Problems.....

Contact persons:

1. Name.....Relationship.....Contact Address.....
2. Name.....Relationship.....Contact Address.....

Part 3 Trips**1. Decision to go abroad**

1.1 The interviewee was recruited by someone ☐ No ☐ Yes Give details of persuader
 (Name, appearance, place)
 Contact No. of recruiter or other relevant person(s).....
 Type of work told by the recruiter.....
 Agreement / condition of work / remuneration told by the recruiter.....

 Request/demand from the recruiter side.....

1.2 Reasons why the interviewee decided to go abroad (Ask whether the interviewee was forced or threatened to work, to whom the interviewee should repay, how, why. Also specify details such as name, appearance, Tel no. and address of all relevant persons.....

2. Record of Travel

2.1 Travel to the destination country for the (1st, 2nd, 3rd ...).time. If not being the 1st time, number of times traveling to such country.....times.

Date, duration and purpose of visit of the previous stays in such country.....

2.2 Experience of travel to other countries ☐ No ☐ Yes. If yes, when, for what purpose (please specify)

3. Preparation before departure from the origin country**3.1 Preparation of travel document**

3.1.1 ☐ Prepared the passport by him/herself at.....
☐ The person who prepared the passport was

3.1.2 ☐ Prepared all documents by him/herself ☐ The person who prepared the documents was.....

3.1.3 ☐ Went to collect the passport by him/herself ☐ The person who collected the passport was

3.2 Bought the air ticket from.....atBaht

3.3 The whole expense for this trip was..... Baht

3.3.1 Payment of this trip ☐ I paid the whole amount ☐ I paid a part of it
☐ The person who paid was.....

3.3.2 Details of the above expense / source of money. If borrowing such money, from whom was it borrowed and what was the condition of payment?.....

4. Date of departure from Thailand.....Expected date of return.....
 - 4.1 by ☐ Airline.....Flight No.....☐ train ☐ car ☐ boat ☐ Others.....
 - 4.2 Possession of documents on the date of travel ☐ I brought the travel documents to the airport by myself ☐ The document was brought by (specify name, appearance, relationship, address, phone no., contact method and etc in details).....
 - 4.3 No. of persons traveling with the interviewees. Who was the leader?.....
 - 4.4 Process of leaving Thailand (Immigration check-point, how-to, facilitator, rest-point, persons met/contacted).....
 - Immigration check-point in Thailand..... Entry point in destination country.....
 - 4.5 The person(s) facilitated to get through the immigration check point was.....
 - By means of.....
 - 4.6 Transit country(ies) before arriving the destination country.....
 - The person(s) facilitated to get through the immigration check point was.....
 - By means of
5. Information of the destination country
 - 5.1 How did the interviewee enter into the destination country, entry point, the person whom s/he met or contacted with, temporary stayed at.....
 - Name and nationality of the person who facilitated to enter into the destination country / method of contact.....
 - Way of facilitation (prior to the immigration check-point, after immigration procedure or at the door of the aircraft).....
 - 5.2 Details and no. of picking up persons at the destination country, relationship, how the interviewees got to know such persons (name, appearance, nationality, occupation, tel. no., place of contact), next place after arrival, by means of
 - 5.3 Accommodation in the destination country
 - 5.3.1 Address, specific characteristics/landmark, name of the owner, relationship, Tel. no.
 - 5.3.2 No. of persons in the same accommodation (name, appearance, nationality, occupation, tel. no., place of contact) / relationship / how the interviewee got to know such persons.....
 - 5.4 If being in trouble, the person whom the interviewee could contact with was.....
 - How to contact?.....
 - Assisting agencies that the interviewee knew was.....
 - How to contact?.....

6. Details of Work

6.1 Details of persons coordinated to work (name, appearance, nationality, occupation, place of contact, tel. no., how the interviewee got to know such persons). Did the interviewee need to pay for the facilitation? Details of payment

6.2 Did the interviewee know information of workplace, condition of work and work details prior to the departure ☐ Yes
☐ No Reasons.....

6.3 Details of workplace in the destination country such as building no., specific characteristic, landmark, Tel. No.

6.4 Owner of the workplace / leader / guard (name, appearance, nationality, occupation, Tel. no., place of contact).....

6.5 Work condition, type of work, working hours.....

6.6 Remuneration

6.6.1 How was the remuneration paid?

6.6.2 Was the money deducted to pay for agent fee or other fee?

☐ No ☐ Yes. As a..... fee

6.6.3 Did the interviewee receive remuneration as agreed? ☐ Yes ☐ No. Reasons.....

6.6.4 In case receiving the money, was the money sent home? How did the interviewee send the money.....

Through.....Any charges applied?

Has the family received the money..... How did the interviewee know?.....

6.7 Was there any work agreement?

☐ No. Reasons.

☐ Yes. Did the interview know the details of the agreement? ☐ Yes ☐ No

6.8 Was there any work permit? ☐ No ☐ Yes. W/P No.....Permitted category of work
.....Period of the permitted validity.....Valid from.....Until.....

6.9 No. and details of persons working together.....

Part 4 Additional Information for Victim Identification / Provision of Assistance

1. Difficulties/situation faced abroad (More than 1 answer is possible)

☐ Terrible living condition

☐ Deceived into sex work

☐ Physical/mental/verbal abuse

☐ Condition of work not as agreed

- | | |
|---|---|
| <input type="checkbox"/> Detention/confinement/no freedom | <input type="checkbox"/> Forced Labor/Slavery Practice |
| <input type="checkbox"/> Sexual abuse/rape | <input type="checkbox"/> Unpaid wages/salary/payment less than agreed |

- | | |
|---|--|
| <input type="checkbox"/> Increase of debt unfairly | <input type="checkbox"/> Force to use drug / play gamble |
| <input type="checkbox"/> Identity/travel documents were taken | <input type="checkbox"/> Resold to other places |
| <input type="checkbox"/> Being imprisoned | <input type="checkbox"/> Other (please specify)..... |

2. Describe difficulties being faced / situation of exploitation as indicated above.....

.....

.....

.....

Part 5 Crisis and needs assessment

1. Urgent crisis and needs

- | | |
|---|--|
| <input type="checkbox"/> No travel document/Certificate of identity | <input type="checkbox"/> Prosecution of traffickers |
| <input type="checkbox"/> Contact to relatives/family tracing/repatriation | <input type="checkbox"/> Temporary accommodation |
| <input type="checkbox"/> No transportation fee to return to hometown | <input type="checkbox"/> No fund to start vocation |
| <input type="checkbox"/> Need educational expenses for children | <input type="checkbox"/> Sickness / congenital disease |

Please specify condition of sickness and treatment history.....

(Attach record of treatment or necessary documents for further medical treatment)

2.. Needs after returning to Thailand

Needing assistance from governmental agencies ☐No ☐Yes. Please specify.....

- ☐ Return to hometown ☐ Return to other places in Thailand

Name of house owner.....Relationship.....House No.....Street.....

Village/Soi.....Sub-district.....District.....Province.....

Postal Code.....Tel No.....Mobile Phone No.....

- ☐ Provide safety protection due to.....

- ☐ Others. Please specify.....

3. What worries does the interviewee have with regard to his/her return.....

.....

4. Plan after return to his/her hometown

.....

5. Opinion of Interviewer

- ☐ Interviewee is a VoT. Assistance should be provided by.....

- ☐ Interviewee is not a VoT, but assistance should be provided due to.. ..

- ☐ Interviewee is not a VoT and is suspected as a trafficker. Following measures should be taken.....

6. Other additional information that is useful for further operations.....

.....

.....

R2D**Questions to be asked and purpose of each question when conducting fact-finding interview**

In interviewing a rescued person for the purpose of fact-finding, the interviewer may utilize the form of preliminary interview for screening VoT. However, the interviewer shall acknowledge which questions should be asked and understand the purposes of each question.

Questions	Purposes
A. Personal History	
1. Age	1) "Age" is essential in the determination of TIP. If a person under 18 years of age has been unlawfully exploited, it is always TIP regardless of use of force or other factors such as transfer methods. 2) To ascertain other laws to be applied. For example, if the rescued person was under 18 years of age, there should be special interrogation process. If no such process was conducted, public prosecutor would not be able to file a case to the court.
2. Family, name of parents, siblings, spouse, children, relatives and domicile.	1) For repatriation and reintegration purpose
3. Previous occupation	1) For the purpose of claiming compensation or unpaid wages during the trafficked period.
B. Personal documents	
1. Personal documents such as passport or other ID cards	1) For the purpose of age verification
2. Whether personal documents were seized by the employer	1) To ascertain detention
C. TIP organization	
1. Whether the potential VoT was recruited or brought from the origin country	1) To identify those involved in TIP crime 2) To ascertain whether the rescued person became trafficked person from the beginning (at origin country) or later on (at destination country)
2. Persons met at each stop along the way	1) To identify those involved in TIP
3. What promises or work conditions were told by the broker in the origin country	1) To ascertain deception

Questions	Purposes
4. Whether the broker knew the purposes of transporting the rescued persons into Thailand	1) To identify the law to charge against the broker with. If s/he did not know, s/he can be charged under the Immigration Act 1979 for smuggling of people. If s/he knew, s/he can be charged as an accomplice in the Anti-TIP Act 2008.
5. Date of entry into Thailand	1) To calculate the amount of compensation and remedy
6. Question on the date of arrival at the workplace and the date of starting the work	1) To provide basis for claiming unpaid wages and damages
D. Working Conditions	
1. Time to wake up, time to work, time to finish work, time to eat, number of meals	1) To ascertain use of force, threat or abuses
2. Availability of medical care, freedom to rest, threats or physical abuses	1) To assess whether the labour welfare of the rescued persons was protected
E. Wages or indentured debts	
1. Promised wages vs actual wages received	1) To determine whether the rescued person was exploited by the employer 2) To provide the basis for claiming unpaid wages and damages
2. Any expense or subtraction for debt payment	1) Whether there was a use of force 2) To provide the basis for claiming damages
F. Environment and Living Conditions	
1. Freedom to go outside, employer's instruction to remain inside, whether escorted by others when going outside	1) To ascertain detention
2. Number of entrances and exits, the placements of closed circuit cameras, the use of barbed wires	
3. Freedom to communicate with outside	

R2E Check-list: Rights and Entitlements of Victims of Trafficking (VoT)

The Service providers should spare time to explain in details the rights and notification that a victim of trafficking (VoT) is entitled to. This does not mean that the service provider shall read out the following items to the VoT, but rather study all details and consider appropriate timing and situation for conveying each item to the VoT.

