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Center of Excellence on Migration and Development

“GLOBAL CITIES FREE OF SLAVERY AND HUMAN TRAFFICKING: THE CASE OF NAN PROVINCE, THAILAND”



Photo from: The Freedom Story

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The Asian Research Center for Migration (ARCM),
Center of Excellence on Migration and Development at the Institute of Asian Studies (IAS),
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EXECUTIVE SUMMARY

Modern slavery and human trafficking is one of the most serious human rights violations and one of the world's rapid growing trans-organized crime (UN, 2021). Human trafficking is a crime against human dignity, and can be associated with labour recruitment, development, migration and human trade under exploitative and slave-alike situations (Jayagupta, 2013, 2007). International community and countries have committed to take actions against modern slavery and human trafficking. This reflected in treaties, protocols, conventions, agreements and guidelines, for example; the United Nations Supplementing Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, Council of Europe Convention on Action against Trafficking in Human Beings, ASEAN Convention Against Trafficking in Persons, especially Women and Children (ACTIP) and the ASEAN Plan of Action Against Trafficking in Persons, especially Women and Children. At country and local level, efforts and actions have been made through formulation of policies, law enforcement, preventive and protection measures and strengthening partnership with all relevant stakeholders both government and non-government sectors.



Source: Sob Khun Story,
https://web.facebook.com/SobkhunStory/?_rdc=1&_rdr

Regarding this study, the research team selected Nan Province as one of the study sites. Despite the fact that Nan is a border province between Thailand and Lao PDR and being one of the dream tourist destinations; Nan has low number of human trafficking cases compared to other border provinces in Thailand. In addition, with its renowned and unique local livings, the further exploration to the preventive factors are also determined.

Furthermore, the study aims to search for determinants to resilience and vulnerability to human trafficking in Nan Province by implementing qualitative research methodology. The laws and concept as well as culture and local initiatives that prevent human trafficking and modern slavery are also the focus. The issue of sub-national database and case studies were also discussed to suggest the development of public policies and private sectors' initiatives to tackle human trafficking and modern slavery. The partnership and close engagement of local initiatives and authorities are also encouraged.

EXECUTIVE SUMMARY

Due to Covid-19 pandemic situation, the travel between provinces were highly restricted, therefore, all data collection had been completed through video conference and phone calls. The findings show that determinants related to community belief and practice have strong impact toward the community behavior and are resistant to human trafficking and other forms of forced migration. The knowledge and information sharing related to legislation, rules and regulations, and prevention mechanism of human trafficking need to expand its scope to ensure all potential stakeholders' participation, which shall include community leader, religion leader, villagers who are residing in remote areas, youth and elderly groups, and business sector. The community model on surveillance participation can have both positive and negative impacts. The pros-part is having a closer observation on activities happened in the community, and be able to form a community power to support or against the new proposed ideas, practices and/or projects implementation. The cons-part refers to a challenge of the new way of livings while new generation tends to prefer living independently and willing to migrate to work in big cities (especially during non-pandemic situation), however the culture ties of Nan is a unique and remain as an essential determinant to maintain Nan's livings unique style and being one of global cities free of human trafficking.

RESEARCH TEAM

Team Leader and Principal Researcher: Ratchada Jayagupta (PhD).

Team members and Research Assistants:

Perada Phumessawatdi (PhD), Nattakarn Noree.

With insight information from stakeholders of Nan Province, Thailand.

