



Repatriation Flow and Procedures from Thailand to Viet Nam

January 2019



Division of Anti Trafficking in Persons

Office of the Permanent Secretary

Ministry of Social Development and Human Security



Japan International Cooperation Agency

FOREWORD

The Division of Anti-Trafficking in Persons (DATIP), Office of the Permanent Secretary, Ministry of Social Development and Human Security (MSDHS), Royal Government of Thailand in collaboration with Japan International Cooperation Agency (JICA) is pleased to introduce the Repatriation Handbook for Foreign Victims of Trafficking ③ – Viet Nam. This document was developed by the Thai-Japan joint project entitled Project on Capacity Development on Assisting Victims of Trafficking in the Greater Mekong Sub-Regional Countries as an integral effort to strengthen the regional cooperation to combat trafficking in persons.

This handbook serves as a one-stop reference document, which provides information regarding the repatriation and reintegration process of Vietnamese victims identified and protected in Thailand. In addition to the Standard Operation Procedures (SOP) between Thailand and Viet Nam agreed upon in 2013, this handbook includes information gathered through national level consultations as well as two regional workshops entitled Mekong Regional Workshops, which have been hosted by MSDHS and JICA annually to facilitate regional dialogue and knowledge sharing since 2009. By making the flow of operation easier to follow and each actor's role clear, we expect that this handbook should help make coordination between the two countries faster and smoother.

We would like to express our sincere appreciation to UN-ACT (United Nations' Action for Cooperation against Trafficking in Persons). To validate the information presented in the handbook on the operations at the Vietnamese side, UN-ACT extended its support and shared the draft to concerned agencies in Viet Nam for consultation.

Thailand is committed to strengthen bilateral cooperation between Thailand and its neighboring countries to provide more effective, efficient and sustainable assistance to victims of trafficking. We are confident that this handbook will help us advance our effort in promoting regional cooperation and improving the assistance provided to victims of trafficking.

Ms. Sunee Srisangatrakullert

Director

Division of Anti-Trafficking in Persons

Office of the Permanent Secretary

Ministry of Social Development and Human Security



Ms. Katsura Miyazaki

Chief Representative

Japan International Cooperation Agency

Thailand Office



LIST OF ABBREVIATION AND ACRONYMS

ASEAN	Association of Southeast Asian Nations
ACTIP	ASEAN Convention against Trafficking in Persons
COMMIT	Coordinated Mekong Ministerial Initiative against Trafficking
CLMV	Cambodia, Lao PDR, Myanmar, Viet Nam
CM4TIP	Project on Capacity Development on Assisting Victims of Trafficking in the Greater Mekong Sub-Regional Countries
DATIP	Division of Anti-Trafficking in Persons (Thailand)
DOLISA	Department of Labour, Invalids and Social Affairs (Viet Nam)
DSI	Department of Special Investigation (Thailand)
GMS	Greater Mekong Sub-region
GO	Governmental Organization
IDC	International Detention Center (Thailand)
IO	International Organization
IOM	International Organization for Migration
JICA	Japan International Cooperation Agency
MDT	Multi-Disciplinary Team
MOFA	Ministry of Foreign Affairs (Thailand) (Viet Nam)
MOLISA	Ministry of Labour, Invalids and Social Affairs (Viet Nam)
MoU	Memorandum of Understanding
MPS	Ministry of Public Security (Viet Nam)
MSDHS	Ministry of Social Development and Human Security (Thailand)
NGO	Non-Governmental Organization
NPA	National Plan of Action
PSDHS	Provincial Social Development and Human Security Office (Thailand)
SOP	Standard Operating Procedure
TIP	Trafficking in Persons
UN-ACT	United Nations Action for Cooperation against Trafficking in Persons
VOT	Victims of Trafficking
VWU	Viet Nam Women's Union (Viet Nam)
WPVC	Welfare Protection Center for Victims of Trafficking (Shelter in Thailand)

TABLE OF CONTENTS

Foreword	i
List of Abbreviations and Acronyms	ii
Table of Contents	iii
Objective of the Handbook	1
How to Use the Handbook	1
Background Information	2
1. Focal Point	2
2. Framework of the Operation between Thailand and Viet Nam	2
3. Official Route of the Repatriation	3
4. Recent Human Trafficking Situation between Thailand and Viet Nam	3
5. List of Contacts.....	4
Repatriation Flow (English version)	5
Repatriation Flow (Vietnamese version)	7
Annexes	9
1. Practical Tools.....	9
Preliminary Interview Schedule for Screening Victims of Trafficking in Persons	11
The Rights of Trafficked Persons, Notification of Rights (English version)	17
Form for Rights' Notification of Trafficked Persons (English version)	20
The Rights of Trafficked Persons, Notification of Rights (Vietnamese version)	21
Form for Rights' Notification of Trafficked Persons (Vietnamese version)	24
2. Agreed Documents between Thailand and Viet Nam.....	25
Agreement: Agreement between the Government of the Kingdom of Thailand and the Government of the Socialist Republic of Viet Nam on Bilateral Cooperation for Eliminating Trafficking in Persons, Especially Women and Children and Assisting Victims of Trafficking (English version).....	27
SOP: Standard Operating Procedures for the Identification and Return of Victims of Human Trafficking between Thailand and Viet Nam (English version)	36
Plan of Action (Phase III): Minutes bilateral meeting between the Government of the Kingdom of Thailand and the Government of the Socialist Republic of Viet Nam on the Development of Plan of Action, Phase III (2017 - 2020) under the Agreement on Bilateral Cooperation for Eliminating Trafficking in Persons, Especially Women and Children and Assisting Victims of trafficking	44
3. Relevant Vietnamese Documents for Reference	53
Joint Circular: Instruction on procedure for and cooperation in identification, receipt and repatriation of victims of human trafficking (No. 01/2014/TTLT-BCA-BQP-BLDTBXH-BNG).....	55

OBJECTIVE OF THE HANDBOOK

This Repatriation Handbook for Foreign VOT: Viet Nam aims to achieve the followings:

- ✓ to streamline the operations on repatriation by multiple actors based on the Standard Operation Procedures (SOP) agreed upon in 2013. By making the flow of repatriation from Thailand to Viet Nam, and each actor's role clear, the repatriation process is expected to be more coordinated, faster and effective, and
- ✓ to function as a practical and useful one stop reference document for the practitioners on the ground who are assigned to work on the repatriation of Vietnamese Victims of Trafficking (VOT) to Viet Nam.



This Handbook is intended for **MDT (Multi-Disciplinary Team) members and beyond**, who are directly involved in the repatriation operations.

HOW TO USE THE HANDBOOK

Step	To Do	Page #
Before you start	Review the Repatriation Flow for Vietnamese VOT from Thailand to Viet Nam	5-7
First Step	Using the Repatriation Flow for Vietnamese VOT from Thailand to Viet Nam , identify where you are in the repatriation processes below: <ul style="list-style-type: none">• Incident Reporting• Rescue Operation and Victim Identification• Protection Service• Pre-Return Preparation• Return	5-7
Second Step	Find any tool (checklists, forms, information sheets) that is relevant to each process you take	9
Third Step	Find out who the responsible counterpart is in Viet Nam to get in touch for each process and keep close contact with him/her	4
Forth Step	Review the details of SOP relevant to the process you are taking	36
If you are interested	Review the background of cooperation framework between Thailand and Viet Nam	25

BACKGROUND INFORMATION

1. Focal Point

Thailand 	Division of Anti Trafficking in Persons (DATIP), Office of the Permanent Secretary, Ministry of Social Development and Human Security (MSDHS)
Viet Nam 	Ministry of Public Security (Immigration Department)

2. Framework of the Cooperation between Thailand and Viet Nam

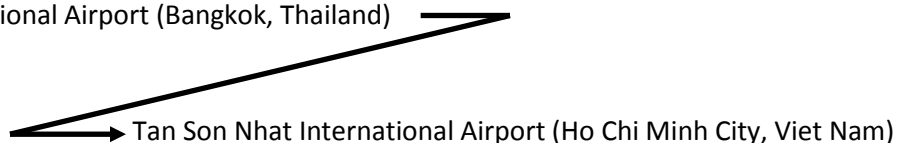
Original documents can be found at the corresponding page #.

	Title	Year	Page #
Agreement	Agreement between the Government of the Kingdom of Thailand and the Government of the Socialist Republic of Viet Nam on Bilateral Cooperation for Eliminating Trafficking in Persons, Especially Women and Children and Assisting Victims of Trafficking	Mar. 2008	27
SOP	Standard Operating Procedures for Identification and Return of Victims of Human Trafficking between Thailand and Viet Nam	Mar. 2013	36
Plan of Action Phase III (2017 - 2020)	Minutes, Bilateral meeting between the Government of the Kingdom of Thailand and the Government of the Socialist Republic of Viet Nam on the Development of Plan of Action, Phase III (2017 - 2020) under the Agreement on Bilateral Cooperation for Eliminating Trafficking in Persons, Especially Women and Children and Assisting Victims of Trafficking (Plan of Action is attached as Annex B.)	Sep. 2016	44

3. Official Route of Repatriation

By Air only:

Don Mueang International Airport (Bangkok, Thailand)



* SOP 6.2 b) states that “The competent authority of the sending side in cooperation with the relevant agencies take the victims to the international border gate of the receiving country.”

4. Recent Human Trafficking Situation between Thailand and Viet Nam

There was no record of Vietnamese VOT prior to 2015 at least for the last two years (2013, 2014). However, in 2015, 1 Vietnamese was identified as VOT and the number increased to 127 in 2016. 86 and 51 Vietnamese VOT received the assistance in shelter(s) in Thailand in 2016 and 2017 respectively. All of them were adult male VOT and they were exploited in Fishing industry. (*) Number of Vietnamese VOT identified in 2017 is not available from the officially published document.

Year	Number of Vietnamese VOT
2015	1
2016	127
2017	(*)
Total	128

Source: Thailand’s Country Report on Anti-Human Trafficking Response 2017

27 Vietnamese VOT were repatriated to Viet Nam on August 15, 2017. The remaining Vietnamese VOT at the shelter(s) as of that date are 47. (20 of them are preparing the travel documents while 27 are waiting to present themselves as witness to the court.)

5. List of Contacts

THAILAND		
Name of Organization	Telephone no.	E-mail address
Division of Anti-Trafficking in Persons, MSDHS	(+66) 2202 9070	focal.trafficking@gmail.com
One Stop Crisis Center for Social Assistance Service, MSDHS	1300	news1300@hotmail.com
Royal Thai Police	191	info@royalthaipolice.go.th
Anti-Trafficking in Persons Division, Royal Thai Police	1191	atpd1191@hotmail.com
Immigration Bureau	1178 (+66) 2287 3101	
Department of Consular Affairs, Ministry of Foreign Affairs	(+66) 2572 8442	
VIET NAM		
Viet Nam Embassy (in Thailand)	(+66) 2251 5838	
Consular Department, Ministry of Foreign Affairs	(+84) 981.84.84.84	https://lanhsuvietnam.gov.vn/default.aspx/
Ministry of Labour, Invalids and Social Affairs (MOLISA)	(+84) 4 6270 3613-4 6273 0615	http://www.molisa.gov.vn/vi/Pages/Trangchu.aspx
Child Protection / Anti-TIP Hotline (MOLISA)	111 18001567	
Department of Children Affairs (DCA), MOLISA	(+84) 4 080 48478	
National Police	113 (+84) 24 3939 6777 (+84) 24 3939 6100	
Immigration Department	(+84) 4 826 4026	
Viet Nam Women's Union	(+84) 24 3971 3437	tttt@hoilhpn.org.vn webhoilhpvn@yahoo.com
Center for Women and Development, VWU	+84 24 3728 0280 1900969680	cwd@gmail.com peacehousecwd@gmail.com http://ngoinhabinhvien.vn/ http://cwd.vn/
Blue Dragon Children's Foundation	(+84) 24 3717 0544	info@bdcf.org www.bluedragon.org
Hagar International	(+84) 94 311 1967 (+84) 24 3728 2342	info@hagarinternational.org

1.

Practical Tools



Preliminary Interview Schedule for Screening Victims of Trafficking in Persons

Place of Interview.....
Date.....Month.....Year.....

It is hereby declared that today at.....hr., officials and concerned individuals of the following names:

.....
have together conducted an interview session for the purpose of identifying victims of trafficking in persons. The interview details are reported below.

1. Interviewee's information

Name-surname (☐) Miss (under 15) (☐) Master (☐) Miss (☐) Mrs. (☐) Mr.
Native script of interviewee's name in interviewee's handwriting (if any)
(Language.....) Other names
Description of appearance / Identification marks (if any)
.....
Date of birth.....Age..... Nationality.....
Ethnicity..... Place of birth.....
Father's name.....Mother's name.....
Address.....
ID number.....Passport number.....
Other identification document (☐) Available: Please identify..... (☐) Unavailable
Border of entry into Thailand
Type and detail of identification document
Means of border crossing (☐) On foot
(☐) On vehicle: (☐) Personal car (☐) Bus (☐) Other: Please identify.....
Name-surname of border-crossing agent

Interviewer's observation: The interviewee's age is

(☐) consistent with identification documents and/or interview data.

(☐) inconsistent with identification documents and/or interview data. A double check with physician is recommended.