The service providers should also inform roles and duties of the VoT. For example, duties of the VoT in notifying to the police and collaborating with interrogating officer in stating true stories or preparing necessary documents.

Rights and entitlements of VoT can principally divide into 2 parts; the rights and entitlements as per the Anti-TIP Act and the rights and entitlements as per other acts.

Act	Details
Rights and entitlements as per the Anti-TIP Act 2008	<p><input type="checkbox"/> Rights to receive appropriate assistance to a trafficked person on food, shelter, medical treatment, physical and mental rehabilitation, education, training, legal aid, and return to the country of origin safely (Article 33)</p> <p><input type="checkbox"/> Right to receive compensation for damages as a result of the commission of human trafficking (Article 35)</p> <p><input type="checkbox"/> Right to receive protection, whether prior to, during and after prosecution. Providing protection to family members of trafficked persons should be taken into account including the right to be under the protection according to the law on protection of witness in criminal case in all respects (Article 36)</p> <p><input type="checkbox"/> Right to be granted a temporary residence and temporary work permit prescribed by the law (Article 37)</p> <p><input type="checkbox"/> Right to be exempted from the offences of leaving, entering, or residing in the Kingdom without permission under the law on immigration, giving false information to the official, forging or using a forged travel document under the Penal Code, offence under the law on prevention and suppression of prostitution, particularly on contacting, persuading, introducing and soliciting a person for the purpose of prostitution and assembling together in a place of prostitution for the purpose of prostitution, of offence of being an alien working without permission under the law on working of the alien (Article 41)</p> <p><u>In addition to notifying the above 5 points, which are those written in the Form for Rights' Notification of Trafficked Persons by DSDW, at appropriate timing and situation, the case manager may also notify other rights and entitlements as per the Anti-TIP Act as follows.</u></p> <p><input type="checkbox"/> Legal proceedings will not be detrimental or prejudicial to the rights of the trafficked persons and are consistent with the psychological and physical safety of the trafficked persons. For example, methods of investigation or gathering evidence will not interfere with the human rights or human dignity of the</p>

Act	Details
	<p>trafficked persons. Besides, defendants (traffickers) are not permitted to utilize the personal history or previous occupation of the trafficked persons as a defense evidence (Respect to human rights and human dignity as per the Article 33).</p> <p><input type="checkbox"/> The trafficked persons can contact the embassy, consulate, a diplomatic representative or international authority, whose task is the protection of such persons, of the country in which the trafficked is a citizen (Safety as per the Article 36).</p> <p><input type="checkbox"/> Non-disclosure of information of trafficked persons to public or other persons than.....(specify relevant MDT members) (Confidentiality as per the Article 56)</p> <p><input type="checkbox"/> Rights to TIP fund as per the announcement of TIP fund committee (National Gazette No. 126 Section 170 ngor dated 23 Nov 2009)</p> <ul style="list-style-type: none"> ● Actual medical cost of not more than 30,000 baht including transportation and food during such a period of not more than 2,000 baht, however payable not more than 3 times a year. ● Actual expense for physical and mental recovery, not more than 20,000 baht. ● Compensation for revenue during the off days, not more than 200 baht. per day for not more than 1 year from the first day-off (for those working regularly before trafficked) ● Living expense, not more than 3,000 baht per time, and not more than 3 times a year ● Accommodation expense as appropriate ● Education or training expense ● Expense for legal process or prosecution to claim compensation or as indicated by court order ● Repatriation expense
<p>Rights as per other laws such as, Right to compensation under other relevant laws such as compensation under the Damages for the Injured Persons and Compensation and Expense for the Accused in Criminal Case Act 2001 and wage compensation and court proceedings against employers under Labour Protection Act 1998, etc <u>Apart from notifying such rights written in the Form for Rights' Notification of Trafficked Persons by DSDW, the case manager may also notify other rights and entitlements at appropriate timing and situation as follows.</u></p>	

Act	Details
Rights as per Criminal Procedure Act	<input type="checkbox"/> The trafficked person has rights to institute a prosecution by oneself even having an order of non-prosecution by a public prosecutor (Article 34).
	<input type="checkbox"/> The trafficked persons can request for special witness hearing (Article 172-3) without having to face traffickers by utilizing CCTV or other electronic devices, or can do it through counselor, social worker or other persons specified by the trafficked persons.
	<input type="checkbox"/> Provision of a translator and legal representative before and during all criminal and civil proceedings, in which the person is a witness, complainant or defendant, can be provided without cost (Article 13-2).
Rights as per Witness protection Act 2003	<input type="checkbox"/> The witness can apply for special protection measures at the Witness Protection Bureau, Ministry of Justice.
	<input type="checkbox"/> The witness can request for a new place of accommodation from the government.
	<input type="checkbox"/> The witness can request for daily living expenses for the witness or his/her dependants not exceeding 1 year, with extensions as necessary for 3 months each time, not exceeding 2 years.
	<input type="checkbox"/> The witness can request for coordination with the relevant agencies in order to change the first name, family name and information that may contribute to knowledge of the personal identity of the witness, including arrangements for a return to original status.
	<input type="checkbox"/> The witness can request for arrangements for a 24-hour bodyguard service for a necessary period of time.
	<input type="checkbox"/> The witness can request for allowance when going to the court. Within the province is 200 baht and outside the province is 500 baht.
	<input type="checkbox"/> The witness is entitled to receive compensation for damage costs related to life, body, health, liberty, honor, and property as being a witness in Criminal Case.

Act	Details
Rights as per Damages for the Injured Person and Compensation and Expense for the Accused in Criminal Case Act 2001	<input type="checkbox"/> Those injured physically and mentally from the offense related to sexuality and offense against life and body under the Article 246 of the Criminal Code can file a request to the Committee Determining Damages for the Injured Person and Compensation and Expense for the Accused in the Criminal Case within one year from the date the committed offense has known to the injured person (Section 22). <input type="checkbox"/> Actual medical expense, not more than 30,000 baht. <input type="checkbox"/> Actual physical and mental recovery, not more than 20,000 baht. <input type="checkbox"/> Compensation of days not being able to work: 200 baht a day, counting from the day not being able to work, but not exceed more than 1 year. <input type="checkbox"/> Other compensation that may deemed necessary by the Committee but not more than 30,000 baht (According to Ministerial Order No.3)
Rights as per the Child Protection Act 2003	<input type="checkbox"/> The trafficked person under 18 can request protection and welfare service from the competent official of this Act. <input type="checkbox"/> Can request to stay in the Shelter for Children and Families or in the Protection and Occupational Development Center. <input type="checkbox"/> Can request to be hosted by a foster family <input type="checkbox"/> Can request to receive education or vocational training or to receive treatment or rehabilitation in the Protection and Occupational Development Center
Rights as per Labor Protection Act 1998	<input type="checkbox"/> Rights to claim unpaid wages
Rights as to press charges against traffickers	<input type="checkbox"/> Regardless of legitimacy of the entry or work, the trafficked person can press charges against traffickers and others who have benefitted from the trafficked person. Officers of the Protection and Occupational Development Center will facilitate the procedure of notifying the police, conducting crime scene identification, conducting alleged offender identification and sketching, etc.

R2F

**Form for Rights' Notification of Trafficked Returnee
at One-Stop-Service Center, Suvarnabhumi Airport
BATWC, DSDW**

Date.....Time.....hrs.

I Mr./Mrs/Ms./Mstr/Miss.....
Age.....years old. Nationality.....Ethnicity.....ID Number.....
Utilizing the Passport/CI Number.....in returning from.....(country).....
I was identified as a trafficked person by an organization named.....
in.....(country).....and was repatriated to Thailand. The repatriation was made
☐ with my own will ☐ against my own will.

I was informed by an officer of BATWC of the rights as per the Anti-Trafficking in Persons Act 2008 that the trafficked person is entitled following rights.

1. Right to receive appropriate assistance to a trafficked person on food, shelter, medical treatment, physical and mental rehabilitation, education, training, legal aid and return to the domicile safely with consideration on human dignity.

2. Right to compensation for damages as a result of the commission of human trafficking.

3. Right to receive protection, whether it is prior to, during and after prosecution. Providing protection to family members of trafficked persons should be taken into account, including the right to be under the protection according to the law on protection of witness in criminal case in all respects.