ACRONYMS

ACTIP	ASEAN Convention Against Trafficking in Persons
ARCM	The Asian Research Centre for Migration
BBC	The British Broadcasting Corporation
CBO	Community-Based Organization
COMMIT	Coordinated Mekong Ministerial Initiative Against Trafficking
CU	Chulalongkorn University
DARE	The Drug Abuse Resistance Education
DASTA	The Designated Areas for Sustainable Tourism Administration
FGD	Focus Group Discussion
HRDF	The Human Rights and Development Foundation
HTYPE	The Human Trafficking Youth Prevention Education
IAS	The Institute of Asian Studies
ILO	International Labour Organization
IRB	The Research Ethics Review Committee for Research Involving Human Subjects
LPN	Labour Promotion Network Foundation
MDT	Multidisciplinary Team
MOL	Ministry of Labour
MSDHS	Ministry of Social Development and Human Security
PBS	Public Broadcasting Service
PUC-Rio	Pontifical Catholic University of Rio de Janeiro
RTP	The Royal Thai Police
SEP	Sufficiency Economy Philosophy
THB	Thai Baht
TIP	Trafficking in Persons
ToC	Theory of Change
TVPA	The Trafficking Victims Protection Act

ACRONYMS

U.K.	United Kingdom
UNHCR	United Nations High Commissioner for Refugees
UNIAP	United Nations Inter-Agency Project on Human Trafficking in the Greater-Mekong Sub-region
UNODC	United Nations Office on Drugs and Crime
USD	United States of America Dollar
WHO	World Health Organization

ACKNOWLEDGMENTS

This project is a collective effort of academia in four regions to anti-human trafficking and eliminate modern slavery. As academic is one of essential sectors in contributing to society; Rights Lab at University of Nottingham, Eduardo Mondlane University, BRICS Policy Center at Pontifical Catholic University of Rio de Janeiro (PUC-Rio) and the Asian Research Center for Migration (ARCM), Center of Excellence on Migration and Development at the Institute of Asian Studies (IAS), Chulalongkorn University (CU) collaborate to initiate Global Cities Free of Modern Slavery and Human Trafficking.

The completion of this report could not have been possible without the contribution of respondents in Nan Province who had provided us their time with valuable information and insights. Even though, we had not a chance to conduct a “real” fieldwork in Nan Province due to the COVID-19 pandemic situation, we had a great opportunity for virtual meetings and conversing with key informants and interviewees who have contributed to anti-human trafficking and community development in Nan. From the virtual meetings, we have learned from and impressed by an active participation, kindness, and goodwill of people and communities in Nan. This makes Nan unique, strong and sustainable city, as many people recognize that Nan is one of best cities for living in Thailand. Furthermore, without kind support from The Freedom Story, Watphananthaburiyanasangwararam (a Buddhism Temple), Homestay Baan Bosuak, Sob-Khun Story, and Hug Muang Nan, it is impossible to have wonderful photos of Nan Province to present in this report.

Finally, we would like to express our high appreciation to our cross-country colleagues of the “Global Cities Free of Slavery and Human Trafficking” project from the U.K., Mozambique, and Brazil as well as Chulalongkorn University’s Office of the Research Ethics Review Committee for Research Involving Human Subjects, and the project’s advisor team; Associate Professor Dr. Nualnoi Treerat, Associate Professor Dr. Naruemon Thabchumpon, and Police Lieutenant Colonel Chachvan Bunmee, their useful suggestions and insights help to shape the study. Also, the effective team support from the research assistant team; Dr. Perada Phumessawatdi, Nattakarn Noree, an administrative team from ARCM, IAS, and Colinna Uy to synergize all significant resources to accomplish the research. Hopefully, this research will be the useful source of knowledge and information for further actions to anti-modern slavery and human trafficking to establish a better place for all.

Ratchada Jayagupta (PhD): Team leader and Principal Researcher.