2. Facts obtained from the interview

2.1. Facts about the trip / motive (e.g. what are the reasons for making the trip?; who persuaded the interviewee to make the trip?; to do what job?; how much wage was promised?; was there any written contract?; if yes, where is the contract?; what is the detail of the contract?; how did the interviewee travel?; did the interviewee have any immigration document?; who escorted the interviewee?; was there any expense incurred?; what was the expense for?; was the payment paid before or after the trip?; to whom was the payment made or will be made?; who made the payment?; was the interviewee deceived / sold / forced or kidnapped?; how?)

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

.....

.....

.....

.....

.....

- 2.2. Facts about the treatment received by the interviewee during his/her stay with the transporter, the receiver or the employer or at the place where the interviewee was discovered (e.g. who was harboring the interviewee and for what activity?; was the activity the same as persuaded?; was the interviewee willing to do the activity?; how was the interviewee's livelihood?; could the interviewee commute around or get in touch with other people?; could the interviewee keep his/her identification document to him/herself? (if not, who took it away?; how long had it been taken away?); how much wage did the interviewee receive?; how many working hours were there?; was it the same as that stated in the contract?; was the interviewee forced to work?; what was the working environment like?; did the interviewee receive the wage?; was the wage deducted?; was there any debt to pay back?; to whom?; how much?; what was the means of debt payment? (was it deducted from the wage?); was the amount of debt the same as the actual debt payment?; was there a lending contract?; was the interviewee injured or hurt physically or mentally?; how?; was the interviewee free to get out of the residence/workplace?; did the interviewee have time to rest, participate in religious or cultural activities outdoor or allowed sick leave?; was the interviewee allowed to change the job or the employer?)

.....

.....

.....

.....

.....

.....

.....

2.3. Other facts shared by the interviewee

.....

.....

.....

.....

.....

.....

3. Interpretation of facts as per number 2

3.1. The interviewee is subject to the following activit(ies) (more than one activity may be selected):

<input type="checkbox"/> Supplying	A selection and/or arrangement of human supply by any means
<input type="checkbox"/> Buying	An act of exchanging money with human (not to mean the buying contract)
<input type="checkbox"/> Selling	An act of exchanging human with money; taking the other's money in exchange for labor service in the activity/business of the money's owner, i.e. self-enslavement
<input type="checkbox"/> Distributing	An act of selling, dispensing, allocating, exchanging, transferring and/or withdrawing which is part of a distribution of human supply

() Transporting	An ongoing endeavor that lasts until present, to take and/or bring the subject from a place of origin which is anywhere inside and/or outside the country
() Delivering	An endeavor to move, hand over and/or forward the subject to a recipient or a destination which is anywhere inside and/or outside the country
() Detaining	A detention of the subject, causing delay in the subject's movement
() Confining	An imposition of limit on the scope of areas and/or places in which the subject is able to be present
() Harboring	A provision of residence and/or lodging
() Receiving	An act of receiving or delivering the human subject to a place of residence or lodging

3.2. The activit(ies) as per 3.1 was carried out by the following means:

The facts provided by the interviewee are indicative of the following act(s) (more than one act may be selected):

() Threat	Causing the subject fear and/or intimidation; presenting him/her with a proximate and/or realistic possibility of damage or loss of his/her physical well-being, family and/or properties
() Use of force	Making the subject act or do as demanded by imposing physical attack and/or authority onto his/her body or mental condition which effectively prevents him/her from resisting. This includes disallowing food, medicines or clothes as necessary to the subject.
() Abduction	Taking away or bringing in the human subject without his/her consent
() Fraud	Tricking or misleading the subject by telling false facts and/or untrue stories
() Deception	Causing the subject misunderstanding by hiding or half-telling facts
() Abuse of power	Using influence to make the subject voluntarily or involuntarily act or do as demanded and/or in line with one's interest; misusing the law, rules and/or regulations to cause damage to the subject
() By means of giving money or benefits to achieve the consent of a guardian or caring person to allow the offender to exploit the person under care.	

3.3. The interviewee is subject to activit(ies) and act(s) as per 3.1 and 3.2 with an accompanying purpose to exploit the interviewee in one of the following unlawful businesses:

()	1. Seeking benefits from prostitution	<ul style="list-style-type: none"> - is an exploitation subjecting a human being in commercial sex. - Prostitution shall mean an engagement in sexual abuse or other activities which cause the other person sexual pleasure in exchange for a fee or any token of return. The persons engaged in the intercourse and/or activities might be of the same sex or different sex. - Sexual abuse shall mean a physical violation driven by sexual desire which involves a contact of one's genitals with the other person's genitals, anus or oral cavity, or a contact of an item with the other person's genitals or anus.
()	2. Production or distribution of pornography	<ul style="list-style-type: none"> - is an exploitation of human subject in pornography. - Pornography means documents, drawings, paintings, printed matters, publications, pictures, advertisements, signs, photographs, movies, recording films (visual and/or audio) and/or other like materials, including its digital formats or those stored in electronic devices, which exhibit or visualize sexual activities. - Distribution is by the producer of such material and the third parties who are aware that the pornography was ensued from an act of trafficking in persons.
()	3. Other forms of sexual abuse than prostitution	<ul style="list-style-type: none"> - is an exploitation of human subject including boys, girls, men and women in unlawful sexual activities and/or a treatment of human subject as if he/she was a sexual object, either with or without his/her consent, in exchange for a token of return such as cash, property, things, and service (e.g. providing assistance or protection). - The "treatment of human subject as if he/she was a sexual object" refers also to a seduction or persuasion of another person to enter into a marriage as well as a use of another person to perform unlawful sexual expression

		such as to allow a third person to touch his/her genital and/or to arrange performance by which he/she was dressed and/or acts in an obscene manner.
()	4. Human enslavement	- is an exploitation by subjecting a human being to enslavement. - Slave means a person who falls under the directive of the other person completely and is bound to work for that other person.
()	5. Causing another person to be a beggar	- is an exploitation of human subject by making him/her a beggar. - Beggar means a person engaging in an act of asking for the properties of others, who are neither relatives nor friends, without offering any work or anything in return.
()	6. Forced labor and/or service	- is an exploitation of human subject by forcing the person into an employment or provision of service. - Forced labor and/or service means an employment or provision of service agreed out of the employee's fear for losing life, being injured or being deprived of one's freedom, reputation or property, or by fear that the freedom, reputation or property of the other person(s) would be taken away, as a result of threatening words, physical attack or being put in a condition of inability to resist. - Employment means a contract made between a party called "employee" and another party called "employer," in which the "employee" agrees to work for the "employer" and the "employer" agrees to pay a wage during the period of work (Civil and Commercial Code, Section 575). - Service means an act of serving, offering convenience or other actions which cause the other person satisfaction. - Debt-bondage labor or forced labor in exchange for debt payment results from debts which make the employee liable to enter into the employment that has no definite employment period. Such debt is not created through normal lending channels, i.e. banks or formal lending institutions.
()	7. Forced removal of organs for commercial purpose	- is an exploitation of human subject by a forced removal of organs for commercial purpose.
()	8. Other similar extortion, either with the subject's consent or without	- is an exploitation of human subject in the form similar to item 1-7 that exhibits extortion. - Extortion means a form of exploitation in which a person is taken advantage of and/or financially extracted and is put in a condition of inability to resist.

Remark: In case the interviewee is minor (under 18 years old), he/she shall be deemed victim of trafficking in persons regardless of his/her consent (unless the case is within the scope of human enslavement, forced labor/service or forced removal of organs for commercial purpose).

4. Screening result

() 4.1 The interviewee is a victim of trafficking in persons.

Recommendations in terms of providing protection

.....

.....

.....

.....

.....

.....

.....

.....

() 4.2 The interviewee could be a victim of trafficking in persons. A provisional protection right shall be granted or the case shall be pended for further screening attempt. (please select one of the following):

() The interviewee consents to receive the provisional protection right and/or provide further information.

() The interviewee refuses to receive the provisional protection right and/or provide further information. The officials shall enforce Section 29 of the Anti-Trafficking in Persons Act B.E. 2551 (2008).

Recommendations in terms of providing protection

.....

.....

.....

.....

.....

.....

.....

.....

() 4.3 The interviewee is not a victim of trafficking in persons, but should be protected and granted assistance as provided by the other following law(s) (more than one law may be selected):

()	1) Child Protection Act B.E. 2546
()	2) Labor Protection Act B.E. 2541
()	3) Compensation for Worker Act B.E. 2537
()	4) Compensation and Expense to Injured Persons and the Accused in Criminal Cases Act B.E. 2544
()	5) Recruitment and Job-Seeker Projection Act B.E. 2528
()	6) Other law (please specify)

Recommendations in terms of providing protection and handing the case to the government entity enforcing the law specified above

.....

.....

.....

.....

.....

() 4.4 The interviewee is not a victim of trafficking in persons, but is possibly subject to an offence under the other following law(s) (more than one law may be selected):

()	1) Criminal Code
()	2) Anti-Prostitution Act B.E. 2539
()	3) Measures for Prevention and Suppression of Trafficking in Women and Children Act B.E. 2540
()	4) Working of Aliens Act B.E. 2551
()	5) Begging Control Act B.E. 2484
	6) Maritime Labor Act B.E. 2558

	7) Occupational Safety, Health and Environment Act B.E. 2554
	8) Immigration Act B.E. 2522
	9) Anti-Money Laundering Act B.E. 2542
()	10) Other law (please specify)

Recommendations in terms of providing protection

.....

.....

.....

.....

.....

.....

.....

The above is hereby recorded as testimony.

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

(Signature).....Interviewer/Recorder
(.....)
Official title.....

(Signature).....Interviewer
(.....)
Official title.....

(Signature).....Interpreter
(.....)
Official title.....

Remarks

1. In case the interviewee's signature cannot be obtained, a fingerprint of his/her right-handed thumb shall substitute.
2. In case interviewers bear different opinions, each opinion with supporting reasons may be additionally noted or be put in a separate memo.



The rights of Trafficked persons

Notification of Rights

Rights

in accordance with the laws concerning trafficked persons

If they **WISH** to receive protection:

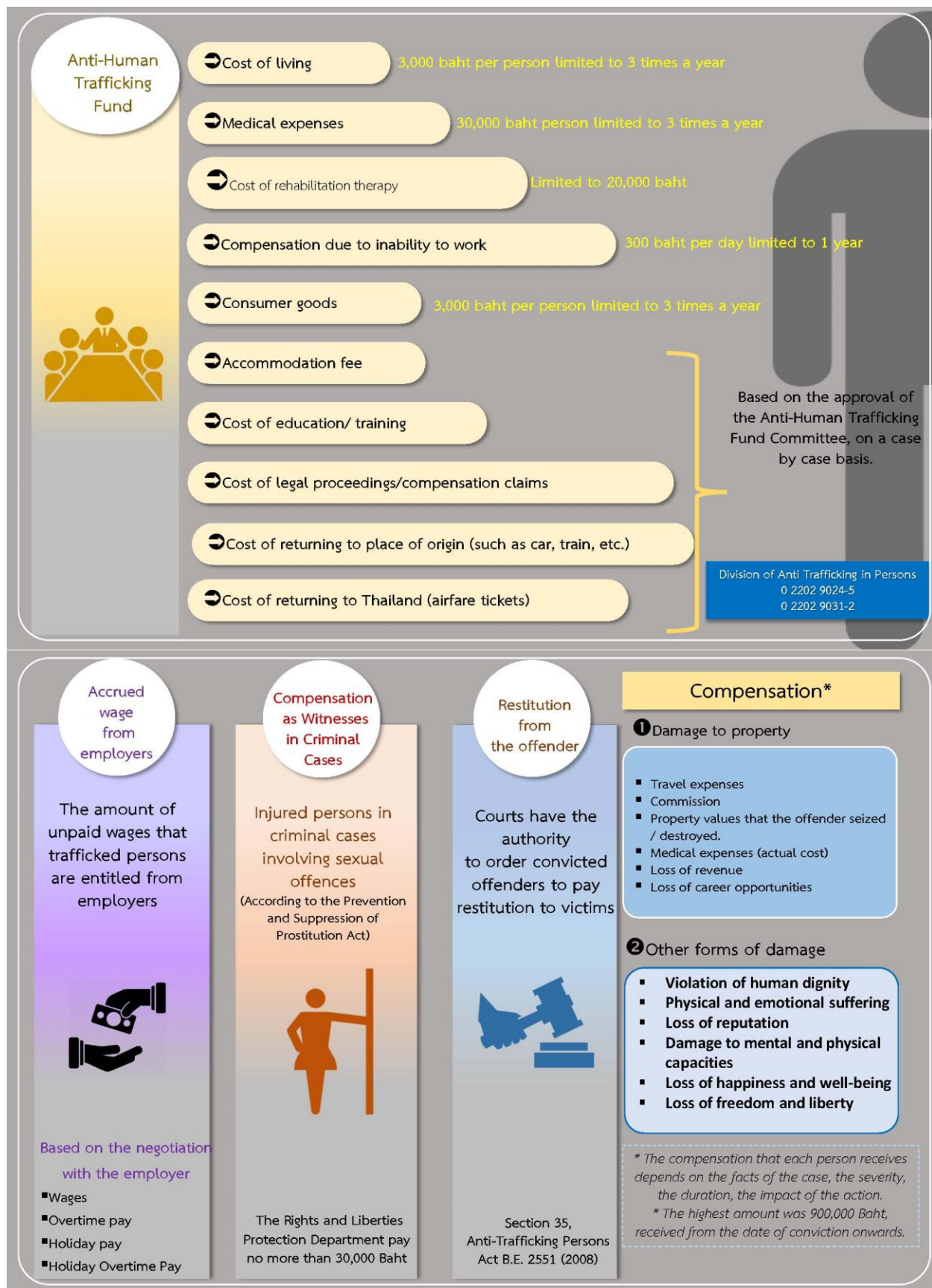


IF they do not wish to receive protection*

①	②	③	④	⑤	⑥
Receive protection from agencies	Income from work during the protection period	Anti-Human Trafficking Fund	Accrued wage from employers	Compensation as witnesses in criminal cases	Restitution from the offender
Shelters from government or non-governmental agencies	Receive at least the minimum wage for those who wish to work outside the shelter	Cost of living, medical expenses, compensation, repatriation cost, occupation fund, etc.	Based on the negotiation with the employer, such as wage, overtime, etc.	In cases involving Sexual offences	Courts have the authority to order convicted offenders to pay restitution to victims
		Anti-Human Trafficking Fund	Accrued wage from employers	Compensation as witnesses in criminal cases	Restitution from the offender

* Remarks: trafficked persons might be invited later to provide more information. Travel expenses will be borne by the inviting agency with consideration on safety of trafficked persons and their families.