4. Right to be assisted by the MSDHS Anti-TIP fund as per Section 33 and 36 of the Anti-Trafficking in Person Act 2008.

5. Right to share opinions about assistance or services provided.

6. Rights to request to the Court for special witness-testimony without facing defendants.

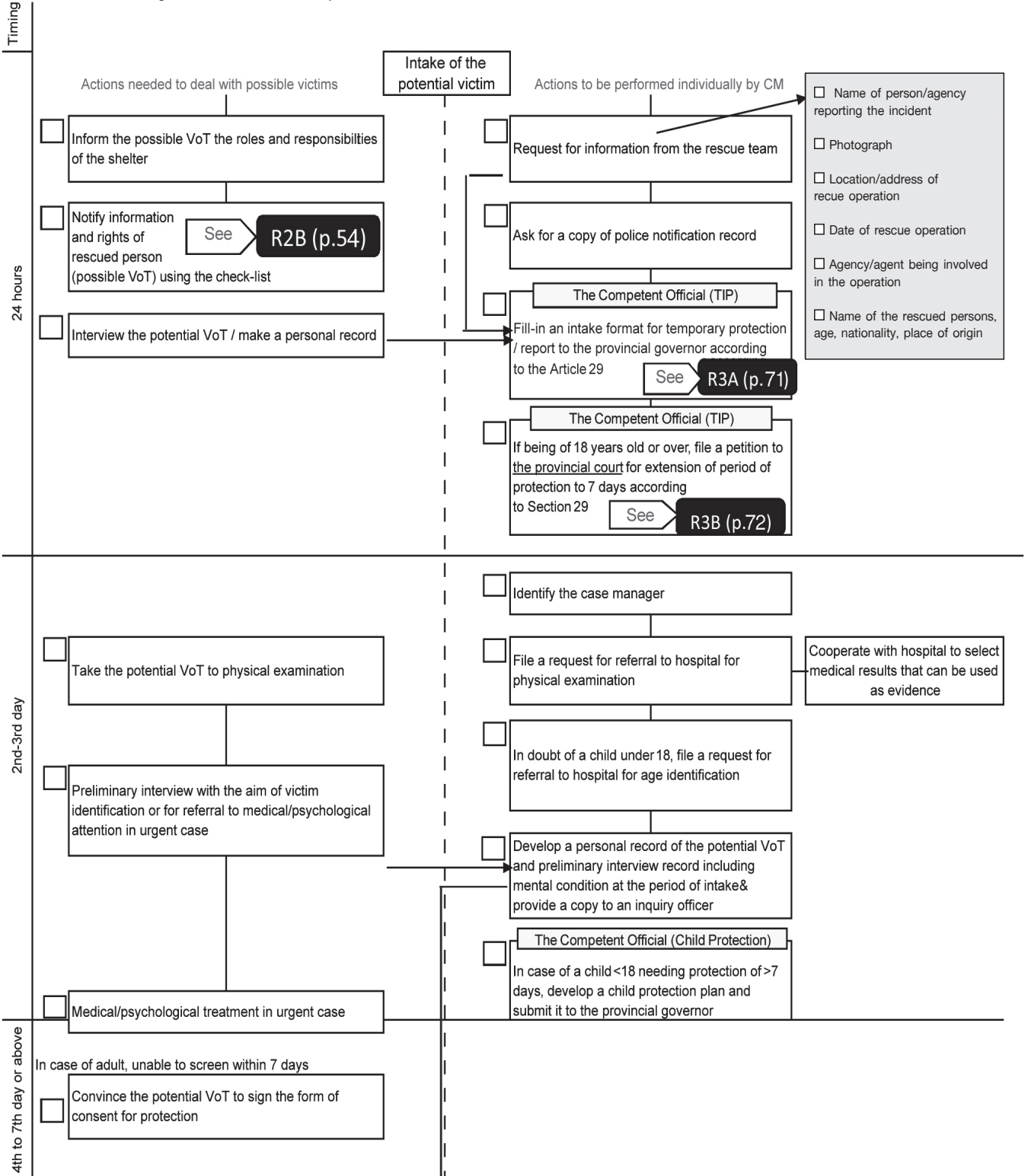
I hereby acknowledge and fully understand the rights of trafficked persons as mentioned.

Signature.....Protected Person
()

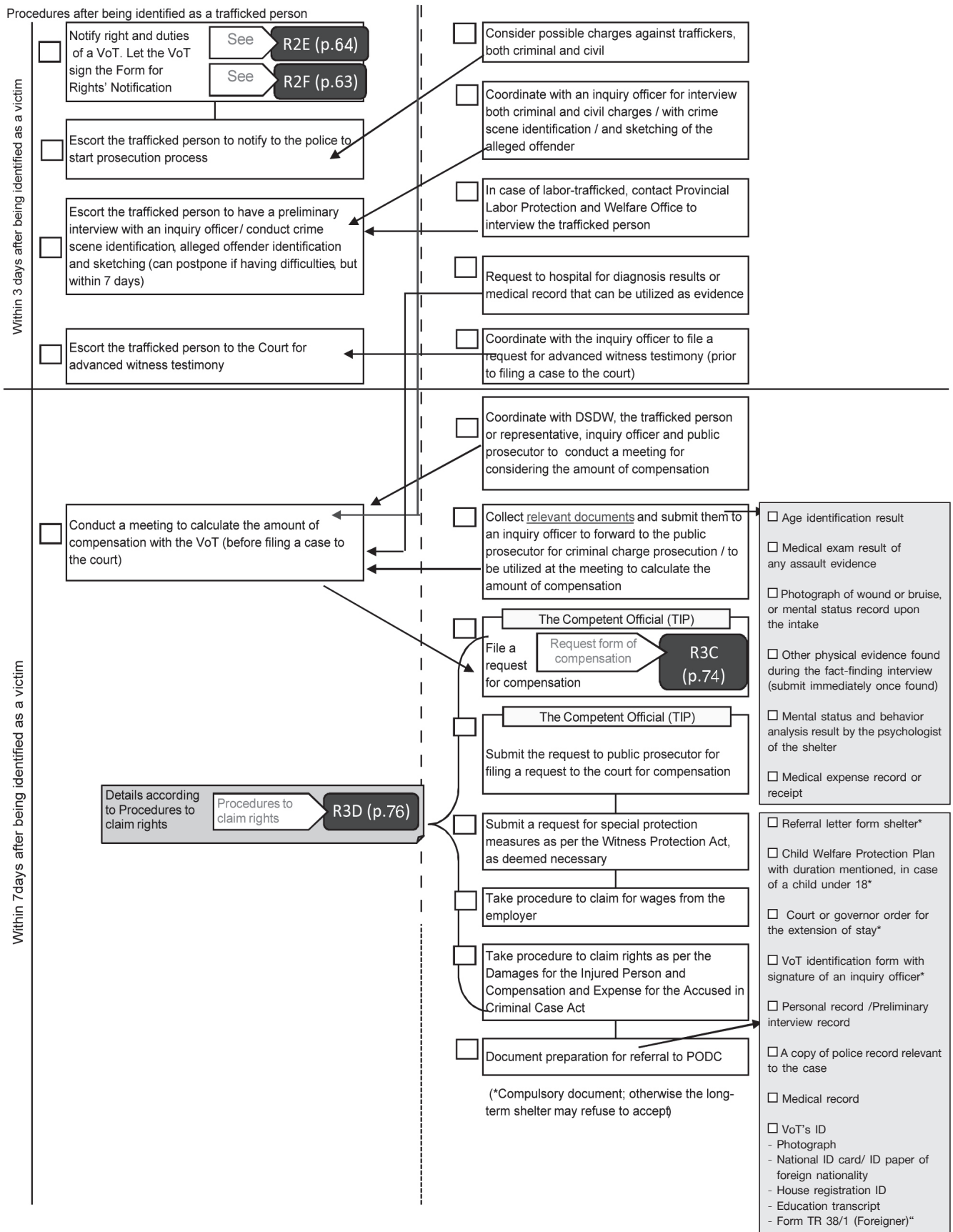
Signature.....Officer
()

Part 2.3 Procedures for Short-term Shelter

Procedures before being identified as a trafficked person



Procedures after being identified as a trafficked person



R3A

Form of Temporary Protection for Trafficked Persons
As per the Anti-Trafficking in Persons Act 2008 (Article 29)

Place of the writing

Date.....Month.....Year.....

Today at.....am/pm.....(Organization).....Transferred potential
 trafficked victims Name.....
 Age.....years old Nationality..... Domicile.....
 Is protected at (organization).....
 Address no..... Village..... Road..... Sub-district.....
 District..... Province..... There is a place where the
 Minister for the Ministry of Social Development and Human Security specifies to find more
 fact and protect for..... As the Anti-Trafficking in Persons Act
 2008 Article 29.

Transferred organization will find the fact together with received organization within
 24 hours from Date..... Month..... Year..... Time
 am/pm. In case the process takes time over 24 hours, a competent official of
 transferred organization may submit a request letter on temporary protection extension to
 the court. If the court has an order, the competent official will inform the received
 organization with a copy of the order letter. But if the court does not order anything, the
 transferred organization will receive the victim back and do proper operation.

Please be informed as the evidence.

(Signature).....Transferor

(.....)

(Signature).....Receiver

(.....)

(Signature).....witness

(.....)

(Signature).....witness / typing

(.....)

R3B**Sample of request form for seven-day extension for temporary protection**

(7)

Petition Request temporary Protection
Extension under the Anti-
Trafficking in Person Act 2008



Case (Black) No. /Year.

Case (Red) No.
/Year.

Court

Date

Month

Year

Issue: Protection and Welfare

Competent Official under the Anti-Trafficking in Person Act 2008

Petitioner

Between

Objector

I

a competent officer/petitioner

Ethnicity

Nationality

Occupation

Date of birth

Month

Year

Age

years old

Address no.