GLOBAL CITIES FREE OF SLAVERY AND HUMAN TRAFFICKING [1]: THE CASE OF NAN PROVINCE, THAILAND

1. Introduction

Background and Rationale

Modern slavery is one of the most serious human rights violations and one of the world's rapid growing crime. It is estimated that approximately 40.3 million people live as a slave, which means that there are 5.4 victims of modern slavery for every 1,000 people in the world (ILO, 2016). Women and children are the most vulnerable group of modern slavery -1 in 4 of the victims are children and nearly three quarters are women and girls (Anti-Slavery, 2021). Modern slavery refers to the exploitation of people who have been forced, deceived, or coerced into a life of labour and servitude (UN, 2021; Home Office, 2021). The main forms encompass of human trafficking and forced labour (UN, 2021). International community and countries have committed to take actions against modern slavery. This enshrined in treaties, agreements and guidelines, for example, The United Nations Supplementing Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, Council of Europe Convention on Action against Trafficking in Human Beings, ASEAN Convention Against Trafficking in Persons, Especially Women and Children (ACTIP) and the ASEAN Plan of Action Against Trafficking in Persons, Especially Women and Children. At country level, efforts and actions has been made through formulation of policies, law enforcement, and preventive measures. However, solely government and non-governmental organizations alone cannot achieve in tackling modern slavery and human trafficking. Realizing that academic as one sector in contributing to society, Rights Lab at University of Nottingham, Eduardo Mondlane University, BRICS Policy Center at Pontifical Catholic University of Rio de Janeiro (PUC-Rio) and the Asian Research Center for Migration (ARCM) Center of Excellence on Migration and Development at the Institute of Asian Studies (IAS) of Chulalongkorn University, Thailand collaborate to initiate Global Cities Free of Modern Slavery and Human Trafficking. This project aims to studies and provide a practical model to anti-modern slavery and human trafficking to establish a better place for all.

For the Asian Research Center for Migration (ARCM), Center of Excellence on Migration and Development, at the Institute of Asian Studies, Chulalongkorn University, to tackling this issue, community is considered as a foundation for prevention and surveillance of modern slavery and human trafficking as well as safe repatriation and reintegration for the survivors.

[1] The collaboration among Pontifical Catholic University of Rio de Janeiro (PUC-Rio), Brazil, University of Nottingham, United Kingdom, Eduardo Mondlane University, Mozambique, and the Asian Research Center for Migration (ARCM) Center of Excellence on Migration and Development at the Institute of Asian Studies, Chulalongkorn University, Thailand. (Project#RES_64_288_60_014; IRB#123/64; COA#168/2564).

Nan province is selected as a site of the study because Nan is a border province between Thailand and Lao PDR and has been promoting as one of tourist attraction places in Thailand. With more national and international tourists are coming to Nan, the demand of employment in service sector is also arisen. However, according to the national data, the number of human trafficking and people smuggling cases are tentatively low compared to other border provinces. As a result, the search to diagnose the social determinants to vulnerability and resilience to modern slavery / human trafficking is significant. The close engagement of local initiatives and authorities will be included in the diagnosis.

About Nan Province, Thailand:

Nan Province is a fairly typical provincial city in the Northern Thailand which is approximately 675 kilometers or 420 miles from Bangkok. Nan is a border province between Thailand and Lao PDR and has a vast, interesting history and nature. Located around 17 kilometers or 10 miles from the center of Nan town, the Baan Bo Suak Community has several historical tourism sites which attract the foreign and local tourists by its local products such as pottery, traditional hand-woven fabric, and earthen streamer. The Designated Areas for Sustainable Tourism Administration (DASTA) promotes Ban Bo Suak as a community-based tourism. Ban Bo Suak has consisted of 6,622 people; 3,321 male and 3,301 female, and 2,183 households [2]. According to the information from Nan Provincial Social Development and Human Security Office on human trafficking and exploitation, Nan is a source, destination and transit province for human trafficking and exploitation. The type of human trafficking and cases were sex trafficking of students in 2002, novice labor trafficking in 2004, Cambodian monks' tourism exploitation in 2012, Lao young adult sex trafficking in karaoke shop in 2013, and Lao migrant workers in forced labor in 2013. Since then, there was no report on human trafficking and exploitation -



Source: Homestaybaanbosuak/ไท้เก็ด/
https://web.facebook.com/homestaybaanbosuak/?_rdc=1&_rdr

in Nan due to the serious coordination among multi-disciplinary team members and the local provincial mechanism such as the emergency operation centers in provincial, district and sub-district levels, the provincial anti-trafficking sub-committee meeting, the provincial anti-trafficking strategic plan (2018-2022), with prevention and awareness raising activities for community members and children. Nevertheless, in February 2021 [3], there was a case of human trafficking at Karaoke restaurants (there were 4 girls who were under 18 years old).