Form for Rights' Notification of Trafficked Person

At.....

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

I, Mr. / Ms. / Miss Age..... Nationality.....

Identification Card Number/Identification Document.....

☐ I am a Thai citizen returning to Thailand from (country).....

Received victim identification by (agency)..... (Country).....

Identified as a trafficked victim, rescued and repatriated back to Thailand by

☐ Royal Thai Embassy ☐ IOM ☐ Return by myself ☐ Agency.....This repatriation is ☐ voluntary return ☐ involuntary return☐ I have been informed by the Ministry of Social Development and Human Security officials that in accordance with the Anti-Trafficking in Persons Act 2008, I have the following rights:

1. Should I wish to receive protection, I shall be entitled to the right to receive appropriate assistance for food, accommodation, medical care, physical and psychological rehabilitation, education, training, legal assistance and return home in safety and dignity.
2. The temporary right of residence in the Kingdom of Thailand, with the possibility of the temporary right to work, as stipulated by law.
3. The right to safety and protection for trafficked persons and their families before, during and after the prosecution of traffickers. Trafficked persons, as witnesses in the legal proceedings against traffickers, shall be protected under the Witness Protection Act.
4. The right to claim compensation, compensatory damage and restitution while pursuing a criminal case against traffickers. This assistance shall be provided free of charge as part of support services for trafficked persons.
5. The right of trafficked persons not to be prosecuted for the following crimes: their illegal entry into the Kingdom as prescribed by the Immigration Act; false reports and allegations to state officials, fraudulent use of identity or travel documents as prescribed by the Criminal Code; offences as prescribed by the Prevention and Suppression of Prostitution Act; and working without a work permit as prescribed by the Working of Alien Act. However, judicial officials are able to prosecute trafficked persons with the crimes mentioned above when permitted in writing by the Minister of Justice.
6. The right to receive financial assistance from the Anti-Trafficking in Persons Fund

I acknowledge and understand my rights as a trafficked person.

☐ I do not wish to receive protection support due to.....

You can contact me at.....

☐ I wish to voluntarily receive protection support at..... and I am willing to abide by all the rules set forth by the protection shelter......
Assisted Person.....
Officials.....
Witness.....
Witness/Interpreter



Notification of Rights

Quyền của người bị buôn bán

Quyền

Theo quy định pháp luật liên quan đến người bị buôn bán

Nếu họ muốn
được bảo vệ và
hỗ trợ:



Nếu họ không muốn
được bảo vệ

①	②	③	④	⑤	⑥
Bảo vệ từ các cơ quan liên quan	Thu nhập từ công việc trong thời gian bảo vệ	Quỹ Phòng chống buôn bán người	Tích lũy tiền lương từ người sử dụng lao động	Đền bù làm nhân chứng trong các vụ án hình sự	Bồi thường của người phạm tội
Nơi trú ẩn của các cơ quan chính phủ hoặc phi chính phủ	Được nhận lương tối thiểu cho những người muốn làm việc bên ngoài nhà tạm lánh	Chi phí sinh hoạt, chi phí y tế, bồi thường, chi phí hồi hương, quỹ nghề nghiệp, vv.	Dựa trên thỏa thuận với người sử dụng lao động, chẳng hạn như tiền lương, làm thêm giờ, v.v..	Trong các trường hợp liên quan đến tội phạm tình dục	Tòa án có quyền yêu cầu người phạm tội bị kết án phải bồi thường cho nạn nhân
		Quỹ Phòng chống buôn bán người	Tích lũy tiền lương từ người sử dụng lao động	Đền bù làm nhân chứng trong các vụ án hình sự	Bồi thường của người phạm tội

* Lưu ý: người bị buôn bán có thể được mời cung cấp thêm thông tin. Chi phí đi lại sẽ do cơ quan mời gọi chịu trách nhiệm trên cơ sở về sự an toàn của người bị buôn bán và gia đình họ.

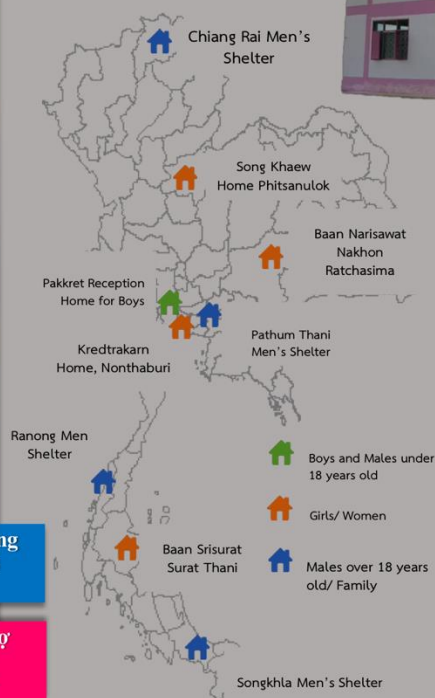
**Bảo vệ từ
các cơ quan
liên quan**

Nhà tạm lánh
của Chính phủ
và các tổ chức
Phi chính phủ

**Phòng phòng chống
buôn bán người**
02202 9074 – 6

**Trung tâm hỗ trợ
khủng hoảng**
1300 (24 Hours)

Nhà tạm lánh của Chính phủ



Dịch vụ chỗ ở



Định hướng



3 bữa một ngày



Tham vấn



Đào tạo học nghề



Chuẩn bị cho làm nhân chứng



Giáo dục



Việc làm

Hoạt động giải trí

Tái hòa nhập

Quỹ Phòng chống buôn bán người



Chi phí sinh hoạt

3,000 baht một người giới hạn 3 lần một năm

Chi phí y tế

30,000 baht một người giới hạn 3 lần một năm

Chi phí phục hồi chức năng

Giới hạn 20,000 baht

Bồi thường do không có khả năng làm việc

**300 baht một ngày giới hạn
tối 1 năm**

Hàng hóa tiêu dùng

3,000 baht một người giới hạn 3 lần 1 năm

Chi phí chỗ ở

Chi phí giáo dục/đào tạo

Chi phí tham gia tổ tụng/bồi thường thiệt hại

Chi phí trở về nhà (như xe hơi, tàu hỏa, v.v.)

Chi phí về Thailand (vé máy bay)

**Dựa trên sự phê
duyet của Ủy Ban
Quỹ Phòng chống
buôn bán người,
từng trường hợp cụ
thể**

**Phòng phòng chống
buôn bán người 02202
90245
022029031-2**

Tích lũy tiền lương từ người sử dụng lao động

Tiền lương chưa thanh toán từ người sử dụng lao động



Dựa trên thương lượng với người sử dụng lao động

- Lương
- Làm ngoài giờ
- Nghỉ lễ
- Làm việc trong ngày nghỉ lễ

Bồi thường làm nhân chứng trong các vụ án hình sự

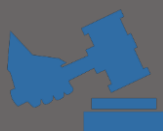
Những người bị thương trong các vụ án hình sự liên quan đến tội phạm tình dục (Theo Luật Phòng chống và trấn áp mại dâm)



Phòng bảo vệ tự do và nhân quyền trả không quá 30,000 Baht

Bồi thường của người phạm tội

Tòa án có quyền yêu cầu người phạm tội bị kết án bồi thường cho nạn nhân



Điều 35, Luật Phòng chống buôn bán người B.E. 2551 (2008)

Đền bù *

① Thiệt hại về tài sản

- Chi phí đi lại
- Phí tuyển dụng
- Các giá trị tài sản mà người phạm tội đã thu giữ / phá hủy.
- Chi phí y tế (chi phí thực tế)
- Mật thu nhập
- Mật cơ hội nghề nghiệp

② Thiệt hại khác

- Vi phạm nhân phẩm con người
- Đau khổ về thể chất và tinh cảm
- Mất uy tín
- Thiệt hại tinh thần và thể chất
- Mất hạnh phúc và sức khỏe
- Mất tự do

* Mức bồi thường mỗi người nhận được phụ thuộc vào tình hình thực tế của vụ án, mức độ nghiêm trọng, thời hạn, tác động của vụ án.
* Số tiền cao nhất là 900.000 Baht, nhận được kể từ ngày bị kết án.

Thời gian trung bình ở nhà tạm lánh

0-3 tháng

- Xác minh tài liệu
- Thông báo quyền



- Yêu cầu thông tin



- Tiếp nhận ban đầu

- Tư vấn / tham vấn

- Dịch vụ chăm sóc sức khỏe /

- khám sức khỏe



- Phục hồi chức năng và tâm lý

- Trợ giúp pháp lý

- Khiếu nại bồi thường

- Đào tạo nghề

- Tìm việc



3-6 tháng

- Chuẩn bị làm nhân chứng trong quá trình tố tụng



- Tập huấn kỹ năng sống trước khi trở về với gia đình



- Tái hòa nhập với gia đình/cộng đồng



Thu nhập từ công việc trong quá trình bảo vệ

Nhận mức lương tối thiểu cho những người muốn làm việc bên ngoài nhà tạm lánh



Điều 37, Luật Phòng chống buôn bán người B.E. 2551 (2008)

Được bảo vệ trong nhà tạm lánh



Không quá 1 tuần

Trong trường hợp không phải là công dân Thái Lan, áp dụng cho các trường hợp tạm trú tại Vương quốc



Không quá 1 tuần

Phối hợp với Phòng việc làm để tìm công việc phù hợp



Trong 15 ngày

Thỏa thuận với người sử dụng lao động về lương và giờ làm việc

Lưu ý:

- Người bị buôn bán có thể làm việc trong nhà tạm lánh.
- Những người bị buôn bán được phép làm việc bên ngoài, chỉ trong phạm vi tính được chỉ định và có nhà tạm lánh

Đơn khai báo Quyền của người bị buôn bán

Tại

Ngày..... tháng..... năm.....

I, Anh/Chị/ Tuổi Quốc tịch

Số chứng minh thư /Tài liệu nhận dạng

Sự hồi hương này là ☐ tự nguyện ☐ không tự nguyện

☐ Tôi đã được cán bộ của Bộ Phát triển Xã hội và An ninh Con người thông báo rằng theo Luật Phòng Chống Buôn bán người năm 2008, tôi có các quyền sau:

1. Nếu tôi muốn được bảo vệ, tôi sẽ được quyền nhận các trợ cấp thích hợp như lương thực, chỗ ở, chăm sóc y tế, phục hồi chức năng và tâm lý, giáo dục, đào tạo, trợ giúp pháp lý và trở về nhà an toàn.
2. Quyền tạm trú tại Vương quốc Thái Lan, có thể làm việc tạm thời theo quy định của pháp luật.
3. Quyền được an toàn, bảo vệ cho người bị buôn bán và gia đình họ trước, trong và sau khi truy tố kẻ buôn người. Những người bị buôn bán, là nhân chứng trong quá trình tố tụng, sẽ được bảo vệ theo Luật Bảo vệ Nhân chứng.
4. Quyền yêu cầu bồi thường, bồi thường thiệt hại trong khi theo đuổi một vụ án hình sự chống lại kẻ buôn người. Khoản hỗ trợ này sẽ được cung cấp miễn phí như là một phần của các dịch vụ hỗ trợ cho những người bị buôn bán.
5. Người bị buôn bán có quyền không bị truy tố đối với các tội phạm sau đây: việc xâm nhập trái phép vào Vương quốc theo quy định Luật Nhập cư; báo cáo sai sự thật cho cán bộ nhà nước, sử dụng danh tính hoặc chứng từ du lịch gian lận theo quy định của Bộ luật Hình sự; các hành vi phạm tội theo quy định của Luật phòng ngừa và ngăn chặn mại dâm; và làm việc không có giấy phép lao động theo quy định của Luật lao động cho Người nước ngoài. Tuy nhiên, các cán bộ tư pháp có thể truy tố những người bị buôn bán với các tội danh được đề cập ở trên khi được Bộ trưởng Bộ Tư pháp cho phép bằng văn bản.
6. Quyền được nhận hỗ trợ tài chính từ Quỹ phòng chống buôn bán người

Là một người bị buôn bán tôi thừa nhận và hiểu các quyền của mình.

☐ Tôi không muốn nhận sự hỗ trợ và bảo vệ vì

Bạn có thể liên hệ với tôi tại

☐ Tôi tự nguyện nhận hỗ trợ và bảo vệ tại

và tôi sẵn sàng chấp hành tất cả các quy tắc do nơi trú ẩn quy định.