Village

Road

-

-

Near

- Sub-district

District

Province

Telephone no.

Want to file a petition as following matters.

1. The petitioner is a competent official under the Anti-Trafficking in Persons Act 2008 as

Shown in the copy of official ID card attached in this petition

On the date of time hrs., the petitioner was notified by the police of
.....(station name),province, to help a person who is a potential victim of trafficking at.....
Moo.....,sub-district,district,province. Subsequently, the
competent official in collaboration with police and other relevant officials had inspected such a location and found
the following persons:

1.1.....

1.2.....

The competent official has undertaken victim identification process and found that there are reasons to believe that
the persons mentioned above are trafficked persons and it is necessary for the persons to be inquired further
regarding human trafficking. To protect the safety of the persons, they are temporarily protected at the Shelter for

Remark ** I am waiting for the approval. If not, I deem the court has already acknowledged.

Petitioner

Children and Family,Province., where is suitable to stay safely, not a prison jail or detention center, as
designated by the Minister of Social Development and Human Security, since Date.....Month.....Year.....,

Time.....hrs.. The petitioner has already reported the provincial governor without delay.

2. At the moment, the competent official has been protecting the 2 persons and 24-hour protection period will be ended since Date.....Month.....Year..... Time.....hrs. However, due To the facts that the inquiry should be further processed: contacting the parents of such persons to give Information about the family and coordinating with relevant agencies to process advanced witness testimony. With such conditions and for the safety of the 2 persons, I therefore request the Court to extend another 7-day protection period, start from the Date.....Month.....Year

Please kindly approve as per request.

May this matter rest upon your request

Signature.....Petitioner

This petition, a competent official.....(name)....., is editing and typing person

Signature.....Editing/Typing person

R3CSample of Request Form of Compensation and Remedies

According to Anti-Trafficking in Persons Act 2008

At Provincial Social Development and Human Security Office

.....Province

I.....age.....years old. Nationality.....is a trafficked person according to the Anti-Trafficking in Persons Act 2008. The current residence is Protection and Occupational Development Center,.....province. Address No.....Village.....Sub-district..... DistrictProvince.

Due to the fact that I was deceived by Mr./Mrs..... age years old, conspiring with Mr./Mrs..... age years old, exploited me for the purpose of(prostitution, recruitment, intimidation, force into prostitution), which violated the Anti-Trafficking in Person Act 2008. The event was at.....located at.....(address).....,province. Presently, the case is ☐ being investigated by an inquiry official ☐ during advanced witness testimony ☐ being prosecuted in court.

In the event of asserted claim, I shall request compensation resulting of the commission of human trafficking as followings;

- 1) Compensation for mental and physical abuses, freedom deprivation, medical treatment expense including physical and mental rehabilitation expense.....Baht
- 2) Compensation being forced into prostitution.....Baht
- 3) Compensation for the damage/loss of personal belongings: (please specify).....,Baht
- 4) Compensation for the lost earning during the period I was unable to earn income as usual fordays,Baht / day, Total.....Baht
- 5) Compensation of unpaid wage.....Baht

6) Either ones as above or other compensation deemed as necessary, in other words, as I am a minor and I have mentally suffered because of sexual intercourse against my will. I have lost confidence and a chance to have family.....Baht.

The total compensation cost.....Baht

(.....written number.....)

I truly understand all the content. I hereby certify that the above mentioned are true and correct in every aspect and therefore sign my name in the presence of witness.

Signature.....Trafficked Person
(.....)

Signature.....Witness
(.....)

Signature.....
(.....)

Chief of..... Provincial Social Development and Human Security Office

Authorized by the Permanent Secretary of Ministry of Social Development and Human Security

R3D Procedures to claim rights

Related law	Procedures	Document required
Compensation claim for the trafficked person in Section 35 of Anti-human trafficking Act 2008	<ol style="list-style-type: none"> When public prosecutor meets the trafficked person or the trafficked person is sent to meet the public prosecutor for advanced witness-hearing, the public prosecutor notifies the right to the trafficked person as in Section 35. Department of Social Development and Welfare or Provincial Office of Social Development and Human Security organizes a meeting with the Multi-Disciplinary Team (inquiry officer, public prosecutor and other appropriate persons) and the trafficked person. Report the result of meeting to the provincial governor, assigned by the permanent secretary of Ministry of Social Development and Human Security, to request the public prosecutor to collect evidence, prepare litigation, and call for witness interview and proof of evidence, which would be conducted in the same way as a civil case. 	<ol style="list-style-type: none"> Request letter for compensation prepared by the competent official together with the trafficked person Collected evidence from the time of rescue to present as follows. <ul style="list-style-type: none"> <input type="checkbox"/> Photographs of crime scene to demonstrate the living condition or abusive act <input type="checkbox"/> The condition of the trafficked person upon the rescue <input type="checkbox"/> Medical certificate or any document stating the wound, the suffering of the trafficked person <input type="checkbox"/> Receipt of medical expense <input type="checkbox"/> Psychiatrist opinion for mental remedy claim Others <ul style="list-style-type: none"> <input type="checkbox"/> Photograph of wounds upon the intake to the shelter <input type="checkbox"/> History record of the trafficked person upon the intake and the counseling record of social worker, psychologist or other officers on physical mental behavioral traits after some time in the shelter
Damages for the Injured Person and Compensation and Expense for the Accused in Criminal Case Act, 2001	<ol style="list-style-type: none"> The injured person, the accused or his/her heir submits a request form in person to the Committee via the Office of Financial Assistance for the Injured Person and the Accused in the Criminal Case, Ministry of Justice, within one year from the date when the committed offense has known to the injured person. Details of offices outside Bangkok can be found in 	<ol style="list-style-type: none"> Request form for compensation (Form Sor Chor1) Personal documents e.g. copy of ID card or government official ID card of the trafficked person or person who submits the form, house registration copy, marital document copy, birth certificate copy, name/surname alteration record copy, death

Related law	Procedures	Document required
	<p>the following link. http://www.rlpd.moj.go.th/rlpd12/index.php?option=com_content&task=view&id=32&Itemid=93#1</p>	<p>certificate</p> <ol style="list-style-type: none"> 3. Power of Attorney 4. Medical expense receipt, if any 5. Medical Certificate copy 6. Copy of police record at police station, and case report copy 7. Medical examination result copy 8. Compensation record if compensated by other agencies 9. Income certificate 10. Copy of ID card of the income certificate issuer (Village chief, or trustworthy person) 11. Copy of house registration of the income certificate issuer
Witness Protection Act 2003	<ol style="list-style-type: none"> 1. The trafficked person, inquiry officer, public prosecutor or court files a request for special protection measures to Rights and Liberties Protection Officer at the provincial office of justice 2. The Rights and Liberties Protection Officer notifies possible special protection measures to the trafficked person 3. Interview and make a statement record by the Rights and Liberties Protection Officer to verify facts. Questions to be asked include; a. personal information, b. case information, c. risk behavior, d. types of protection needed by the trafficked person 4. Provincial office of justice submits the documents to Right and Liberties Protection Department, and the result will be later notified 	<ol style="list-style-type: none"> 1. Request form (obtain from provincial office of justice or download from Witness Protection Office, Ministry of Justice website) 2. Copy of ID card, government official ID card, or any official ID paper 3. Copy of house registration 4. Paper identifying as a witness (e.g. warrant) 5. Paper indicating precedent witness protection 6. Letter of consent in case of a child witness <p>Etc</p>

Related law	Procedures	Document required
Request for unpaid wages under the Labor Protection Act 1998	<ol style="list-style-type: none"> 1. The trafficked, or representative (employee) files either a complaint to Labor Inspection Official at the Provincial Labour Protection and Welfare Office or a petition to the labor court (The court accepts the petition only when the consideration of Labour Inspection Officer is finalized) 2. Labor Inspection Officer verifies the facts and issues an order within 60 days from the complaint submission date 3. In case the order states that the employer pays, the payment must be done within 15 days. If not, the trafficked person or representative can file a complaint to executing officer 	<ol style="list-style-type: none"> 1. Record showing working details, duration, job description, or responsibility (Shelter officer might assist the trafficked person in preparing these documents) 2. Official ID card or other personal ID document 3. Work contract (if any)