[2] Information from Bo Suak Sub-district Administrative Organization's website at http://www.bosuak.go.th/page.php?pagename=data_detail&id=145 as of January 2021.

[3] Siam-Rath Online Newspaper. 11 February 2021:18.44 hrs. <http://www.siamrath.co.th> as of September 7 2021.



Source: SobkhunStory https://web.facebook.com/SobkhunStory/?_rdc=1&_rdr



Source: SobkhunStory https://web.facebook.com/SobkhunStory/?_rdc=1&_rdr



Research Questions:

- 1) What are the social determinants to vulnerability and resilience to human trafficking/modern slavery in your selected site?
- 2) What are the law (s) and concepts as well as local initiatives that prevent human trafficking/modern slavery in your selected site?
- 3) How does the study support the construction of a database; including study cases and reports to develop public policies and private sectors' initiatives to tackle human trafficking/modern slavery.
- 4) How does the study ensure / encourage the close engagement of local initiatives and authorities?

Research Objectives:

- 1) To study and diagnose / analyze the social determinants to vulnerability and resilience to human trafficking/modern slavery in Nan Province.
- 2) To review literature on law and concepts as well as local initiatives that prevent human trafficking/modern slavery in Nan Province.
- 3) To support the construction of a database; including study cases and reports to develop public policies and private sectors' initiatives to tackle human trafficking/modern slavery.
- 4) To ensure / encourage the close engagement of local initiatives and authorities.

2. Methodology

2.1 Data Collection

The research project is planned to cover the study with diagnosis and analysis the social determinants to vulnerability and resilience to human trafficking in Nan Province, Thailand. The research has been closely discussed among implementing partners across the regions as well as consulted with the research's advisors at national level. In addition, the research's proposal with qualitative research methodology and design with a proposed timeline were submitted for Chulalongkorn University's office of the Research Ethics Review Committee for Research Involving Human Subjects (IRB's committee) prior to the primary data collection. Therefore, the data collection of this research started with the literature review, followed by the documentary research, key informant interview, in-depth interview, and Focus Group Discussion (FGD) through video conference platform [4]. By implementing the purposive sampling and snowball sampling techniques, the data collection was able to reach the extensive network of multi-disciplinary team in Nan province to identify community groups such as occupational group, students group, tourism group, and community network group in order to form four FGDs, six key informants and six in-depth interviews. The interview was semi-structured interview. The research started in early April and completed in September 2021. The validity and reliability of the data applied the triangulation technique throughout the data collection process.

[4] Through Zoom application platform and telephone calls.

A little challenge: our Thailand research team normally organizes weekly research team meeting to update and provide progress of the project. However, due to the 3rd and 4th waves of COVID-19 pandemic situation in Thailand, resulting to several postponements of our field data collection which also had an impact toward our initial work plan. In addition, it is a compulsory that the research team needs to submit the research proposal along with the interview's tools and questions to the Chulalongkorn University's IRB Committee for their approval prior to our primary data collection. Later, the approval from the University's IRB Committee was confirmed since 23 July 2021[5], hence the primary data collection started through virtual platform application and telephone calls. As a result of the technology required, there was a challenge for some community members who were expected to be informants and member of FGDs, could not join the discussion due to internet access limitation and phone signals.

Table 1: Summary of primary data collection:

Research Methodology/ Technique	Total
Key informant	6
Informant/ In-depth Interview	6
Focus Group Discussion (FGD)	4 times (total of 15 persons)
Grand Total	27 persons

The data collection comprises of two main components, first is a secondary data collection through documentary research and second is a primary data collection through open and semi-structured interviews[6].