.....

Trợ lý

.....

Cán bộ

.....

Nhân chứng

.....

Nhân chứng/Phiên dịch

2.

**Agreed
Documents
between Viet Nam
and Thailand**

**AGREEMENT
BETWEEN
THE GOVERNMENT OF THE KINGDOM OF THAILAND
AND
THE GOVERNMENT OF THE SOCIALIST REPUBLIC OF VIETNAM
ON
BILATERAL COOPERATION
FOR
ELIMINATING TRAFFICKING IN PERSONS,
ESPECIALLY WOMEN AND CHILDREN
AND ASSISTING VICTIMS OF TRAFFICKING**

**THE GOVERNMENT OF THE KINGDOM OF THAILAND AND THE GOVERNMENT
OF THE SOCIALIST REPUBLIC OF VIETNAM** (hereinafter referred to as the
"Parties")

HAVING SOUGHT to strengthen the bonds of friendship between the two countries and to increase the bilateral cooperation on the suppression of trafficking in persons, especially women and children;

RECOGNIZING that trafficking in persons, especially women and children is a gross infringement of human rights and grievous trampling on the dignity of human beings;

GRAVELY CONCERNED that trafficking in persons, especially women and children has negative impact on individual physical, mental, emotional, and moral development and is detrimental to the social fabric and values of the society;

TAKING INTO ACCOUNT that transnational criminal groups and organisations are actively involved in trafficking in persons, especially women and children and that such transnational organised crimes have affected not only Vietnam and Thailand but also the region and global community at large;

CONFIRMING that the Parties share the common concern against transnational human trafficking as addressed in the Bangkok Declaration on Irregular Migration deliberated in the International Symposium on Migration "Towards Regional Cooperation

Napa Sittakorn

Zeeal

on Irregular/Undocumented Migration” held in Bangkok during 21-23 April 1999, “The Bali Conference on the People Smuggling, Trafficking in Persons and Related Transnational Crime” held in Bali during 26-28 February 2002; the Memorandum of Understanding on Cooperation against Trafficking in Persons in the Greater Mekong Sub-region signed in Yangon, Myanmar on 29 October 2004, and related follow-up activities;

CONVINCED that suppressing the crime of trafficking in persons, especially women and children through mutual cooperation in the law enforcement and the criminal procedures is an effective measure to ensure the justice against human trafficking; and

PLEDGING that the Parties shall faithfully cooperate to eliminate trafficking in persons, especially women and children, and to protect and assist them;

HAVE AGREED AS FOLLOWS:

Scope of this Agreement

Article 1

This Agreement shall apply to trafficking in persons, especially women and children as defined in Article 2 of this Agreement.

Definition

Article 2

For the purpose of this Agreement

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

2. Women and children who are trafficked for the purpose of exploitation, conducted by any means provided for in paragraph (1) of this article are considered victims whether or not they gave their consent;

Napa Sathakorn

Zeal

3. A child who has been recruited, transported, transferred, or harbored for the purpose of exploitation, shall be considered "as a victim of trafficking" even if this does not involve any of the means set forth in paragraph (1) of this article; and

4. "Child" shall mean any person less than eighteen years of age.

Article 3

The Parties recognised that examples of the purposes of trafficking in women and children include, but are not limited to, the following:

1. prostitution and other forms of sexual exploitation;
2. forced or exploitative domestic labour;
3. bonded labour and other forms of hazardous, dangerous and exploitative labour;
4. servile marriage or undesired marriage of victims;
5. false adoption;
6. removal of body organs;
7. pornography;
8. begging;
9. slavery by the use of drug on women and children; and
10. other forms of exploitation.

Preventive Measures

Article 4

The Parties shall undertake necessary legal reform and other appropriate measures to ensure that the legal frameworks in their respective jurisdictions conform with the Universal Declaration of Human Rights, the Convention on the Rights of the Child, the Convention on the Elimination of All Forms of Discrimination against Women and other international human rights instruments which both Parties have ratified or acceded to and are effective in eliminating trafficking in women and children and in protecting all rights of women and children who fall victim to trafficking.

Article 5

The Parties shall make their best efforts to prevent trafficking in women and children through the following preventive measures:

1. Increase of social services such as assistance in job searching and income generating and provision of medical care to women and children, especially those who are vulnerable to trafficking;

Nopn Sittakorn

Zeeab

2. Reform educational and vocational training programmes particularly for women and children to increase their job opportunities in order to reduce their risk of being trafficked;

3. Enhancement of public awareness and understanding on the issue of trafficking in women and children; and

4. Dissemination, to the public, of information relating to the risks involved in trafficking of women and children and businesses which exploit women and children.

Protection of Trafficked Women and Children

Article 6

Trafficked women and children shall be considered victims, not violators or offenders of the immigration law. Therefore,

1. Trafficked women and children shall not be prosecuted for illegal entry to the country;

2. Trafficked women and children shall not be detained in an immigration detention centre while waiting for repatriation, but shall be put under the care of the Ministry of Public Security (Vietnam) or the Ministry of Social Development and Human Security (Thailand), and shelter and protection shall be provided to the victims according to the policy of each country;

3. The relevant authorities shall ensure the security of trafficked women and children; and

4. Victims shall be treated humanely throughout the process of protection, repatriation, and the judicial proceedings.

Article 7

The Parties shall take appropriate measures, which may include legal reform and legal aid, to ensure support for victims.

1. Victims have rights to claim restitution of any undisputed personal properties and belongings that have been confiscated and obtained by authorities in the process of detention or any other criminal procedure;

2. Proceeds of the crime of trafficking shall be liable for confiscation and managed according to the laws of the relevant country;

3. Victims have rights to claim compensation from the offender of any damages resulting from having been trafficked;

Napa Suttakorn

Zeeab

4. Victims have rights to claim payment for unpaid services; and
5. Victims shall have access to the due process of law in obtaining criminal justice, recovery of compensation and damages as well as any other judicial remedies.

Article 8

The relevant governmental agencies where appropriate, in cooperation with non-governmental organisations, shall provide trafficked children, women, and their immediate family, if any, with safe shelter, health care, access to legal assistance, and other imperatives for their protection.

Cooperation in the Prevention and Suppression of Trafficking in Persons especially Women and Children

Article 9

The law enforcement agencies in both countries, especially at the border, shall work in close cooperation to uncover, and investigate offenders of domestic and cross border trafficking in persons, especially women and children, in a timely manner.

Article 10

1. The law enforcement process shall be streamlined so as to combat the crime of trafficking in persons, especially women and children effectively;
2. The investigation and the prosecution of offenders and criminal syndicates in trafficking cases shall be intensified; and
3. The Parties shall organise training programmes unilaterally and bilaterally concerning the applicable legal rules and skills of investigation and protection in trafficking cases for law enforcement personnel, emphasising the rights of persons, especially women and children, with reference to the Convention on the Rights of the Child, the Convention on the Elimination of All Forms of Discrimination against Women, other international human rights standards and the relevant domestic laws.

Article 11

1. The Parties shall, in accordance with their respective laws and regulations, cooperate in the judicial proceedings against trafficking, e.g., prosecution of transnational traffickers, extradition arrangement, mutual judicial assistance in the criminal procedures.

Napa S. Hachon

Zual

2. The Parties shall afford one another the most effective measure of mutual legal assistance in investigation, prosecution and judicial proceedings in relation to trafficking in persons especially women and children, on the basis of existing relevant agreements.

Article 12

The police and other relevant authorities in both countries shall cooperate in exchange of information concerning trafficking cases, e.g., trafficking routes, places of trafficking, identification of traffickers, network of trafficking, methodologies of trafficking, and data on trafficking.

Article 13

1. The two Parties shall, through their relevant governmental agencies, along with other relevant governmental, non-governmental organisations and international organisations, cooperate in collecting information and exchanging evidence and information relating to trafficking in persons, especially women and children.

2. The information and evidence obtained in accordance with the paragraph (1) of this article shall duly be delivered to the Central Authority, as defined in Article 19(1), for transmitting to relevant agencies for further action.

Article 14

The police and other appropriate authorities of each Party shall take protection measures, as necessary, to secure the safety of victims and eyewitness from retaliation or menace during and after the judicial proceedings.

Repatriation

Article 15

Women and children identified as victims of trafficking shall not be deported. The repatriation of victims will be conducted as follows:

1. The authorities in charge of repatriation shall use diplomatic channels of communication to inform the other Party in advance of repatriation arrangements of trafficked women and children; and

2. Repatriation of trafficked women and children shall be arranged and conducted in their best interest.

Naga Satharson

Zual

Article 16

Each Party shall designate a Focal Point to coordinate the repatriation process of trafficked women and children. The Focal Point shall have following duties;

1. conduct family tracing, family assessment;
2. arrange and implement the repatriation of trafficked women and children;
3. provide security for trafficked women and children in the repatriation process;
4. endeavor to coordinate with the concerned agencies to conduct preventive measures and monitor trafficking in women and children; and
5. establish informational networks concerning the practice of trafficking in persons, especially women and children among the national and international law enforcement authorities and relevant civil society organisations.

Reintegration

Article 17

The Parties shall make all possible efforts towards the safe and effective reintegration of victims of trafficking into their families and communities in order to restore their dignity, freedom and self-esteem. For this purpose, the Parties shall take appropriate measures to fulfill the following objectives;

1. Trafficking victims shall not suffer any further victimisation, humiliation, stigmatisation or traumatising in the judicial procedure;
2. Continuous social, medical, psychological and other necessary support shall be provided to women and children who are victims of trafficking and their families, particularly to those who are infected with sexually transmitted diseases including HIV/AIDS;
3. Women and children who are victims of human trafficking shall not be discriminated against or stigmatised socially, and
4. Child victims of school age shall be ensured appropriate educational opportunities.

Article 18

The Parties shall provide the following training programmes for the purpose of effective reintegration;

Naga Sathakam

Lucas

1. Vocational training programmes for victims of trafficking to enhance their opportunity to acquire alternative livelihood means; and

2. Training programmes to sensitise those working for victims of trafficking in regard to child development, child rights and child/gender issues with reference to the Convention on the Rights of the Child, the Convention on the Elimination of All Forms of Discrimination against Women, and other relevant human rights instruments to which both Parties are parties.

Central Authority and Joint Task Force of the Parties

Article 19

1. Central Authority: For the purpose of implementing this Agreement, each Party will designate an implementing agency. The Implementing Agency of the Socialist Republic of Vietnam will be the Ministry of Public Security and the implementing agency of the Kingdom of Thailand will be the Ministry of Social Development and Human Security.

2. The Joint Task Force shall comprise competent representatives from both Parties.

3. The Joint Task Force shall be called to meet as the need arises. The date and venue of the meeting of the Joint Task Force shall be agreed by both Parties.

4. The Joint Task Force shall have the following duties:

a. To initiate the establishment of strategies, the implementing guidelines and other necessary frameworks to implement this Agreement.

b. To make recommendations of coordination measures toward further development of the mutual cooperation against trafficking in persons, especially women and children.

c. To monitor and assess the implementation of this Agreement.

d. To review the implementation of this Agreement every 5 years.

Final Provisions

Article 20

Settlement of disputes

Any differences arising from the interpretation or application of this Agreement shall be settled amicably through the diplomatic channels.

Nopce S. S. S. S.

Uual

Article 21***Entry into force***

Each Party shall notify the other through diplomatic channels, in writing, of the completion of its internal legal requirement for the entry into force of this Agreement. This Agreement shall enter into force on the date of the receipt of the latter written notification.

Either Party may terminate this Agreement at any time by giving written notice to the other Party through diplomatic channels. The termination shall be effective six months after the date of receipt of such notice.

Article 22

This Agreement may be amended by an agreement in writing of both Parties.

IN WITNESS WHEREOF, the undersigned, being duly authorised by their respective Governments, have signed this Agreement.

DONE at Hanoi, in duplicate in the English language, on this 24th day of March 2008.

FOR THE GOVERNMENT OF
THE KINGDOM OF
THAILAND



Mr. Sutha Chansaeng
Minister of Social Development and
Human Security

FOR THE GOVERNMENT OF
THE SOCIALIST REPUBLIC OF
VIETNAM



Mr. Le The Tiem
Deputy Minister of Public Security

Napier Subkhalom

Zual

Standard Operating Procedures (SOP)

Agreed Minutes

on

Bilateral Meeting on the development of the Plan of Action,
Phase II (2013–2015) in the implementation of the Agreement between the Government of
the Kingdom of Thailand and the Government of the Socialist Republic of Viet Nam
on Bilateral Cooperation for Eliminating Trafficking in Persons, Especially Women and Children
and Assisting Victims of Trafficking
24 – 27 March 2013, Hua Hin and Bangkok, THAILAND

To implement the Agreement between the Government of the Kingdom of Thailand and the Government of the Socialist Republic of Viet Nam on Bilateral Cooperation for Eliminating Trafficking in Persons, Especially Women and Children and Assisting Victims of Trafficking. At the invitation of the Ministry of Social Development and Human Security, the Vietnamese delegation met the Thai delegation in Hua Hin of the Province of Prachuab-Kirikhan and in Bangkok, Thailand, on 24th – 27th March 2013.