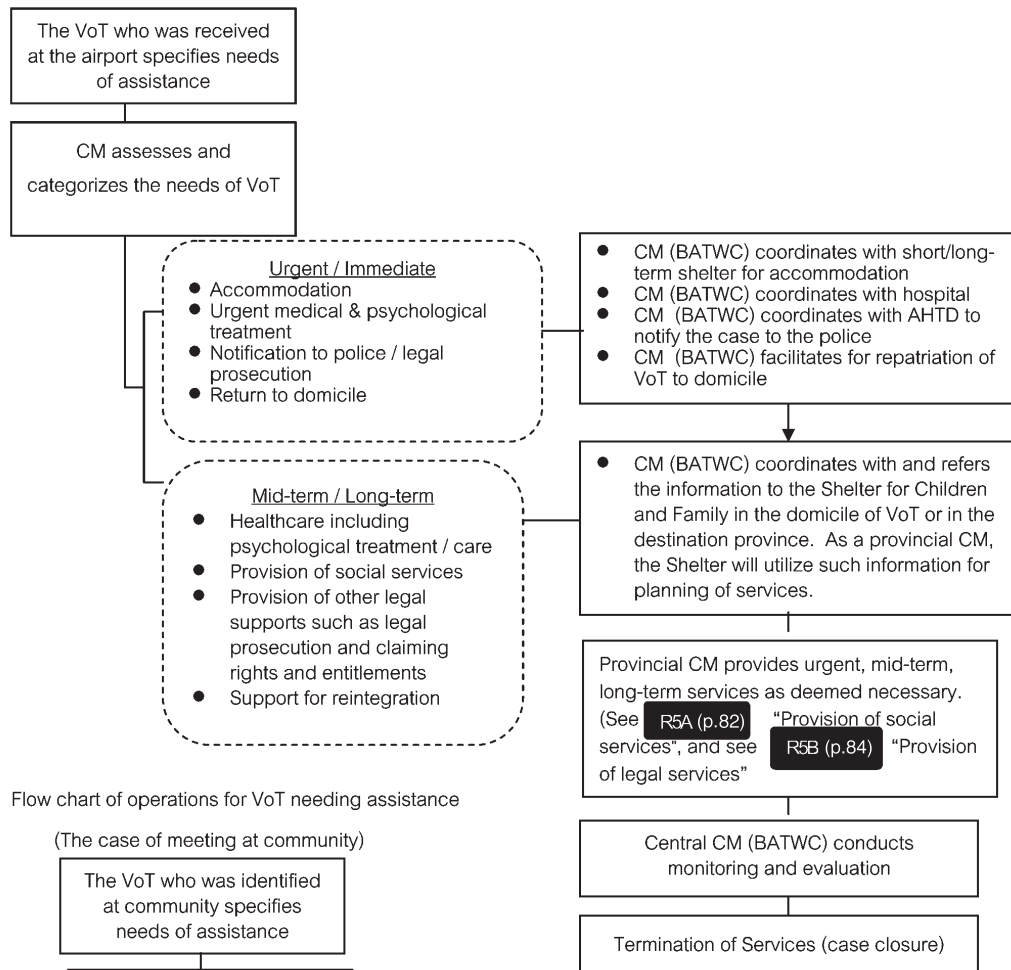
Part 2.4 Procedures after Intake of a Trafficked Person into the Protection and Occupational Development Center

Timeline	No.	(Social)	role			No.	(Medical : Physical/mental)	role			No.	role		
			S	C	L			S	C	L		S	C	L
Procedure of the trafficked person intake to the main shelter														
Day 1	1	Document check (Compulsory document for reception, or decline the reception) <input type="checkbox"/> Referral letter endorsed by the governor* <input type="checkbox"/> Child Welfare protection plan with duration mentioned in case of a child under 18* <input type="checkbox"/> Court or governor order for the extension of stay* <input type="checkbox"/> trafficked person identification form with signature of an inquiry officer* <input type="checkbox"/> Personal record / Preliminary interview record <input type="checkbox"/> A copy of police record <input type="checkbox"/> Medical record <input type="checkbox"/> ID of the trafficked person <input type="checkbox"/> Photograph <input type="checkbox"/> ID card <input type="checkbox"/> House registration <input type="checkbox"/> Educational certificate <input type="checkbox"/> Form TR 38/1 (Foreigner) <input type="checkbox"/> Check and record variables of the trafficked person	<input type="radio"/>											
Day 1	2	Shelter introduction (roles and responsibility of the shelter, officers, and rules of the Shelter)												
Day 1	3	Notify rights and duties of a VoT. Let the VoT sign the Form for Rights' Notification												
Day 1	4	Apply to the Shelter Director for an official acceptance of the trafficked person												
Day 1	5	Submit the letter of acceptance of the trafficked person to the referring agency, if not yet signed in the referral letter												
Within 1 day after approval	6													
Process of fact-finding / information gathering														
The Thai														
Within 3 days	1	Coordinate with family or transfer the victim to other organization. However, utmost security of the trafficked should be considered. Ask for additional documents on protection.	<input type="radio"/>											
Within 3 days	2	Interview additional fact, in addition to the previously collected data <input type="checkbox"/> Biography and family history <input type="checkbox"/> Education <input type="checkbox"/> Address of hometown and the living situation <input type="checkbox"/> Identify either the person is a VoT or not	<input type="radio"/>											
within 2 weeks	3	Send the request letter to the short-term shelter to conduct family-visit (in case the trafficked person was referred from other provinces) or conduct a family visit for further information/ assessment	<input type="radio"/>											

Timeline	No	(Social)	role			(Medical : Physical/mental)	role			No	role		
			S	C	L		S	C	L		S	C	L
Within 3 days	2	Interview and report basic info, including number and nationality of protected trafficked persons to BATWC for referring to the Ministry of Interior for registration				torture or sexual abuse, blood check for sexually transmitted diseases or checking any sign of drug-addiction				2	traffickers, both criminal and civil charges		
Day 2-14 BKK, Day 2-20 the provinces	3	Fact-finding interview according to the case report format (through interpreter)									In case not yet reported to the police of the crime, coordinate for a return to the short-term shelter for interview both criminal and civil charges by an inquiry officer / with crime scene identification / and sketching of the alleged offender etc.		
	4	Produce Case Report in Thai and English language											
Within 15 days BKK, 20 for provinces	5	Submit Case Report and photograph to BATWC to further submit to the country of origin											
Further steps of assistance after fact finding													
	1	Team meeting / Analyse trafficked person's problems for developing an assistance plan				Exchange medical examination result (age, physical assault, rape, blood test) in the team meeting to plan for assistance and legal process				3	submit documents to an inquiry officer, further to public prosecutor, for criminal charge or claim for compensation		
		<input type="checkbox"/> Other possible assistance e.g. HIV fund, family welfare				Exchange counseling record (physical/mental/behavioral condition) for social planning or for calculating for compensation					<input type="checkbox"/> Age identification result <input type="checkbox"/> Medical exam result of any assault evidence <input type="checkbox"/> Photograph of wound, bruise, on the body or the mental condition record upon the intake <input type="checkbox"/> Mental status and behavior analysis result by the psychologist of the shelter <input type="checkbox"/> Other physical evidence found during the fact-finding interview (submit immediately once found) For compensation, these could be included: <input type="checkbox"/> medical expense receipt <input type="checkbox"/> mental rehabilitation expense etc.		
		<input type="checkbox"/> Rehabilitation activities or activities to strengthen family bond											
		<input type="checkbox"/> Provision of service on non-formal education											
		<input type="checkbox"/> Vocational Training : in case of a Thai trafficked person, it can be coordinated with the labour skill development institute of the Ministry of Labour											
	2	Job Placement service for non-Thai trafficked persons, only for appropriate case of foreign trafficked persons									Refer to Part 2.3 Procedure for Short-term Shelter for other procedures (claiming for unpaid wages, claiming for rights as per the Damages for the Injured Person and Compensation and Expense for the Accused in Criminal Case Act, Rights as per TIP fund, advanced witness hearing and etc.)		
		<input type="checkbox"/> Once approved by Ministry of Interior, bring the trafficked person to district office for registration											
		<input type="checkbox"/> Medical check-up for work permit											
		<input type="checkbox"/> Job placement											
		<input type="checkbox"/> Labor registration with Department of Labor											
		<input type="checkbox"/> Escort the trafficked person to meet the employer											

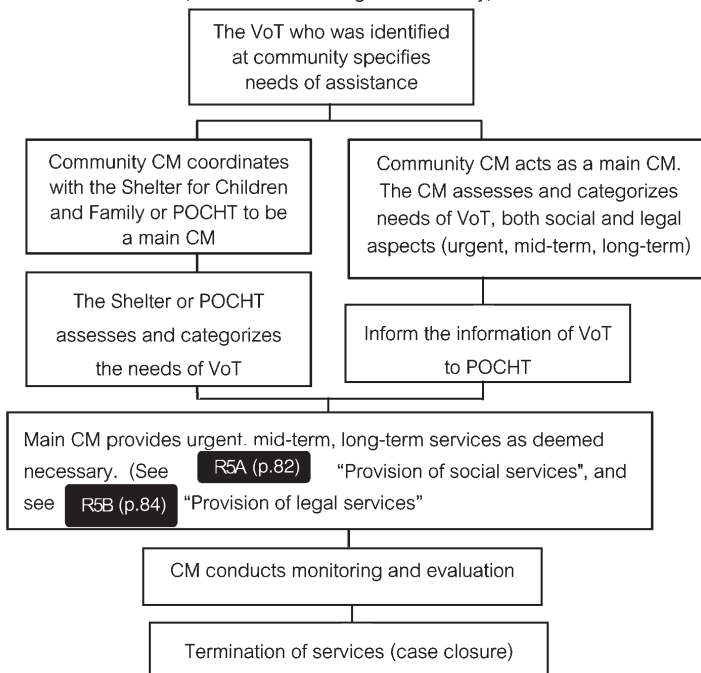
Part 2.5 Planning of Services and Service Provision

Flow chart of operations for VoT who needs assistance (the case of receiving at the airport)



Flow chart of operations for VoT needing assistance

(The case of meeting at community)