- **Documentary Research**

The area-based literatures, reports, articles, news, and other related documents on human trafficking were selected for the review, which including both national and international information related to human trafficking at global, regional, Thailand and specifically at Nan Province. The preliminary data had been utilized to form the list of open and semi-structured interview questions for key informant, informant, in-depth interviews and focus group discussion. The list of questions was tested and further develop for final set of the interview questions.

- **Open and Semi-Structured interview**

Due to the COVID-19 pandemic situation, all interviews were conducted through virtual platform and phone calls with an average of two hours. The criteria of interview selection were implementing the purposive sampling with snowball technique. The first key informant interview was conducted by selecting a respondent who had a wide knowledge and connection with main stakeholders in Nan Province.

[5] The IRB Committee has approved the Global Cities Free of Slavery and Human Trafficking research project number 123/64 as Expedited Review on 23rd July 2021 with the approval letter number Aor Wor 64.2.2 (Jor Wor.2)/1156/2563.

[6] List of interview questions (in local language) are included in Annex Two.

The first part of the questions was open; referring to the general information of Nan Province in the perception of an interviewee and personal information. Second and third parts refer to social determinants, followed by legal mechanism related to human trafficking in Thailand and Nan Province, which covering policy, prevention, protection, prosecution and partnership mechanisms in Nan Province. The Fourth part refers to the initiative of human trafficking prevention and community participation, and the last part focuses on database management, information sharing and inclusiveness of all relevant parties for community development and human trafficking awareness.



Source: Freedom Story/ Image for Slave-Free City
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Source: Freedom Story/ Image for Slave-Free City
Research_210729_3

Table 2: Interview list

(K=Key Informant, ID = In-Depth Interview, FGD = Focus Group Discussion)

Interview code	Occupation	Interview Date
01	Private sector and member of various associations (K)	Fri-6-August-2021
02	Former head of local administration, private sector (FGD)	Sat-7-August-2021
03	Head of private sector association (K)	Sun-8-August-2021
04	Representative of Civil society (ID)	Tue-10-August-2021
05	Representatives of Civil Society Organizations (FGD)	Wed-11-August-2021
06	Representative from public sector (school) – (ID)	Thursday-12-August-2021
07	Representative of Civil society Organization (K)	Thursday-12-August-2021
08	Public Sector (K)	Fri-13-August-2021
09	Private sector, community members (FGD)	Sat-14-August-2021
10	Public Sector (K)	Mon-16-August-2021
11	Civil Society Organization (K)	Mon-16-August-2021
12	Private Sector (ID)	Tue-17-August-2021
13	Public Sector (ID)	Thursday-19-August-2021
14	Public Sector (ID)	Thursday-19-August-2021
15	Religion leader (ID)	Fri-20-August-2021
16	Students (FGD)	Sat-21-August-2021

2.2 Data Analysis

The study applies standard qualitative analysis, inductive and triangulation techniques. Data analysis was developed by analyzing the primary data and secondary data under the research's conceptual framework and respond to research questions and objectives. In addition, all interviews were transcribed and coded with anonymous reference. The data storage has been strictly followed the guidance indicated in the IRB's approval documents. Research assistants and data transcribers agreed to sign confidentiality form for unrevealing the respondents' contact details and collected data.

2.3 Limitations

One of the limitations of this research imposed by the COVID-19 pandemic (3rd and 4th wave) in Thailand, as a result the research technique on non-participant and participant observations could not conduct since the research team could not go to the selected site. All primary data collection had been done through virtual platform and phone calls. Some target population, such as community members of hill tribes and women groups could not participate in the virtual platform and phone calls for data collection due to the unavailability of the internet signal and inconvenience of the participants.