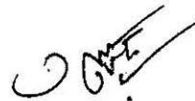
The Vietnamese delegation was headed by Colonel Le Van Chuong, Deputy Director of Standing Office Against Crimes and Drug, Ministry of Public Security, and, the Thai delegation was headed by Mr. Pakorn Pantu, Director - General of the Department of Social Development and Welfare, Ministry of Social Development and Human Security. The delegation of Viet Nam and the Thai delegation comprised representatives from government agencies, non-governmental organizations and international organizations (exhibited as Annex A).

In the spirit of mutual cooperation and friendship, the delegates shared the achievements of the bilateral plan of action, Phase I (2008 – 2011). With the aim of advancing an effective and fruitful collaboration, both sides discussed and adopted Phase II (2013 – 2015) of the bilateral Plan of Action under the Bilateral Agreement between the Government of the Kingdom of Thailand and the Government of the Socialist Republic of Viet Nam on Bilateral Cooperation for Eliminating Trafficking in Persons, Especially Women and Children and Assisting Victims of Trafficking (exhibited Annex B). The two sides also adopted the Standard Operating Procedures for the Identification and Return of Victims of Human Trafficking between Thailand and Viet Nam.

These Agreed Minutes were adopted and duplicated in English on 25 March 2013 in Hua Hin and one copy kept by each side.

For the Vietnamese Delegation

For the Thai Delegation



Colonel Le Van Chuong

Mr. Vitat Tachaboon

Ministry of Public Security

Ministry of Social Development
and Human Security


INTRODUCTION

Combating trafficking in persons and assisting the victims of trafficking in persons remains an issue of the highest concern for both the Government of the Socialist Republic of Viet Nam and the Royal Government of the Kingdom of Thailand. For over a decade, the two countries have been cooperating on assistance to victims of human trafficking. This includes— psycho-social services, legal assistance and other necessities, regular data exchange and support victims prior to their return by means of a bilateral Government – to – Government channel that ensures that victims return home quickly and with increased assistance options.

Thailand and Viet Nam met in Hanoi in late 2011, and reached the consensus on the contents of the draft SOP. The two sides agreed to report thereon to their respective competent authorities for consideration. Thereafter, both Thailand and Viet Nam proposed minor changes which have already been approved by both sides. The final version of the SOP is considered at this meeting held on 25 March 2013. The important task has just come to a completion. The result is a comprehensive set of procedures and guidelines that covers the responsibilities of Thai and Viet Nam focal authorities in the area of victim protection, as per appears below.

On the occasion of adopting this Bilateral Standard Operating Procedures (SOP) for the Identification and Return of Victims of Human Trafficking between Thailand and Viet Nam, Thailand and Viet Nam restate their firm commitment to continued strong collaboration on all aspects of assistance to victims of human trafficking, in line with the principles, guidelines and procedures outlined in this joint document.

Adopted in Hua Hin, Thailand on the 25th March 2013



Col. Nguyen Viet Lien
Deputy Director
Department of Immigration
Ministry of Public Security
The Socialist Republic of Viet Nam



Mr. Vitat Techaboon
Deputy Director-General
Department of Social Development and Welfare
Ministry of Social Development and Human Security
The Kingdom of Thailand

Standard Operating Procedures for the Identification and Return of Victims of Human Trafficking between Thailand and Viet Nam

On March 24, 2008, the Government of the Kingdom of Thailand and the Government of the Socialist Republic of Viet Nam signed an Agreement on Bilateral Cooperation for Eliminating Trafficking in Persons, especially Women and Children and Assisting Victims of Trafficking (hereinafter referred to as "Agreement"). To implement this Agreement, the two Parties have developed a Plan of action (hereinafter referred to as "POA") which in the 3rd area of the POA concerns Cooperation in the Formulation and Implementation of the Joint Standard Operating Procedure on Victim Protection for both Thailand and Viet Nameese victims of human trafficking.

To implement the above-mentioned Agreement and the POA effectively, based on the Agreement, international treaties to which Thailand and Viet Nam are state parties and in accordance with laws and regulations of each country; in the spirit of cooperation and on the basis of humanitarian concerns, the Ministry of Public Security of the Socialist Republic of Viet Nam and the Ministry of Social Development and Human Security of the Kingdom of Thailand (hereinafter referred to as "the two Sides") have adopted the Standard Operating Procedures (hereinafter referred to as "SOP") for the Identification and Return of Victims of Human Trafficking as follows:

1. Principles

The guidelines for providing assistance which is based on a victim centered approach incorporate the following key principles:

1.1 The optimal benefit of victims of trafficking will be the prime consideration in taking any action which include the rights of the victims to privacy and confidentiality;

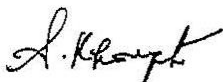
1.2 Non-discrimination including sensitivity to gender issues;

1.3 Safe return of the victims to their home country;

1.4 Continued assistance for the victims in response to their needs;

1.5 Formulation of suitable mechanism to provide assistance for the victims;

1.6 Implementation of necessary measures to secure the safety of victims throughout the process of identification and return in accordance with laws and regulations of each country.



2. Definitions

The definition of "Trafficking in persons" and the standard of identifying a victim of trafficking are in line with Article 2 of the Agreement between the Government of the Kingdom of Thailand and the Government of the Socialist Republic of Viet Nam on Bilateral Cooperation for Eliminating Trafficking in Persons, Especially Women and Children and Assisting Victims of Trafficking.

2.1 "Trafficking in persons" shall mean the recruitment, transportation, transfer, harbouring or receipt of a person, by means of treat, use of force, or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability, of the giving or receiving of payments or benefits to archive the consent of a person having control over a person, for the purpose of exploitation. Exploitation shall include the exploitation of women and children through prostitution or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs;

2.2 Women and children who are trafficked for the purpose of exploitation, conducted by any means provided for in paragraph (1) of this article are considered victims whether or not they gave their consent;

2.3 A child who has been recruited, transported, transferred, or harboured for the purpose of exploitation, shall be considered "as a victim of trafficking" even if this does not involve any of the means set forth in paragraph (1) of this article; and

2.4 "Child" shall mean any person less than eighteen years of age.

3. Focal agencies for implementation

3.1 Thailand; Bureau of Anti Trafficking in Women and Children, Department of Social Development and Welfare (DSDW), Ministry of Social Development and Human Security (MSDHS)

Address: 1034 Krung Kasem Road, Mahanank, Bangkok 10100 Thailand

Telephone: 622 659 6156-69

Fax: 662 281 5303

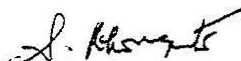
Email: batwc@dscw.go.th

3.2 Viet Nam: The Immigration Department – The Ministry of Public Security

Address: 44-46 Tran Phu Street, Ba Binh District, Ha Noi City, Viet Nam

Telephone: 84-4-382460115

Fax: 884-4-39387321, 38243287/88




Email: vnimm@hn.vnn.vn

If there are changes in relation to contact details, the focal agency should inform the counterpart in a timely manner.

4. Victim Identification

4.1 In accordance with laws and regulations of each country, identification of victims of trafficking should be considered, but not limited to, as follows:

- a. Information, documentation and evidences provided by competent authorities.
- b. Information provided by non-governmental organizations and international organizations.
- c. Information and documentation provided by informants.
- d. Information, documentation from other legal sources.

4.2 Some issues to be taken into consideration

- a. Preliminary screening of those who are vulnerable to trafficking should be carried out and the identification must be done correctly in all cases. They must be interviewed thoroughly by well-trained staff.
- b. The interview should be conducted in a suitable place. An attempt will also be made to ensure that the victims' safety while the interview is proceeding and during their travel.
- c. In the process of identification, the issues of gender and age, language and culture psycho-social conditions and the principles of human rights should be taken into consideration.
- d. Translation services will be provided during the victim identification process.

5. Process and procedures in victims' identity verification

5.1 Once the identification has been completed, the relevant agencies will request victims to make statements or record the preliminary information of victims using the Victim of Human Trafficking Declaration Form (attached as Annex 1), Photographs and fingerprints of the victims will be obtained in this process.

5.2 In case one Side detects victims of trafficking who potentially hold nationality or permanent residence of the other country, it will request the other Side to conduct family tracing and nationality. Verification request should include a Verification Request Letter, above-mentioned Declaration Form, photograph and fingerprints of victims, the outcome of victim identification and other supporting documentations.

5.3 Upon receiving the verification request, the requested Side will proceed with verification and respond in writing as soon as possible (but not more than 30 working days from

S. Phongsak

Len

the date the request is received). For victims accepted for return but without a legal travel document, the requested Side will issue a travel document for their return. For victims not accepted, the requested Side will explain in writing.

Acceptance for return will include victims determined to only hold citizenship of the requested Side, without holding citizenship of the country which made the request or of a third country. In case victims hold dual citizenship or without any citizenship but hold permanent residence of the requested Side, both Sides will consider each case in accordance with the laws and regulation of each country and victims' wishes.

5.4 The victims are entitled to temporary stay while waiting for the results of identity and nationality verification.

6. Process and procedures in return and reception of victims

6.1 pre-return preparations

a) Psycho-social services are available to the victims including those relating to the monitoring of assistance, health care, legal assistance and other necessities.

b) In case of child victims or when the officials concerned are of the opinion that family assessment is required to see whether or not they are prepared for the return of the victims, the pre-return assessment should be conducted bearing in mind the sensitivity of such cases so as to contribute to the safe return and reintegration of the victims. The origin country will provide the pre-return assessment information to the destination country prior to the return date.

c) The process for pre-return preparations:

The requesting Side will inform the receiving Side at least 7 working days prior to the proposed dates for return in writing of personal details (name and DOB, etc.) of the victims, time, international border gate, flight number and other relevant information. Only victims accepted by the receiving Side with a valid travel document will be returned.

In case return and reception does not occur as planned, the requested Side will inform the requesting Side at least 4 working days prior to the proposed date for return.

d) In case the victims require medical treatment when they return to the country of origin, the requesting Side will inform the receiving Side prior to their actual return.

e) In the process of return and reception of the victims, both Sides may seek collaboration from non-governmental organizations and international organizations as deemed appropriate by the relevant agencies which see that such collaboration will further accelerate the process to proceed more rapidly.

S. Krantz

lw

6.2 Procedures for return and reception of victims

a) A government agency directly responsible for the process of sending and receiving of the victims is designated by each Side.

b) Procedure for return and reception:

- The competent authority of the sending Side in cooperation with the relevant agencies take the victims to the international border gate of the receiving country.

- The competent authority of the receiving Side will verify against provided list and receive victims, sign the handover minute (attached as Annex II) and receive documentation associated with victims such as travel document, personal ID and other related documentation (if any)

c) In case the victim is a child and a case which requires special care for the victim, the agencies responsible for the return of the child or the victim will make arrangements for officials from the governmental or non-governmental organizations that serve as networks in the two countries to accompany the child or the victim back to his/her country of origin.

d) Arrangements should also be made for transportation and services suitable for each case bearing in mind the safe journey, response to the basic needs during the journey, provision of information concerning the process of repatriation, legal support and necessary travel documents. The process should proceed rapidly and the victims should be further transferred to the environment which is suitable and safe.

e) Safe and appropriate accommodation should be provided for victims of trafficking who cannot be sent back to their families immediately during transit.

7. Other terms

7.1 Methods for exchange of information documentation during verification and sending and receiving victims as follows:

- The lead agencies of the two Sides will exchange information, documentation directly with each other, and simultaneously send one copy to the respective diplomatic missions of the two Sides.

- Language of the receiving Side or English language will be used in all documents.

7.2 The lead agencies of the two Sides may hold a bilateral meeting if deemed necessary.

S. Khoury

le

7.3 This SOP can be revised or amended upon mutual written consent. Such revision and amendments agreed by both Sides and will be considered as part of this SOP.

7.4 Any dispute arising out of the interpretation or implementation of this SOP will be settled amicably through consultation between the two Sides.

7.5 This SOP will be implemented once approved by competent authorities of the two Sides. When the approval is granted, each Side will notify in writing to the other Side, this SOP will be implemented after 30 days from the date of receipt of the last notification.

This SOP is done in duplicate in English. One copy kept by each side.

S. K. Singh

1.

MINUTES

**Bilateral meeting between the Government of the Kingdom of Thailand
and the Government of the Socialist Republic of Vietnam
on the Development of Plan of Action, Phase III (2017 - 2020)
under the Agreement on Bilateral Cooperation for Eliminating Trafficking in
Persons, Especially Women and Children and Assisting Victims of Trafficking**

Hanoi, 16th September, 2016

At the invitation of the Ministry of Public Security, the Socialist Republic of Vietnam, the Thai delegation and Vietnamese delegation held the bilateral meeting between the Government of the Kingdom of Thailand and the Government of the Socialist Republic of Vietnam to develop the Plan of Action, Phase III (2017 - 2020) under the Agreement on Bilateral Cooperation for Eliminating Trafficking in Persons, Especially Women and Children and Assisting Victims of Trafficking in Ha Noi, Vietnam on 16th September 2016.

On this occasion, H.E. Maitri Inthusut, the Permanent Secretary, Ministry of Social Development and Human Society, Thailand and H.E. Sen.Lt.Gen. Le Quy Vuong, Vice Minister, Ministry of Public Security, Vietnam joined the bilateral meeting and witnessed the signing of the bilateral meeting Minutes on the Plan of Action Phase III (2017 - 2020).

The Thai delegation was headed by Mrs. Saowanee Khomepatr, Chief of Inspector General, Ministry of Social Development and Human Security.