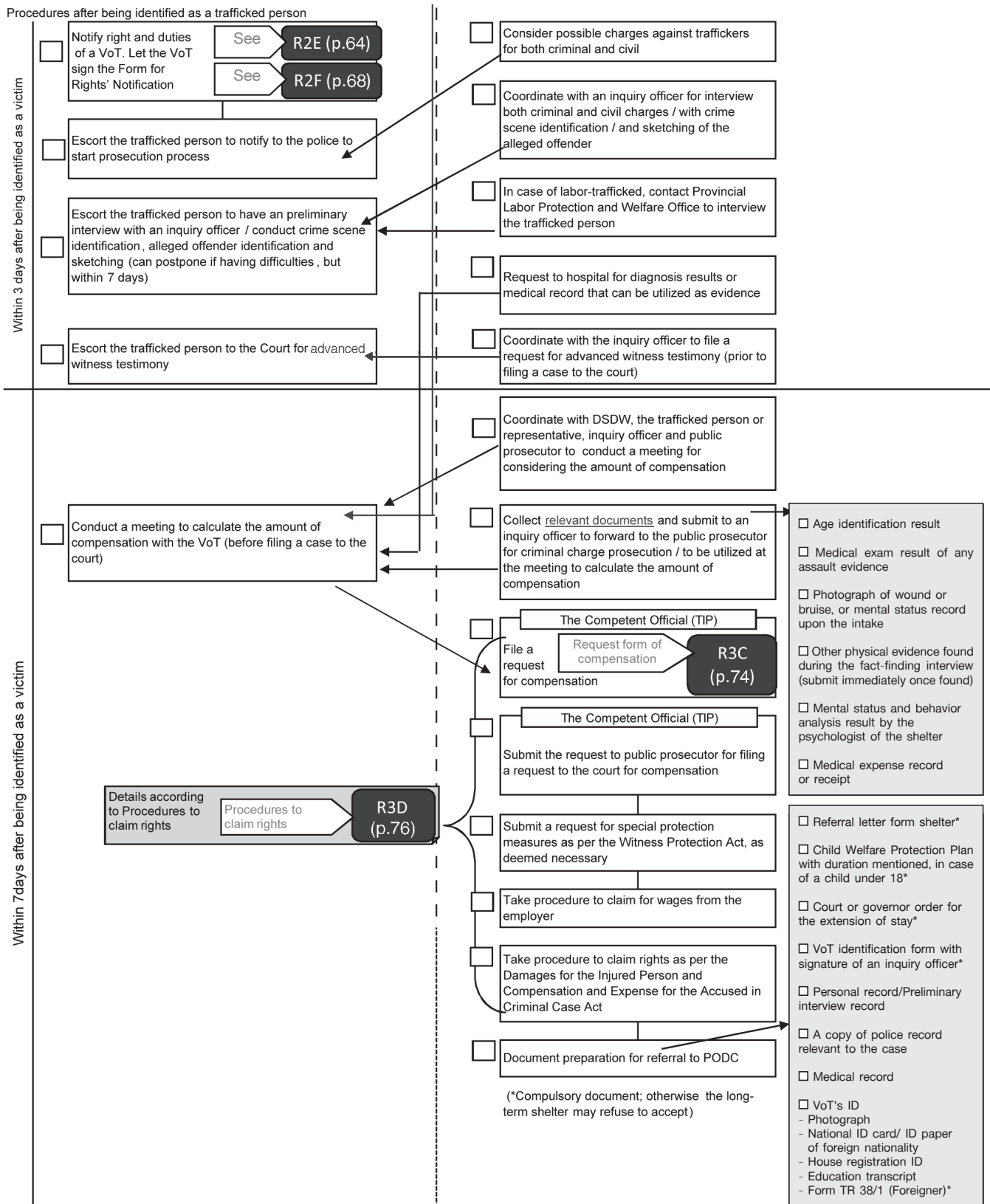
R5A**Social Service Provision**

Operations by the CM (The person taking major roles and actions)	*Community CM or the one who is close with the VoT. If not taking major roles and actions, the community CM may help providing services as follows.
Social Services	
1. Health	
1.1 Medical Check	
- If not notifying the police, refer VoT to a hospital using social welfare card or coordinate with the hospital's social workers for special discount	- Facilitate contacting the hospital
- If notifying a police, inquiry officer will refer VoT to a hospital with a referral letter	- Bring the VoT to notify the police - Help referring to a hospital if being requested by an inquiry officer
1.2 Medical Treatment	
- If identified by an inquiry officer as a VoT, can apply for the medical expense from the Fund (<30,000 baht)	- Bring the VoT to notify the police - Prepare documents (See information of the Fund in Section III) - Submit documents to PSDHS
2. Finance	
2.1 Living expenses	
- Apply for the Fund: 3,000 baht/ < 3 times	- Prepare documents (See information of the Fund in Section III)
- Apply for other funds at IOM and NGOs	
2.2 Debt	
- Coordinate with public prosecutor on how to deal with the debt	
- Coordinate with a bank for decreasing interest rate	

Operations by the CM (The person taking major roles and actions)	*Community CM or the one who is close with the VoT. If not taking major roles and actions, the community CM may help providing services as follows.
3. Education	
- PSDHS develops an educational plan and submits to BATWC	- Analyze needs of VoT on education
- Coordinates with the school	
4. Training	
Coordinate with Skill Development Center/ Labour Skill Development Center / PODC	- Analyze needs of VoT on training - Negotiate with training center for discount of training fee
5. Employment	
- Coordinate with Employment Office	- Analyze career that is suitable for the VoT - Coordinate with IOM/NGOs for support on equipments
- Employment Office provides info on prevention of TIP	- Confirm information of the new working place to ensure safety
6. Temporary Accommodation	
- Coordinate with Shelter for Children and Family	- Prepare documents (See information of the Fund in Section III)
7. Rehabilitation	
- Coordinate with MDT to assess condition of the VoT and co-develop immediate/mid/long-term plan	
- Apply for rehabilitation expense from the Fund	- Provide continuous consultation

R5B**Legal Procedures after being identified as VoT**

Procedures after being identified as a trafficked person



Section III

Information on Procedures in Claiming for the Anti-TIP Fund

Operational Guideline of the Anti-Trafficking in Persons Fund

1. Background of the Fund

The Anti-trafficking in Persons fund was established according to the Anti-Trafficking in persons Act 2008 with an objective to fund for prevention and suppression of human trafficking.

2. Types of Assistance

2.1 Individual-type funding Funding for direct assistance to victims of trafficking

2.2 Project-type funding Funding projects on prevention and suppression of TIP conducted by governmental and non-governmental agencies

3. Guideline of Application

3.1 Individual-type funding Funding for direct assistance to victims of trafficking

(1) The persons qualified for applying for the Fund are those being victims of trafficking. The Fund can be utilized for;

- assisting victims of trafficking
- providing safety protection to victims of trafficking
- assisting victims of trafficking in a foreign country to return to Thailand or domicile

(2) Application procedure

- An applicant having a domicile in Bangkok shall submit his/her application at Bureau of Anti-Trafficking in Women and Children (BATWC)
- An applicant having a domicile in other provinces shall submit his/her application at Provincial Social Development and Human Security Office (PSDHS)

(3) Documents needed

- Specified Application Form (Attachment of the Fund Administration Committee's announcement on "Rules, Terms and Condition in approving the Utilization of the Anti-TIP Fund")
- Copy of ID card of copy of house registration (name of the applicant residing in the province where the application will be submitted) / certify true copy.
- Other evidence such as receipts

(4) Assistance to be provided

An officer receiving an application shall interview and confirm facts as per the application form to collect information on family condition and problems or issues needing assistance. The officer shall fill in the form clearly with full details and consider the assistance according to the Fund Administration Committee's announcement on "Rules, Terms and Condition in approving the Utilization of the Anti-TIP Fund"

Items of support are;

- **Living expense:** up to 3,000 baht / not more than 3 times / year
- **Medical treatment expense:** Actual amount but up to 30,000 baht, including transportation fee and allowance during the course of medical treatment of up to 2,000 baht / not more than 3 times / person / year
- **Physical and mental treatment expense:** Actual amount but up to 20,000 baht
- **The compensation for the loss of earning during the period when the VoT is unable to perform his or her work:** 200 baht a day up to 1 year, counting from the date when the person became unable to perform his/her work
- **Expense for consumer goods:** up to 3,000 baht, but not more than 3 times / person / year
- **Accommodation expense**
- **Education or training expense**
- **Expense to support legal prosecution process or taking legal procedures for claiming for compensation**
- **Repatriation expense**
- **Expense for VoT in a foreign country to return to Thailand or domicile**
- **Other expenses approved by the Fund Administration Committee**

The officer receiving an application shall request approval from the chief of agency and collect all necessary documents as per (3) before sending them to BATWC, DSDW

(5) Approval

BATWC shall collate all applications and confirm all documents before submitting them to the Sub-committee for considering the approval of fund

(6) Informing the result

After being approved by the Sub-Committee, BATWC shall inform the result of consideration to the Fund Administration Section, Office of the Permanent Secretary for process of disbursement/transfer to the account of Anti-TIP fund at each province

(7) Payment

After the disbursement/transfer from the Fund, the agency receiving the application shall pay the amount to the applicant at once and send the record of payment to the Fund Administration Section, Office of the Permanent Secretary accordingly.