Situation on human trafficking in Nan Province is relatively low in number of cases compared to other border provinces in Thailand. In addition, knowledge and information on human trafficking still not widespread to reach all population groups in Nan Province. The definition of human trafficking was not well recognized and understood from all stakeholders.

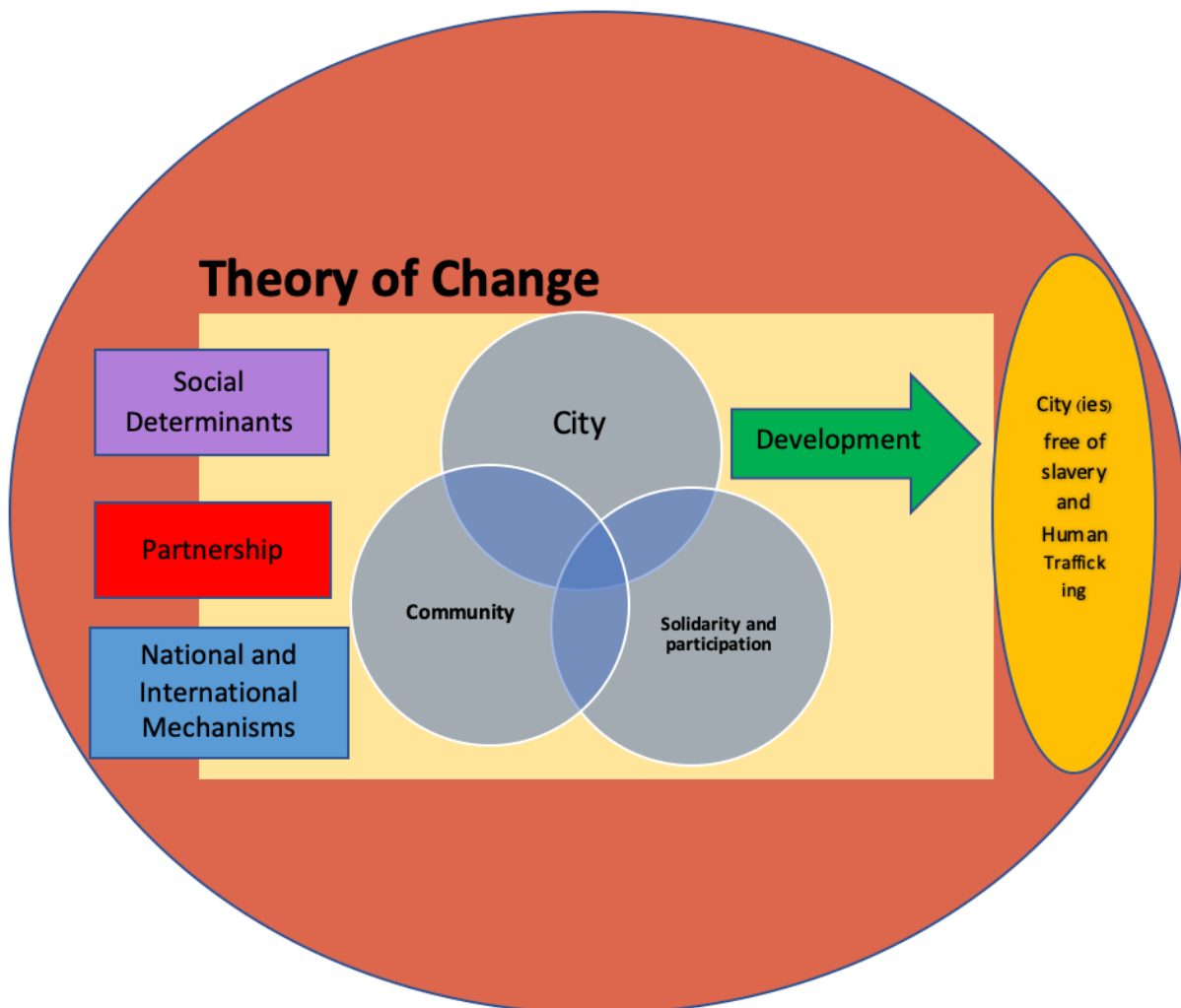
2.4 Ethical Issues

The research team has also designed the rights protection, risk management, and confidentiality mechanism for key informants and stakeholders as followings:

- 1) The invitation of key informant was conducted without coercion or pressuring to participate in the research and would not providing excessive compensation which causes key informant to be unaware on the risks which may occur when participate in the research.
- 2) In the process of obtaining consent, research team would not conceal any research information or fraudulent to key informant/informant in order to obtain the participation in providing information in the research.
- 3) In obtaining consent, the key informant/informant have to sign the consent form as an evidence. In case that key informant/informant could not write, key informants/informant should provide a fingerprint stamp in the form and the person who are not a research stakeholder has to sign as a witness
- 4) Research team does not exempt on the consent form signing.

- 5) Research team would not access any in-depth personal information without the permission from key informant/informant and would not observe the key informant's behaviors in the matters that key informant does not want others to know such as secretly recording the conversation or interviewing.
- 6) Research team would maintain confidentiality by respecting the key informant/informant who provides personal information specifically to this research and will keep confidentiality by not sharing information with others who are not having the rights to access.
- 7) Research team recorded anonymous information during the data collection process and data analysis to protect the key informant's/informant's identification and the confidentiality. If necessary, the research team would record data with encryption for the accuracy of research results. The data of unnecessary sampling would be destroyed from the beginning.
- 8) The publication of research results would be conducted in a way that the reader could not identify key informants/informants and stakeholders who participated in the research.

3. Conceptual Framework



Note: The conceptual framework has drawn in reflection of the research questions, research objectives, and also from the documentary review as illustrated in this report.

3.1 Theory of Change (ToC)

What is ToC?

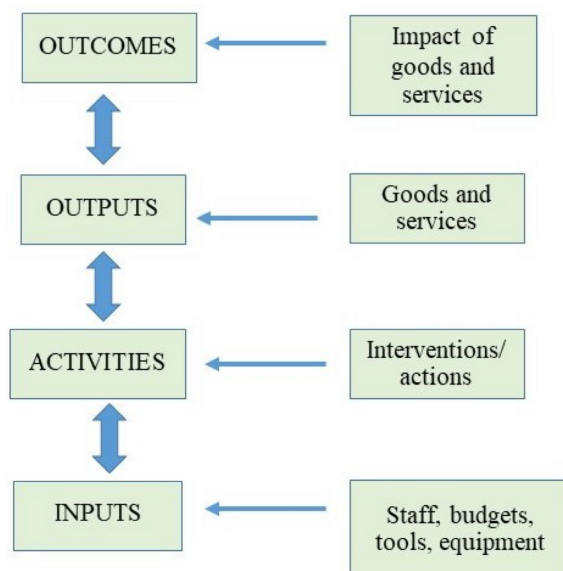
ToC refers to a comprehensive illustration and explanation of interventions, process and reasons of an expected change occurs in a specific context (Center for Theory of Change, 2019; Rogers, 2014; Taplin and Clarks, 2012). A designed change covers any level of interventions, that is an event, a project, a program, a policy, a strategy or an organization (Rogers, 2014). Key essence of ToC is a participatory process in which stakeholders participate in all intervention process to set up a goal, process, and preconditions in achieving a designed outcome (Taplin, and Rasic, 2012).

Elements of ToC

Allen, Cruz, and Warburton (2017) highlight four elements of ToC approach: inputs, activities, outputs, and outcomes.