The Vietnamese delegation was headed by Maj.Gen Nguyen Phong Hoa, Deputy Director General, General Department of Police, Ministry of Public Security, Vice-chairman of COMMIT Task Force of Vietnam.

In addition, the bilateral meeting was attended by representatives from international organizations (enclosed as Annex A).

After the opening speeches by heads of Thai and Vietnamese delegations, both sides delivered the report for implementing the Bilateral Agreement for Eliminating Trafficking in Persons, Especially Women and Children, and Assisting Victims of Trafficking 2013 - 2016.

The two delegations exchanged the situation of Trafficking in Persons and the implementation of the Plan of Action Phase II (2013 - 2015), especially, difficulties, challenges and proposed solutions for future cooperation.

Based on real situation and characteristics of both countries and in the spirit of mutual cooperation and friendship, both sides discussed and agreed on the content of Plan of Action Phase III for the period 2017 - 2020 (enclosed as Annex B), which comprised of the following areas:

1. Coordination for implementation of the Agreement.
2. Prevention of trafficking in persons.
3. Victim identification, receipt, protection, repatriation and reintegration.
4. Coordination for information exchange on investigation and punishment of traffickers.
5. Review and revision of the Agreement.

This Minutes was written in English and adopted on 16th September, 2016 in Ha Noi, Vietnam; one copy to be kept by each Party.

HEAD OF THAI DELEGATION

HEAD OF VIETNAMESE DELEGATION



**Mrs. Saowanee Khomepatr
Chief of Inspector General
Ministry of Social Development
and Human Security**



**Maj.Gen. Nguyen Phong Hoa
Deputy Director General
General Department of Police
Ministry of Public Security**

**PLAN OF ACTIONS FOR IMPLEMENTATION OF THE AGREEMENT BETWEEN VIETNAM AND THAILAND
ON BILATERAL COOPERATION FOR ELIMINATING TRAFFICKING IN PERSONS, ESPECIALLY WOMEN AND CHILDREN,
AND ASSISTING VICTIMS OF TRAFFICKING
Phase III (2017 - 2020)**

OBJECTIVES	ACTIVITIES	OUTPUTS	RESPONSIBLE AGENCIES	TIMELINE			
				2017	2018	2019	2020
Area 1: Coordination for implementation of the Agreement							
To increase an efficiency on the implementation of the Agreement.	1.1. Conduct bilateral meeting ¹ to jointly develop a plan of action (POA), covering the following areas: - Prevention. - Protection, Repatriation and Reintegration. - Prosecution.	- Agreed POA. - Bilateral cooperation effectively developed.	- Vietnam: Ministry of Public Security (Police Staffing Department) Contact person: 1. Deputy Director of Police Staffing Department (Col. Le Van Chuong) 2. Officer of Division 9, Police Staffing Department (Captain Ngo Thuy Duong) Tel: 84.939.868686. Email: thuyduong.ngo0703@gmail.com - Thailand: Division of Anti-				
	1.2. Establish the national focal point of each country; develop communication mechanism; and inform	- Focal points identified - Communication mechanism established and updated	x				

¹ (The meeting taken place on 16 September 2016, hosted by the Vietnamese Government, MPS)

POA Phase III (2017 - 2020), 16th September 2016, Hanoi, Vietnam



	each other of changes on focal points and Taskforce, if any.			trafficking in Persons (DATIP), Office of the Permanent Secretary, Ministry of Social Development and Human Security (MSDHS)				
	1.3. Organize delegation exchange, workshops and trainings for sharing technical experience, best practice and lessons learnt on combating TIP.	- Both countries exchange technical experience, best practice and lessons learnt on combating TIP.		Contact person: 1. Director of DATIP (Mrs. Suwaree Jaiham) Tel. (66) 81 7548528	x	x	x	x
	1.4. Organize meetings to monitor and evaluate the implementation of the Agreement.	- Midterm and final review reports. - Results of midterm and final reports brought into effective implementation.		2. Director, Group of Protection and Advocacy for Trafficking Persons (Ms. Rattana Nontapattamadul) Tel. (66) 90 1977360. Email: mechanism.batwc@gmail.com		x		x
Area 2: Prevention of trafficking in persons								
To enhance prevention of TIP.	2.1. Each country conducts awareness raising activities on TIP prevention measures. (depending on situation of each country and locality), including:	- Citizens from both countries are well informed to protect themselves from falling into victims of TIP.	- Vietnam: the Vietnam National Women's Union. Contact person: to be confirmed - Thailand: DATIP, Office of the Permanent Secretary, MSDHS.		x	x	x	x

POA Phase III (2017 - 2020), 16th September 2016, Hanoi, Vietnam

A. Jaiham

A. Jaiham

	<p>- Develop Handbook to provide recommendations related to working in Thailand developed (to be done by Thailand and share with Vietnam for dissemination)</p> <p>- Organize workshops and study visits to share experiences on good and sustainable models and clubs in combating TIP</p> <p>- Organize communication campaigns on TIP and safe migration in communities of both countries (periodically or upon request)</p>		<p>Contact person:</p> <p>1. Director of DATIP (Mrs. Suwaree Jaiham) Tel. (66) 81 7548528</p> <p>2. Director, Group of Protection and Advocacy for Trafficking Persons (Ms. Rattana Nontapattamadol) Tel. (66) 90 1977360. Email: mechanism.batwc@gmail.com</p> <p>- For Handbook, contact persons are:</p> <p>Vietnam: Ministry of Public Security</p> <p>Thailand: Ministry of Labour</p>			
<p>Area 3: Victim identification, receipt, protection, repatriation and reintegration</p> <p>To improve TIP protection process by taking the victims best interest into</p>	<p>3.1. Monitor and review the implementation of SOPs.</p> <p>- Identify victims timely and effectively.</p>	<p>- SOP to be properly improved and effectively implemented.</p> <p>- Victims protection and return regularly</p>	<p>- Vietnam: Ministry of Public Security (Immigration Department).</p> <p>Contact person: to be confirmed</p>	x	x	x

POA Phase III (2017 - 2020), 16th September 2016, Hanoi, Vietnam

A. Jaiham

Ume

consideration.	<ul style="list-style-type: none"> - Protect and return victims safely. - Review/Screen victim referral profiles. 	implemented. <ul style="list-style-type: none"> - Reports of each country developed and presented in the meeting to be organized in 2018. (Conduct with 1.4). 	<p>- Thailand: DATIP, Office of the Permanent Secretary, MSDHS</p> <p>Contact person:</p> <p>1. Director of DATIP (Mrs. Suwaree Jaiham)</p> <p>Tel. (66) 81 7548528</p> <p>2. Chief of Division of Coordinating the Protection Advocacy of Trafficking in Persons (Ms. Angkana Homhual)</p> <p>Tel. (66) 90 1977360. Email: Alien.batwc@gmail.com</p>				
Area 4: Coordination for information exchange on investigation and punishment of traffickers							
To enhance the effectiveness and efficiency of information exchange on investigation and prosecution.	4.1. Strengthen coordination of information exchange on cross border TIP traffickers and victims, status of arrest and prosecution of traffickers, related documents, and rescue of victims, in line with	<ul style="list-style-type: none"> - Information exchange regularly conducted among law enforcement agencies in combating TIP of both countries, in line with domestic laws of both countries. 	<p>- Vietnam: Ministry of Public Security (Criminal Investigation Police at both national and provincial levels) in coordination with the Border Guards Command.</p> <p>Contact person: to be confirmed</p> <p>- Thailand: Law enforcement</p>	x	x	x	x

POA Phase III (2017 - 2020), 16th September 2016, Hanoi, Vietnam.

A. Jaiham

Uud

ANNEX B

	domestic laws and international agreements.								
	4.2. Organize meetings for law enforcement agencies related to TIP of both countries.	- Meetings for law enforcement agencies organized.	agencies (Royal Thai Police as key agencies, in coordination with Department of Special Investigation (DSI) and Office of Attorney General) Contact person: to be confirmed						
Area 5: Review and revision of the Agreement									
To review and revise the Agreement	5.1. The Thai side drafts proposed amendments and share with Vietnam Government for comments.	Revised agreement that suits with the current situation.	- Vietnam: Ministry of Public Security (Police Staffing Department) in coordination with relevant ministries and agencies. Contact person: 1. Deputy Director of Police Staffing Department (Col. Le Van Chuong) 2. Officer of Division 9, Police Staffing Department (Captain Ngo Thuy Duong) Tel: 84.939.868686. Email: thuyduong.ngo0703@gmail.com - Thailand: DATIP, Office of						
	5.2. Organize discussions and get agreement on meeting minutes which highlight the amendment.								
	5.3. Each country gets its own approval of amendment content.								
	5.4. Organize meeting to discuss and sign the amended Agreement.								

POA Phase III (2017 - 2020), 16th September 2016, Hanoi, Vietnam

A. Jaihan

5
Urb

			Permanent Secretary, MSDHS as key agency, in coordination with other relevant ones. Contact person: to be confirmed			
--	--	--	---	--	--	--

Notes:

- This document is the bilateral Plan of Action of the two countries. In this connection, to implement the Agreement, each Party shall develop its own plans to implement in accordance with the Agreement based on the actual situation of that country.
- Each Party will host the bilateral meetings/discussions related to the development and review/revision of the Plan of Action and Agreement on a rotating basis.

Financial notes:

- All cost related to international travel for visiting delegation (to attend workshops/meetings/field trips) will be borne by the visiting Party.
- All costs related to domestic travel for visiting delegation (accommodation and domestic travel) will be borne by the host Party.
- Parties may seek additional financial and technical support from external sources to support the implementation of this Plan of Action.

POA Phase III (2017 - 2020), 16th September 2016, Hanoi, Vietnam

A. J. J. J.

U. U.

3.

**Relevant
Vietnamese
Documents for
Reference**

Joint Circular

**MINISTRY OF PUBLIC
SECURITY - MINISTRY OF
NATIONAL DEFENSE -
MINISTRY OF LABOR, WAR
INVALIDS AND SOCIAL
AFFAIRS - MINISTRY OF
FOREIGN AFFAIRS**

SOCIALIST REPUBLIC OF VIETNAM
Independence - Freedom - Happiness

No. 01/2014/TTLT-BCA-BQP-
BLDTBXH-BNG

Hanoi, February 10, 2014

JOINT CIRCULAR

INSTRUCTIONS ON PROCEDURE FOR AND COOPERATION IN IDENTIFICATION, RECEIPT, AND REPATRIATION OF VICTIMS OF HUMAN TRAFFICKING

Pursuant to the Law on Prevention of human trafficking 2011;

Pursuant to the Government's Decree No. 36/2012/ND-CP dated April 18, 2012 defining the functions, tasks, entitlements and organizational structure of Ministries and ministerial agencies;

Pursuant to the Government's Decree No. 62/2012/ND-CP dated August 13, 2012 on bases for identification of victims of human trafficking, protection for victims and their families;

The Minister of Public Security, the Minister of National Defense, the Minister of Labor, War Invalids and Social Affairs, and the Minister of Foreign Affairs promulgate a Joint Circular on the procedure for and cooperation in identification, receipt, and repatriation of victims of human trafficking.

Chapter I

GENERAL PROVISIONS

Article 1. Scope of regulation and subjects of application

1. This Circular deals with the procedure and cooperation among regulatory bodies of the Ministry of Public Security, the Ministry of National Defense, the Ministry of Labor, War Invalids and Social Affairs, and the Ministry of Foreign Affairs in identification, receipt, and repatriation of victims of human trafficking (hereinafter referred to as victims) according to Article 24, Article 25, and Article 26 of the Law on Prevention of human trafficking. In case an international agreement or treaty to which Vietnam is a signatory is in contravention of this Circular, such international agreement or treaty shall apply.

The victims in this Circular shall be identified in accordance with Article 5 of the Government's Decree No. 62/2012/ND-CP dated August 13, 2012 on bases for identification of victims of human trafficking, protection for victims and their families.

2. This Circular is applied to victims that are Vietnamese citizens in Vietnam or overseas, and victims that are foreigners in Vietnam, the regulatory bodies of the Ministry of Public Security, the Ministry of National Defense, the Ministry of Labor, War Invalids and Social Affairs, and the Ministry of Foreign Affairs that are responsible for identification, receipt, and repatriation of victims of human trafficking, relevant organizations and relevant individuals.

Article 2. Principles for identification, receipt, and repatriation of victims

1. Conformable with the Law on Prevention of human trafficking.
2. Timely, accurate, and safe; able to protect the life, health, dignity, lawful rights and interests of victims.
3. Able to protect the confidentiality of information about victims their families.

Article 3. Funding

The funding for identification, receipt, and repatriation of victims is provided by government budget and belongs to annual expenditure estimate of regulatory bodies according to the Law on State budget and its guiding documents.