(8) Follow-up

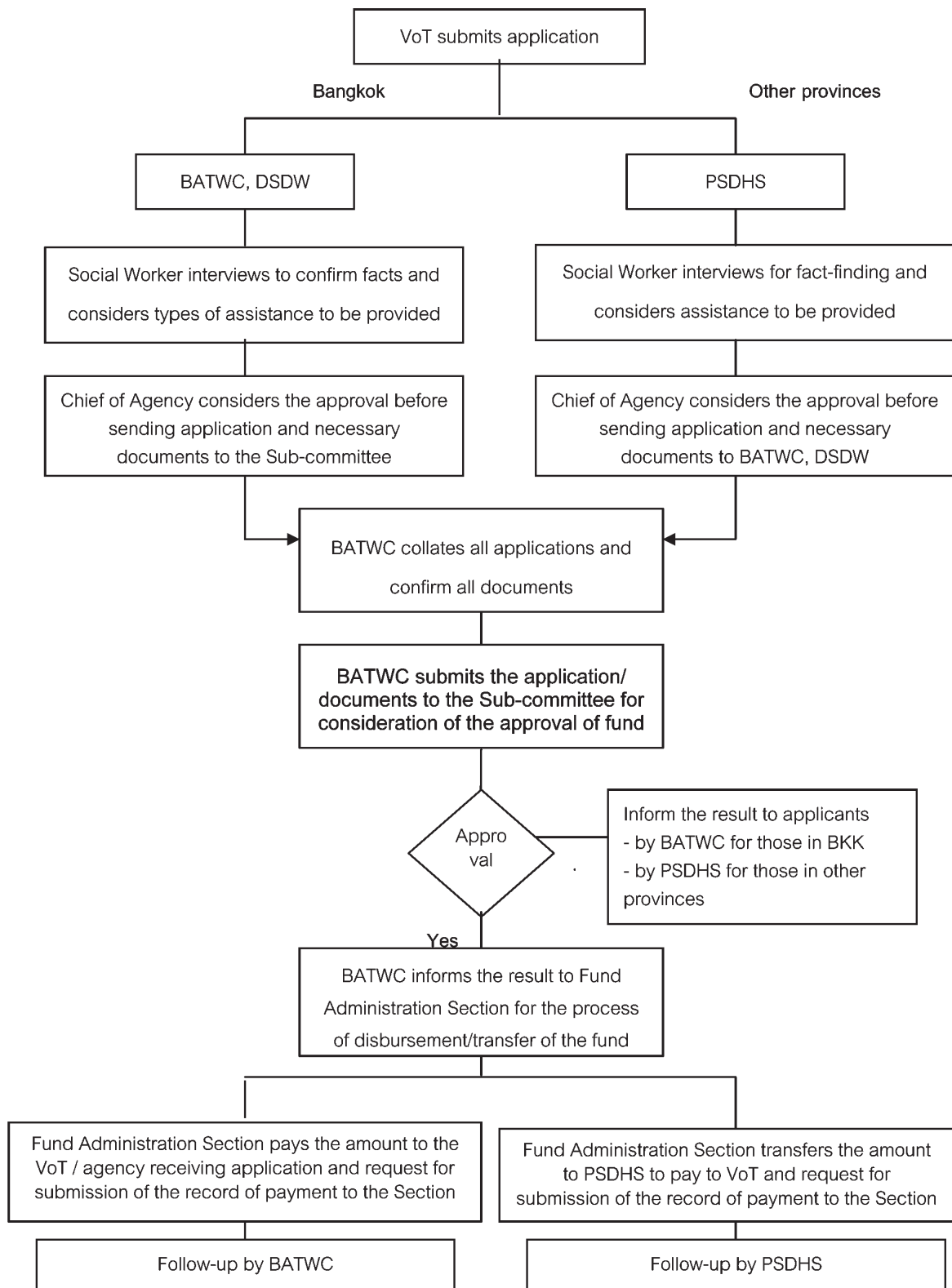
BATWC shall follow the result of assistance to fund-receivers residing in Bangkok
PSDHS shall follow the result of assistance to fund-receivers residing in each province

**** Details as per the Anti-Trafficking in Persons Coordinating and Supervising Committee's announcement on "Budget, list of expense, terms and condition in providing assistance by the Anti-trafficking in persons Fund" dated 8 December, 2009*

Contact

Fund Administration Section, Office of the Permanent Secretary, MSDHS
255, Rajvithi Home for Girls, Rajvithi District, Bangkok
Tel. 0 2202 9025 Fax 0 2202 9035

STEPS FOR FUNDING ASSISTANCE TO VOT



3.2 Project-type funding (Supporting to conduct Anti-TIP projects by non-governmental and governmental agencies)

(1) Qualification of the candidate agency/organization

- Government Agency which has objectives or activities on prevention and suppression of TIP
- Non-government Agency which is registered on prevention and suppression of TIP as per the Anti-TIP Act 2008

Additional Information Agencies having intention to apply for the Fund shall be registered as an NGO on prevention and suppression of TIP. Details for application are according to the Regulation of Anti-TIP Committee on Registration of Non-government Agencies on Prevention and Suppression of TIP 2009

(2) Submission of Project Proposal

Government or non-government agency writes a project proposal with details as per the specified application form (Kor Por Khor 01). Details are separated into 2 parts

- Part 1: General Information
- Part 2: Details of project

Proposed project shall have full detailed information with complete documents as indicated in the application form.

Application can be submitted at any time of the year.

(3) Budget Framework

- The project with the budget less than 50,000 baht means small-scale project
- The project with the budget of 50,000 baht or more but not over 300,000 baht means middle-scale project
- The project with the budget of 300,000 baht or more but not over 3,000,000 baht means large-scale project.

In case the project proposed budget of 3,000,000 baht or more, submission to the Anti-TIP Fund Committee shall be made for special consideration.

(4) Project Selection

In case the applicant was a government agency, the proposed project should be a new project initiated by the agency that had not yet obtained budget from the regular budget.

In case the applicant was from an NGO, the proposed project should be cost-shared with their own budget or should be a totally new project with few supports from governmental agencies or other funding agencies.

Projects that can be supported by the fund included;

- **Project on prevention of TIP at individual, family and community level;**
- **Project on development of victim protection system;** e.g. strengthening or improving process of assisting and protecting VoT to be more effective / standardized and coordinating with relevant networks and agencies
- **Projects relevant to legal prosecution and suppression of TIP;** e.g. enforcement of laws, prosecution of offenders, capacity building of staff, networking of legal staff working on prevention and suppression of TIP and rewarding system to the guidance to arrest
- **Project on rehabilitation and reintegration of VoT;** e.g. development of temporary accommodation, vocational training, supporting living expense during job-hunting, network building for systematic repatriation both inside and outside the Kingdom, remedy to VoT and family, following-up after repatriation to community to prevent the return to the cycle of trafficking
- **Project on database development or monitoring and evaluation;** e.g. database development at provincial, national and international level, which has the data on situation of trafficking, migration situation, statistics on TIP operation, route of trafficking, high risk areas, and data of high risk groups; monitoring and follow-up of TIP operation; and supporting research activities on TIP
- **Project on development of mechanism in managing, preventing and suppressing TIP issues;** e.g. development of provincial plan and action plan of each agency; network development at all level; capacity building of staff and network agencies; and supporting relevant agencies at all level
- **Project on international coordination;** e.g. development of cooperation mechanism in prevention and suppression of TIP along borders, international cooperation development; development of bilateral and multi-lateral MOU or action plan at regional and sub-regional level; and information sharing among origin, transit and destination countries.

- Other projects designated by the TIP Prevention and Suppression Committee

The proposed project shall have clear objectives and process of activities. Besides, it shall result in assisting VoT, protecting their safety, preventing or suppressing the crime of TIP, and having participation of individuals or agencies in assisting or protecting VoT or preventing and suppressing TIP crime.

(5) Application procedure

- Agency wishing to conduct the project in Bangkok shall apply at Fund Administration Section, Office of the Permanent Secretary, Ministry of Social Development and Human Security
- Agency wishing to conduct the project in other provinces shall submit application to Provincial Social Development and Human Security Office for consideration prior to the submission to the Office of the Permanent Secretary, Ministry of Social Development and Human Security

Additional Information Provincial Operation Center on Prevention and Suppression of Human Trafficking (POCHT) shall conduct preliminary screening of proposed projects or request for opinion from Sub-Committee of the POCHT before the submission to the Office of Permanent Secretary. Opinion obtained from POCHT will be utilized as a reference for approval for funding. Following items should be confirmed.

- 1) Whether the applicant is a non-government agency which is registered as a non-government agency on prevention and suppression of TIP
- 2) Completeness of specified application (Kor Por Khor 01) and attached documents
- 3) Being a project that has no duplication with other projects using the regular budget or having no other agencies conducting the similar projects
- 4) Relevance to the present problems or able to solve problems in the area in a concrete manner
- 5) Having complete details on target groups, means of operation, activities, budget and etc.

If the proposed projects were not according to the above, POCHT shall coordinate with the applicants to take necessary actions prior to submission of the application to the Office of Permanent Secretary

Additional Information Provincial Operation Center on Prevention and Suppression of Human Trafficking (POCHT) shall conduct preliminary screening of proposed projects or request for opinion from Sub-Committee of the POCHT before the submission to the Office of Permanent Secretary. Opinion obtained from POCHT will be utilized as a reference for approval for funding. Following items should be confirmed.

- 1) Whether the applicant is a non-government agency which is registered as a non-government agency on prevention and suppression of TIP*
- 2) Completeness of specified application (Kor Por Khor 01) and attached documents*
- 3) Being a project that has no duplication with other projects using the regular budget or having no other agencies conducting the similar projects*
- 4) Relevance to the present problems or able to solve problems in the area in a concrete manner*
- 5) Having complete details on target groups, means of operation, activities, budget and etc.*

If the proposed projects were not according to the above, POCHT shall coordinate with the applicants to take necessary actions prior to submission of the application to the Office of Permanent Secretary

(6) Approval

Fund Administration Section will collate all applications from Bangkok and other provinces and submit them to the Sub-committee for considering the approval of fund. After the Sub-committee confirmed and provided opinions, consideration by the Fund Administration Committee will be made every month or anytime as considered appropriate.