Chapter II

IDENTIFICATION, RECEIPT, AND REPATRIATION OF VICTIMS TRAFFICKED ABROAD

Article 4. Rules for identification, receipt, and repatriation of victims

1. When a diplomatic mission, consular agency, or an agency authorized to perform consular tasks overseas (hereinafter referred to as Vietnam's representative bodies overseas) receives information

and documents about the a victim from a foreign regulatory body, an international organization, a Vietnamese regulatory body at home, a victim, or an informer, the following tasks shall be performed:

a) If the information reveals that the victim has not been rescued, a competent authority of the victim's home country must be notified to cooperate in checking, identifying, and attempting a rescue if the source of information is reliable.

b) If the victim has been rescued or the person that claims to be a victim at a Vietnam's representative body overseas:

- Verify information, collect documents related to the human trafficking, the papers proving the victim's Vietnamese nationality, and the travel document;

- Instruct the victim to fill the Statement for victims that return from abroad (the form in Appendix 1 to this Circular). If the victim is a child or cannot fill the Statement himself or herself, the official at the receiving body shall help the victim write down his/her statements;

- If evidence for Vietnamese nationality and victimization is substantial: Provide protection, cooperate with the regulatory body of the victim's home country in fulfilling the victim's essential needs; issue a laissez-passers in order to repatriate the victim if he/she does not have a valid travel document. If evidence for Vietnamese nationality or victimization is insufficient: within 03 days from the receipt of information and documents from the person that claims to be a victim, the Vietnam's representative body overseas shall send documents and a dossier on that person (including a Statement that contain sufficient and documents provided by the foreign bodies or international organizations, or collected by the Vietnam's representative body overseas) to the Immigration Administration - the Ministry of Public Security for verification in accordance with Clause 2 of this Article and to the Consular Administration - Ministry of Foreign Affairs.

Within 03 days from the day on which the response from the Immigration Administration is received, the Vietnam's representative body overseas shall issue a laissez-passers to the victim if the victim does not have a valid travel document. If the victim's identity cannot be determined, or evidence for victimization is insufficient, the laws of Vietnam and the victim's home country shall apply;

- Follow necessary procedures (provide vehicles, issue a visa), and cooperate with a regulatory body of the victim's home country or a international organization (if any) in repatriating the victim who has a valid travel document; send a written notification to the Immigration Administration of the vehicle, time, and immigration checkpoint; the identity, numbers and types of the travel documents of the victim, the escorts of the victim's home country or the international organization (if any) at least 05 days before the victim's entry in order to organize the receipt as prescribed in Clause 3 of this Article.

2. Identification of victims by domestic regulatory bodies:

a) Right after receiving a written request for identification from a Vietnam's representative body overseas mentioned in Point b Clause 1 of this Article, Immigration Administration shall organize the identification or instruct a provincial immigration authority that belongs to a provincial police department (hereinafter referred to as provincial immigration authority) to carry out the identification, and send documents to the central police department in charge of crimes against social order - Ministry of Public Security for cooperation if necessary.

Within 10 days from the receipt of the request for identification, the provincial immigration authority shall report the result to Immigration Administration by secured line or fax, and send documents.

b) Within 03 days from the day on which the identification result is received, Immigration Administration must respond the Vietnam's representative body overseas and send documents to Consular Administration for cooperation.

3. Organization of receipt of victims at border checkpoints at international airports:

a) Immigration Administration shall take charge and cooperate with regulatory bodies of relevant Ministries in organizing the receipt as follows:

- At least 03 days before the intended date of entry, Immigration Administration shall notify the time, location, and list of victims to the central police department in charge of crimes against social order, the Service of Labor, War Invalids and Social Affairs of the province where the checkpoint is located to organize the receipt in cooperation;

- At the entry checkpoint: identify, and receive the victims; sign the record on receipt of trafficked victims that return from abroad (using the form in Appendix 3 to this Circular) with the foreign regulatory body (if any); help the victims complete the procedures; check the victims' dossiers sent by the foreign body, or give them to the victims; instruct the victims to fill the Statement for victims that return from abroad if it is not available; issue Certificate of repatriation to the victims (using the form in Appendix 5 enclosed herewith);

- Cover the costs of traveling and meals if the victims wish to go home themselves. Notify and request the families of the victims that are children and people incapable of going home themselves to get

them, or take such victims to their families. The victims that have no home or wish to stay at a social protection establishment or a victim assistance establishment, and the victims that are homeless children shall be sent (together with relevant documents) to the Service of Labor, War Invalids and Social Affairs where the checkpoint is located.

- A notification shall be sent to the every immigration authority of the provinces where the victims reside.

b) At the checkpoint, the central police department in charge of crimes against social order shall cooperate with Immigration Administration in taking statements from the victims to collect information and documents about the traffickers.

c) After receiving the victims from Immigration Administration, the Service of Labor, War Invalids and Social Affairs of the province where the airport is located shall send them to a local social protection establishment or victim assistance establishment.

4. Organization of receipt of victims at land border checkpoints, railroad checkpoints, and checkpoints at seaports:

a) The Immigration Administration shall send a notification to the police authority of the province where the checkpoint is located at least 03 days before the intended date of entry to instruct the provincial immigration authority and the provincial police department in charge of crimes against social order to cooperate with regulatory bodies in organizing the receipt.

b) When receiving the notification, the police authority of the province where the checkpoint is located shall discuss the receipt plan with the Border guard and the Service of Labor, War Invalids and Social Affairs of the same province in order to organize the receipt in cooperation.

c) The border guard station at the checkpoint shall identify the victims, sign the receipt record, receive the victims from the foreign regulatory body, instruct the victims to fill the Statements for victims trafficked abroad and help them complete the entry procedure, then send them to the provincial immigration authority (the form of the receipt record is provided in Appendix 4 to this Circular).

d) After receiving the victims, the provincial immigration authority shall issue Certificates of repatriation to the victims (using the form in Appendix 6 to this Circular) and cooperate with the provincial police department in charge of crimes against social order in taking statements from the victims to collect information and documents about the traffickers.

Cover the costs of traveling and meals if the victims wish to go home themselves; notify and request the families of the victims that are children and people incapable of going home themselves to get them, or take such victims to their families; the victims that have no home or wish to stay at a social protection establishment or a victim assistance establishment, and the victims that are homeless children shall be sent (together with relevant documents) to the Service of Labor, War Invalids and Social Affairs where the checkpoint is located.

dd) After the procedures above are completed, the immigration authority of the province where the victims are received shall notify the immigration authorities of the provinces where the victims reside.

e) After receiving the victims from the provincial immigration authority, the Service of Labor, War Invalids and Social shall send them to a local social protection establishment or a victim assistance establishment.

Article 5. Identification and receipt of victims that return from abroad themselves

1. When a victim returns from abroad himself/herself and reports at a border guard station, or found by the Border guard or the Coastguard in the bordering area, on an island or on the sea:

a) The border guard station or the Coastguard shall:

- Provide temporary shelter and fulfill essential needs of the person that claims to be a victim if necessary;

- Take a statement from the victim; check the papers related to the person's identity, nationality, other information and documents that help identify the victim;

- Collect information and documents about the traffickers that the victim knows to serve investigation and prevention of human trafficking;

- Send the victim to the People's Committee of the nearest commune where the person reports or is found.

b) The People's Committee of the commune, the Division of Labor, War Invalids and Social Affairs of the district and the police department of the district shall receive and identify the victim in accordance with Article 6 of this Circular.

2. If the victim returns from abroad himself/herself and reports at a police department or the local authority, then the receipt, identification, and provision of assistance for the victim shall be carried out as if that person is a victim of intra-country trafficking according to Article 6 of this Circular.

Chapter III

RECEIPT AND IDENTIFICATION OF DOMESTICALLY TRAFFICKED VICTIMS

Article 6. Receipt and identification of the victims that report themselves

1. When receiving a victim's or his/her legal representative's report on being trafficked, the People's Committee or the police department of the commune must instruct him/her to fill the Statement for victims of intra-country trafficking (the form is provided in Appendix 2 to this Circular); fulfill essential needs of the person that claims to be a victim, and request the Division of Labor, War Invalids and Social Affairs of the district to follow the procedure in Clause 2 of this Article. If the informer is a child or cannot fill the Statement himself/herself, the official shall write down that person's statement.

2. Within 03 days from the day on which the notification from the People's Committee or police department of the commune is received, the Division of Labor, War Invalids and Social Affairs of the district shall:

a) Send the victim home or to a social protection establishment or a victim assistance establishment if the victim's identity document is available;

b) Send a written request for identification of the victim to the police department of the district where the victim resides or where the human trafficking occurs (according to the victim's statement) if the victim's identity document is not available. The person that claims to be a victim shall have his/her essential needs fulfilled pending the identification. After the police department of the district confirms the victimization, assistance shall be provided as if evidence for victimization is substantial according to Point a of this Clause.

3. The police department of the district where the person that claims to be a victim resides or where the human trafficking occurs (according to his/her statement) shall:

a) Identify the victim and respond within 20 days from the receipt of the request for identification of the victim from the Division of Labor, War Invalids and Social Affairs of the district (according to Point b Clause 2 of this Article);

b) Issue a certification of victim of trafficking if evidence for victimization is substantial after identification (the certification form is provided in Appendix 7 to this Circular), send the identification result and this certificate to the Division of Labor, War Invalids and Social Affairs in order to provide assistance for the victim;

c) If the case is complicated and involves identification in multiple administrative divisions, the police department of the district shall send a report to the provincial police department to request instructions on the identification. In this case, the identification must be finished within 60 days from the day on which the report made by police department of the district is received. After identification, if evidence for victimization is substantial, the identifying body shall make a response, issue a certification of victim of trafficking, and request the police department of the district to proceed the tasks mentioned in Point b of this Clause.

Article 7. Identification of rescued victims

1. The rescuing body (the police, the border guard, the coastguard) shall:

a) Fulfill the rescued person's essential needs if evidence for victimization is substantial; issue the certification of victim of trafficking; send the victim to the Division of Labor, War Invalids and Social Affairs of the district where the rescue takes place to complete the procedure mentioned in Clause 2 of this Article.

a) If evidence for victimization is insufficient, the rescuing body shall request the local Division of Labor, War Invalids and Social Affairs to send that person to a social protection establishment or a victim assistance establishment after his/her essential needs have been fulfilled.

2. The Division of Labor, War Invalids and Social Affairs of the district where the rescue takes place shall:

a) Fulfill the rescued person's essential needs if he/she has been issued with the certification of victim of trafficking;

b) Request the police department of the district where the person is rescued to identify the person if evidence for victimization is insufficient; complete the procedure mentioned in Clause 2 Article 6 of this Circular when the identification result is given as if victim is trafficked domestically.

3. The police department of the district where the person is rescued shall identify that person and notify the result to the Division of Labor, War Invalids and Social Affairs as prescribed in Clause 3 Article 6 of this Circular.

If the person is not identified as a victim, the Director of the Division of Labor, War Invalids and Social Affairs shall cooperate with the Director of a social protection establishment or a victim assistance establishment in discharging that person from such establishment in accordance with law.

Chapter IV

RECEIPT, IDENTIFICATION, AND REPATRIATION OF TRAFFICKED FOREIGNERS IN VIETNAM

Article 8. Receipt and identification of victims

1. If the victim has not been rescued:

After receiving information and documents about the victim from a foreign authority, international organization, domestic organization, or an informer, the information-receiving body must immediately request the provincial police department in charge of crimes against social order of the province where the victim is held in custody to carry out an identification, investigation, and rescue.

2. If the victim has been rescued or the person that claims to be a victim reports himself/herself:

a) The police authority, the border guard, the coastguard where the victim is rescued or the police department where the victim reports shall fulfill his/her essential needs if necessary, and immediately send him/her to the Division of Labor, War Invalids and Social Affairs of the district where the victim is rescued, or the nearest place where the victim is trafficked according to the his/her statement. If evidence for the rescued person's victimization is substantial, the rescuing body shall issue a certification of victim of trafficking before sending.

b) Right after receiving the victim, the Division of Labor, War Invalids and Social Affairs shall:

- Send the victim to a social protection establishment or victim assistance establishment; send a report to the Service of Labor, War Invalids and Social Affairs to request instructions on assistance for the victim pending the identification;

- Notify the Service of Foreign Affairs of the province where the victim is held;

- Request the provincial immigration authority to perform the tasks mentioned in Point c of this Clause.

Within 03 days from receipt of the information about the victim, the provincial immigration authority shall cooperate with the Service of Foreign Affairs in contacting the victim and:

- Check the victim's ID paper, entry, exit, and residence of the victim in Vietnam; take a preliminary statement from the victim (employ a translator if the victim does not speak Vietnamese language);

- Take 06 pictures sized 4 cm x 6 cm; instruct the victim to fill the Statement for domestically trafficked victims. If the victim is a child or does not speak Vietnamese, the translator shall help them fill the Statement;

- Send a report to Immigration Administration together with a package that consists of: the Statement for domestically trafficked victims, 05 pictures of the victim, the certification of victim of trafficking (if any), the preliminary statement of the victim, and other documents (if any);

- Request the provincial police department in charge of crimes against social order of the province where the victim is trafficked according to his/her statement to carry out identification if evidence for victimization is insufficient. Within 20 days from the receipt of the request for identification, the provincial police department in charge of crimes against social order shall notify the result to the provincial immigration authority; then the provincial immigration authority shall send a report to Immigration Administration;

d) Within 03 days from the receipt of the report from the provincial immigration authority, Immigration Administration shall verify the information related to the entry, exit, and residence of the victim, send a written notification to the Consular Authority together with the Statement for domestically trafficked victims, 03 pictures, the certification of victim of trafficking, and relevant documents (if any);

dd) Within 03 days from the receipt of the notification from Immigration Administration, the Consular Administration shall send a diplomatic note (together with the dossier on the victim and 02 pictures) to the diplomatic mission of the country where the victim resides or holds the nationality according to the victim's statement to request protection, identification, and receipt of the victim.

Article 9. Repatriation of victims

1. When receiving the diplomatic note from the diplomatic mission of the country of which the victim is a citizen that the victim may be received and a valid travel document of the victim, the Consular Administration must reach an agreement on the time, border checkpoint, and vehicle for repatriating the victim (a request for support from an international organization in Vietnam may be made if the foreign authority cannot provide a vehicle), then send a notification and the victim's travel document to Immigration Administration.

2. Within 05 days from the day on which the notification result is received, Immigration Administration must:

- a) Issue a temporary residence and exit visa to the victim (the victim is exempt from fees; the duration of the visa must match the deadline for repatriating the victim);
- b) Notify the repatriation plan to the provincial immigration authority, the Service of Labor, War Invalids and Social Affairs of the province where the victim is being held; the police at the international airport or the border guard at the checkpoint where the victim departs; the international organizations (if relevant) that cooperate in repatriating the victim;
- c) Send the travel document and other documents related to the victim to the provincial immigration authority in order to complete the procedure for repatriating the victim.

3. The Service of Labour, War Invalids and Social Affairs where the victim is held shall request the social protection establishment or victim assistance establishment to take the victim to the border checkpoint and cooperate with relevant bodies in repatriating the victim.

4. At the checkpoint, provincial immigration authority shall cooperate with the police department at the international airport to complete the repatriation procedure (if the victim goes home by air) or request the border guard at the land border checkpoint to repatriate the victim (if the victim goes home by land).

Chapter V

IMPLEMENTATION

Article 10. Effect

This Circular takes effect on March 25, 2014 and supersedes the Joint Circular No. 03/2008/TTLT-BCA-BQP-BNG-BLDTBXH dated May 08, 2008 of the Ministry of Public Security, the Ministry of National Defense, the Ministry of Foreign Affairs, the Ministry of Labor, War Invalids and Social Affairs on guidelines for procedure for identification and receipt of trafficked women and children victims that return from abroad.

Article 11. Responsibility for implementation

Regulatory bodies of the Ministry of Public Security, the Ministry of National Defense, the Ministry of Labor, War Invalids and Social Affairs, and the Ministry of Foreign Affairs are responsible for the implementation of this Circular, and must send annual reports on identification, receipt, and repatriation of victims of human trafficking, to Crime and Drug Prevention Office - Ministry of Public Security.

Any difficulty that arise during the implementation of this Circular should be reported to the Ministry of Public Security, the Ministry of National Defense, the Ministry of Labor, War Invalids and Social Affairs, and the Ministry of Foreign Affairs for timely instructions./.

**PP MINISTER OF NATIONAL DEFENSE
DEPUTY MINISTER**

**PP MINISTER OF PUBLIC SECURITY
DEPUTY MINISTER**

**Nguyen Thanh Cung
PP MINISTER OF LABOR, WAR INVALIDS
AND SOCIAL AFFAIRS
DEPUTY MINISTER**

**Le Quy Vuong
PP MINISTER OF FOREIGN AFFAIRS
DEPUTY MINISTER**

Nguyen Trong Dam

Nguyen Thanh Son

ATTACHED FILE



Appendix

Appendix 1: Statement form for trafficked victims that return from abroad (TK/NNa)
(Enclosed with the Circular No. 01/2014/TTLT-BCA-BQP-BLĐTĐBXH-BNG dated February 10, 2014)

SOCIALIST REPUBLIC OF VIETNAM
Independence - Freedom - Happiness

STATEMENT
For trafficked victims that return from abroad

Recent picture
4x6 cm in size
Facing camera,
Bare head

1. Full name: 2. Gender:
Other names (if any):
3. Date of birth:/...../..... 4. Place of birth :
5. Ethnic group: 6. Nationality:
7. Father's name: Year of birth:
Mother's name: Year of birth:
Spouse's name (if any): Year of birth:
Residence of parent/spouse in Vietnam:
.....
8. Permanent residence before going abroad (*address, street, ward/commune, district, city/province*):
9. Left Vietnam on: by: Through the checkpoint in:
.....
Papers used for departure (if any): No.
Date of issue: Issuer:
10. Summary of trafficking circumstance (specify information about the traffickers):
.....
11. Full name, relationship, address, and phone number of the relative whom the victim wants to live with:
.....
12. Full name, gender, date of birth, place of birth, nationality, and relationship of any child that returns with the victim:
.....
13. Current health status:

Child's picture
3 x 4 cm

Location and Date:

Declarant
(signature and full name)

Notes: each victim shall make 01 statement; any child that returns with the victim shall be included in the Statement with a 3x4 cm picture at the bottom of the Statement. The pictures must be sealed by the competent authority that receives the victim.

Appendix 2: Statement form for victims trafficked domestically (TK/NNb)
(Enclosed with the Circular No. 01/2014/TTLT-BCA-BQP-BLDTBXH-BNG dated February 10, 2014)

SOCIALIST REPUBLIC OF VIETNAM
Independence - Freedom - Happiness

STATEMENT
For victims trafficked domestically

*Recent picture
4x6 cm in size
Facing camera,
Bare head*

1. Full name: 2. Gender:
Other names (if any):
3. Date of birth: 4. Place of birth:
5. Ethnic group: 6. Nationality:
7. Father's name: Year of birth:
Mother's name: Year of birth:
Spouse's name (if any): Year of birth:
Residence of parent/spouse in Vietnam:
.....
8. Registered permanent residence (address, street, ward/commune, district, city/province):
.....
9. Residence before being trafficked:
.....
10. Summary of trafficking circumstance (specify information about the traffickers):
.....
.....
.....
11. Full name, relationship, address, and phone number of the relative whom the victim wants to live with:
.....
12. Full name, gender, date of birth, hometown, nationality, and relationship of any child that returns with the victim:
.....
.....
13. Current health status:

*Child's picture
3 x 4 cm*

Location and Date:

Declarant

(signature and full name)

Notes: Each victim shall make 01 statement; any child that returns with the victim shall be included in the Statement with a 3x4 cm picture at the bottom of the Statement. The pictures must be sealed by the competent authority that receives the victim.

- If the victim is a foreign that does not speak Vietnam, the translator shall help the victim complete the Statement form, read it out loud. The Statement form must bear the signatures of both the victim and the translator.

Appendix 3: Record on receipt of trafficked victims with a foreign party (BB/NNa)
(Enclosed with the Circular No. 01/2014/TTLT-BCA-BQP-BLDTBXH-BNG dated February 10, 2014)

BIÊN BẢN/RECORD

Giao, nhận nạn nhân bị mua bán/Receipt of Trafficked Victims

Hồi/At....., ngày/on....., tại/in

Chúng tôi gồm/We are:

1. Bên giao/ Transferring party:

Ông (bà)/Mr(Mrs)....., đại diện cho cơ quan/ representative
of:.....

2. Bên nhận/ Receiving party:

Ông (bà)/Mr(Mrs)....., đại diện cho cơ quan/ representative
of:.....

Đã tiến hành giao, nhận/have transferred and received công dân là nạn nhân bị
mua bán trở về từ:/who is a trafficked victim
returned from:kèm theo hồ sơ, tài liệu về nạn
nhân gồm/Attached files and documents include:

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

Biên bản này được lập thành 02 bản/This record is made into two copies (mỗi bản đều ghi bằng
hai thứ tiếng: tiếng Việt và tiếng Anh/each copy is written in both Vietnamese and English
languages), có giá trị như nhau, mỗi bên giữ 01 bản/all texts having equal validity, one copy is
kept by a party./.

BÊN GIAO/ TRANSFERRING PARTY

(Ký, ghi rõ họ tên)/(Signature, full name)

BÊN NHẬN/ RECEIVING PARTY

(Ký, ghi rõ họ tên)/(Signature, full name).....

ĐẠI DIỆN CHỨNG KIẾN BÊN GIAO

Witness of the Transferring party

(Ký, ghi rõ họ tên)/(Signature, full name)

ĐẠI DIỆN CHỨNG KIẾN BÊN NHẬN

Witness of the Receiving party

(Ký, ghi rõ họ tên)/(Signature, full name)

Ghi chú:/Notes:

- Mẫu này dành cho việc ký biên bản giữa cơ quan chức năng Việt Nam với phía nước ngoài/This form serves the
conclusion of the record between the relevant agencies of Vietnam and the foreign partners.

- Tổ chức quốc tế phối hợp tiếp nhận hoặc trao trả nạn nhân thì ký vào dưới mục Đại diện chứng kiến Bên
giao/Bên nhận/Representatives of the international organizations that cooperate in the receipt of victims will sign
under the "Witness on the receiving/ transferring party".

Appendix 4: Record on receipt of trafficked victims among Vietnamese agencies (BB/NNa)
(Enclosed with the Circular No. 01/2014/TTLT-BCA-BQP-BLDTBXH-BNG dated February 10, 2014)

RECORD
On receipt of trafficked victims

At, on, in

We are:

1. Transferring party:

Mr(Mrs)....., representative of

2. Receiving party:

Mr(Mrs)....., representative of

have transferred and received:..... who is a domestically trafficked victim that returns.
Attached files and documents include:

.....
.....
.....
.....
.....
.....
.....
This record is made into two copies with the same validity, each party shall keep one copy.

TRANSFERRING PARTY
(Signature, full name)

RECEIVING PARTY
(Signature, full name)

WITNESS OF THE TRANSFERRING
(Signature, full name)

WITNESS OF THE RECEIVING PARTY
(Signature, full name)

Appendix 5: Certificate of Repatriation (NN/NNa)

Enclosed with the Circular No. 01/2014/TTLT-BCA-BQP-BLĐT BXH-BNG dated February 10, 2014

MINISTRY OF PUBLIC SECURITY
IMMIGRATION ADMINISTRATION

SOCIALIST REPUBLIC OF VIETNAM
Independence - Freedom - Happiness

No. /CN/A72-P6

CERTIFICATE OF REPATRIATION
For trafficked victims that return from abroad

1. Immigration Administration - the Ministry of Public Security hereby certifies that:

- Full name: Gender:
- Date of birth:
- Place of birth :
- Residence before being trafficked:
.....
- Is a trafficked victim that returns fromat
checkpoint on
- Current residence:
.....
- Full name, gender, date of birth, place of birth, nationality, and relationship of any child that
returns with the victim:
.....
.....

2. Within 30 days from the day on which a residence is provided by the competent authority, the holder of this Certificate must go to the Provincial Immigration Office to complete necessary procedures.

3. This Certificate is valid for 90 days from its date of issue./.

Location and date:

PP THE DIRECTOR
DEPARTMENT MANAGER
(Signature, full name, and seal)

Appendix 6: Certificate of Repatriation (NN/NNb)

Enclosed with the Circular No. 01/2014/TTLT-BCA-BQP-BLDTBXH-BNG dated February 10, 2014

POLICE AUTHORITY OF:
PROVINCIAL IMMIGRATION OFFICE

SOCIALIST REPUBLIC OF VIETNAM
Independence - Freedom - Happiness

No. /CN/PA72

CERTIFICATE OF REPATRIATION
For trafficked victims that return from abroad

1. Provincial Immigration Office of: hereby certifies that:
- Full name: Gender:
 - Date of birth: - Place of birth:
 - Residence before being trafficked:
 - Is a trafficked victim that returns from at checkpoint on
 - Current residence:
 - Full name, gender, date of birth, place of birth, nationality, and relationship of any child that returns with the victim:
2. Within 30 days from the day on which a residence is provided by the competent authority, the holder of this Certificate must go to the Provincial Immigration Office to complete necessary procedures.
3. This Certificate is valid for 90 days from its date of issue./.

Location and date:

PP THE DIRECTOR
DEPARTMENT MANAGER
(Signature, full name, and seal)

Appendix 7: Certificate of victim (XN/NN)

Enclosed with the Circular No. 01/2014/TTLT-BCA-BQP-BLĐTĐBXH-BNG dated February 10, 2014

GOVERNING BODY
.....¹

SOCIALIST REPUBLIC OF VIETNAM
Independence - Freedom - Happiness

No. /.....

CERTIFICATION OF TRAFFICKED VICTIM

Pursuant to Law on Prevention of human trafficking dated March 29, 2011;

Pursuant to the Government's Decree No. 62/2012/ND-CP dated August 13, 2012 on bases for identification of victims of human trafficking, protection for victims and their families;

Pursuant to the Circular No. 01/2014/TTLT-BCA-BQP-BNG-BLĐTĐ&XH dated February 10, 2014 of the Ministry of Public Security, the Ministry of National Defense, the Ministry of Labor, War Invalids and Social Affairs, and the Ministry of Foreign Affairs on procedures for and cooperation in identification, receipt, and repatriation of victims of human trafficking;

¹

hereby certifies that the person below is a trafficked victim according to Clause 4 Article 2 of the Law on Prevention of human trafficking:

Full name:..... Gender:

Date of birth: - Place of birth :

Nationality:..... Ethnic group:

Registered permanent residence:

.....

Current residence:

.....

Full name, gender, date of birth, place of birth, nationality, and relationship of any child that returns with the victim:

.....

.....

Location and date.....

.....¹

(signature, full name, position, seal)

¹ *Issuers of Certification of trafficked victim include: police departments of districts, towns, provincial cities, rescuing bodies (police authorities, the border guard, the coastguard); investigation bodies, the agencies assigned to investigate, the People's Procuracy, People's Court.*

Notes: The Certification of trafficked victim is made into 02 copies: 01 copy is kept by the issuer, 01 copy is kept by the Labor and Social Affairs authority where the procedures for supporting the victim is carried out.