(7) Informing the result

After being approved by the Committee, Fund Administration Section, Office of the Permanent Secretary, MSDHS shall inform the approval of the application. The result will be informed directly to applicants in Bangkok and through PSHDS in case of applicants in other provinces.

(8) Contract binding

After being informed of the result, the approved agency shall bind a contract as a receiver of the fund from the Anti-Trafficking in Persons Fund (Kor Por Khor 03), with the Permanent Secretary of MSDHS or with PSDHS as a donor. If any agencies decline to receive the funding, application for refusal of fund shall be submitted to the Anti-Trafficking in Persons Fund.

(9) Disbursement/Transfer of the Fund

After the Fund Administration Section received and reviewed the contract, it will disburse the amount of the contract to 'the fund recipient'. The amount will be paid directly to 'the fund recipient' in case of Bangkok, and will be transferred to the Anti-TIP account at PSHDS in case of other provinces.

After receiving the amount, the fund recipient shall issue a receipt to the Office of Permanent Secretary, MSDHS in case of Bangkok or to PSHDS in case of other provinces. PSDHS shall make a copy of such receipts and further convey the original receipts to the Fund Administration Section, Office of the Permanent Secretary, MSDHS.

Payment

(10) Project Implementation

The agency receiving the Fund shall conduct all proposed activities and strictly comply with all statements specified in the contract.

- 1) In case of having a balance left after completing all activities, the agencies shall return the balance to Office of the Permanent Secretary, MSDHS or PSDHS
- 2) In case the agency receiving the Fund needs to change details of the project after being approved, approval from Fund Administration Committee is required with the condition that the change does not affect the achievement of the objectives and budgets of the project.

(11) Follow-up and Evaluation

- 1) The agency receiving the Fund shall report project implementation result/ progress and financial status of the project utilizing the specified format (Kor Por Khor 02)

In case being a short-term project (period of less than 180 days), the project report shall be submitted within 30 days after the termination of the Project.

In case being a long-term project (period of 180 days or more), report shall be submitted as follows.

First report: At the mid-term of the project period

Second report: Within 30 days after the termination of the Project

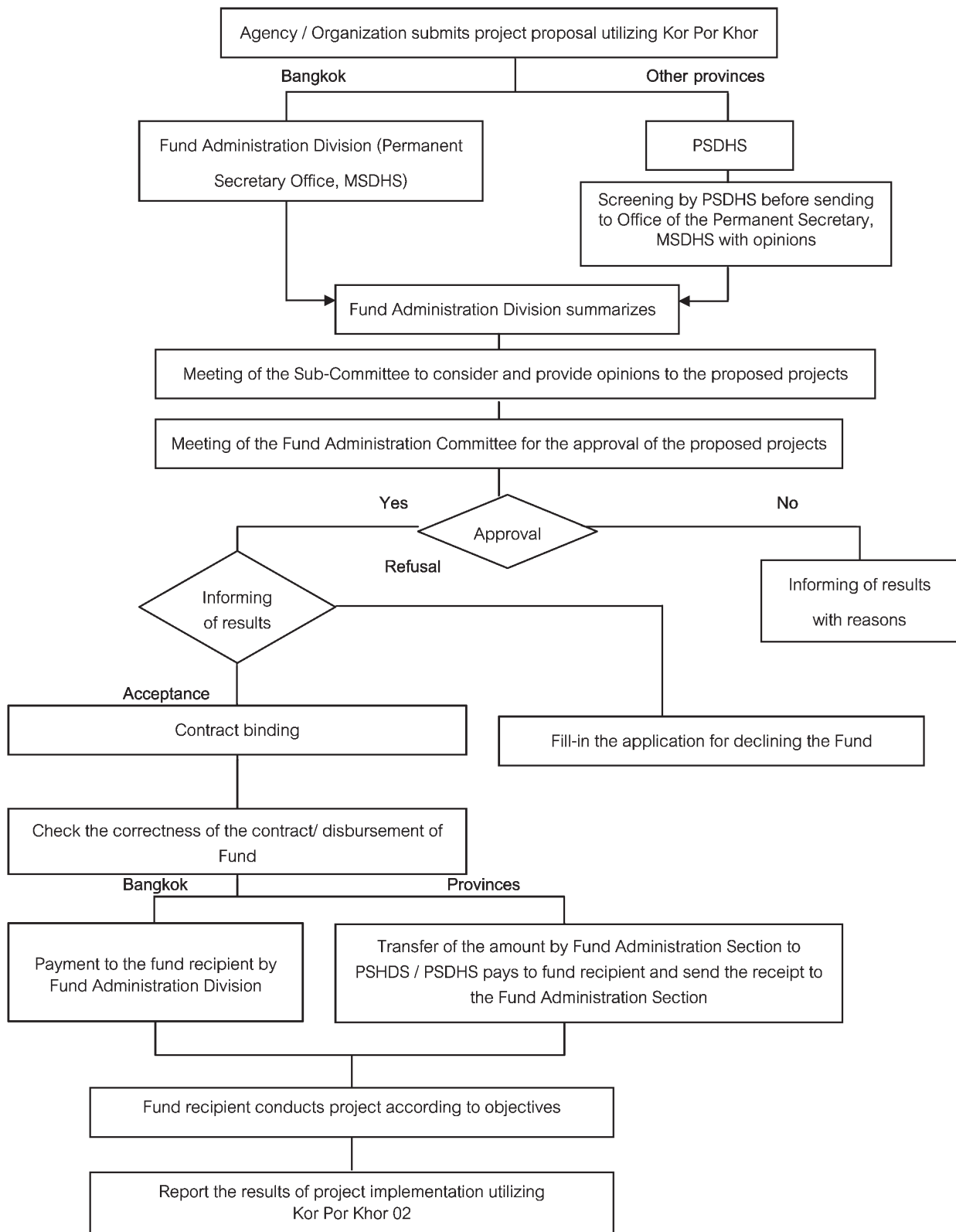
2) Submission of Report

- In case the project was conducted in Bangkok, one set of project implementation report shall be submitted to the Fund Administration Section, Office of the Permanent Secretary.

- In case the project was conducted in other province, two (2) sets of project implementation reports shall be submitted. One shall be kept at the PSHDS and one shall be forwarded to the Office of the Permanent Secretary, MSDHS.

3) PSDHS shall conduct the follow-up to the approved projects and ensure the project implementation and budget utilization be implemented according to the regulation. Opinions and recommendations to the implementation of the project or results of project implementation shall be attached to the project implementation report. 1 set of report shall be sent to Office of the Permanent Secretary, MSDHS.

4) Fund Administration Committee / Fund Monitoring and Follow-up Committee / Sub-committee for considering the provision of assistance to VoT / Fund Administration Section will follow and evaluate the projects by collecting information on the result of project implementation, problems and challenges from the recipient agencies. Consultation and advices will be provided as deemed appropriate.



Application Form according to The Fund Administration Committee's announcement on

"Rules, Terms and Condition in approving the Utilization of the Anti-TIP Fund"

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Order No.

Written at.....

Date.....Month.....Year.....

Part 1 For the applicant

1. Name-Surname.....Age.....yrs.old

ID card No.Occupation.....

Present Address.....

Permanent Address.....

Tel No..... Registration No. of the Poor (if any)

2. Family Condition / problems and issues needing assistance as a victim of trafficking as per the Anti-TIP Act 2008

2.1 Family Condition.....

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2.2 Problems.....

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2.3 Assistance needed

☐ (1) Living expense

☐ (2) Medical treatment expense

☐ (3) Physical and mental rehabilitation expenses

- ☐ (4) The compensation for the loss of earning during the period the VoT is unable to conduct his or her work
- ☐ (5) Expense for consumer goods
- ☐ (6) Accommodation expense
- ☐ (7) Education or training expense
- ☐ (8) Expense to support legal prosecution process or taking legal procedures for claiming for compensation
- ☐ (9) Repatriation expense
- ☐ (10) Expense for VoT in a foreign country to return to Thailand or domicile
- ☐ (11) Other expenses approved by the Fund Administration Committee

I hereby certify that all above statement is correct. If being verified later that there was no crime of trafficking to myself, I or The person entitled to received such fund would return all received compensation to the Anti-Trafficking in Persons Fund, Office of the Permanent Secretary, Ministry of Social Development and Human Security within 30 days after being informed.

Attached herewith relevant documents totally.....items

- ☐ Copy of Identification card or government Identification Card
- ☐ Copy of House registration
- ☐ Copy of death certificate
- ☐ Medical Treatment Receipt
- ☐ Other (please specify).....

Signature.....Applicant

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Section 2 For the officer who receives the application

I have confirmed the documents and evidences, the applicant was considered;

☐ a victim of trafficking

☐ a descendant of a victim of trafficking

☐ Others (Please specify relationship with the VoT).....

Opinion.....

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Signature.....Officer

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Position.....

/ /

Part 3 For the social worker

Opinion (After consideration and actions as per social work principles)

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Signature.....Officer

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Position.....

/ /

Part 4 For the chief of agency

☐ Appropriate to provide assistance

☐ Not appropriate to provide assistance with following reasons

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.....

☐ Others (Please specify).....

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Signature.....Officer

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Position.....

/ /



Japan International Cooperation Agency (JICA)

Bureau of Anti-Trafficking in Women and Children
Department of Social Development and Welfare
Ministry of Social Development and Human Security
1034 Krungkasem Rd, Klong Mahanak, Pomprab, Bangkok
Tel: 02-659-6156; Fax 02-281-5030; batwcjicaproject@gmail.com