1. Inputs (What we invest to make change?): Inputs relates to resources including staff, budgets, tools, equipment. Normally inputs can be measured as counts, for example, budget spent, hours of work, numbers of staff.
2. Activities (What we do to make change?): Activities cover interventions and actions which undertaken to achieve particular outputs (Taplin and Clarks, 2012)
3. Outputs: Outputs are tangible result of activities and interventions, for instance, goods and services.
4. Outcomes (What happens because of activities?): Outcomes are impacts of activities and interventions. Jones et al. (2012) suggest SMART: Specific, Measurable, Attainable, relevant and time-bound to specify the outcomes. Outcomes are differentiated into short, medium, and long terms. Short term covers changes in individuals and groups, for example, knowledge and understanding. Medium term change relates to changes of skills and practices. For long term, this change involves macro transformation, for instance, economic situation, political stability or instability and social changes (Rogers, 2014).

Figure 1. Elements of Theory of Change



Source: Authors

ToC and Impact Evaluation

ToC is applied into various processes, for example, design programs, projects and activities, participatory implementation as well as evaluate programs or projects. In this study, the utilization of ToC focuses on impact evaluation to measure outcomes and impacts of interventions and activities that Nan Province has been implemented to support safe cities from human trafficking.

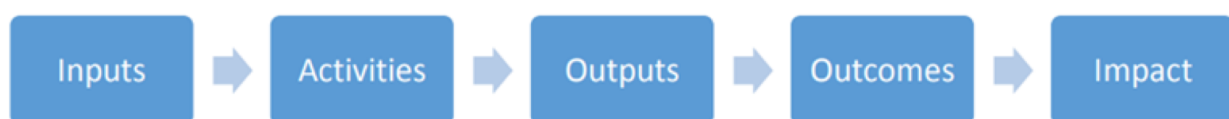
An impact evaluation refers to that an assessment which provides information about the impacts produced by an intervention, which covers policies, programs, activities (Roger, 2014). In considering impacts, this not only goes beyond by looking only at goals and objectives, but also involves with an analysis of positive and negative, primary, secondary, as well as long-term effects, directly or indirectly, intended or unintended of the results of interventions (Roger, 2014)

ToC guides an impact evaluation to scrutinizing steps towards a designed change by identify interventions, examining the enablers and barriers to change, assessing consequences of interventions (Grantcrafts, 2006). ToC can support an impact evaluation in numerous ways by identifying the data that need to be collected, analysis framework and reporting (LEA, 2020; Rogers, 2014; Grantcrafts, 2006;). ToC guides identifying the data that need to be collected, through framing questions. The overarching question in evaluation are:

1. Is strategic research informing and improving policy interventions in regulatory, legalistic, and judicial settings?
2. What progress is being made toward the development of frameworks, indicators of progress and other knowledge tools?
3. To what extent are professionalized policy organization and grassroots groups sharing strategic research and finding it helpful? (Grantcrafts, 2006)

These overarching question guides specific evaluation questions, for example, questions particularly in relation to those elements of ToC, examining relevant variables to be included in data collection, consequences in short and long terms (LEA, 2020; Rogers, 2014; Grantcraft, 2006). Regarding analysis framework of the evaluation, by applied ToC, using logic framework of the four elements - inputs, activities, outputs, and outcomes to critically examine research questions, for instance examine for success along the causal chain or identify alternative causal paths (LEA, 2020; Rogers, 2014). Also in reporting, ToC framework supports a presentation of a report in a causal chain as shown below:

Figure 2: A causal chain for reporting



Source: Rogers, 2014.



Source: Freedom Story/ Global Cities Free of Slavery and Human Trafficking 2021/ 20210724_125852



Source: Freedom Story/ Photos Global Cities Free of Slavery and Human Trafficking 2021/ S_6340616

To capture changes, five compositions are outlined by Cheyanne and Rogers (2006) as illustrated in the **Figure 3**.

Figure 3. Theories about how change comes about and how the intervention can trigger the change

Individual change: transformative change of a critical mass of individuals	Investment in individual change through training, personal transformation/ consciousness-raising workshops or processes; dialogues and encounter groups; trauma healing
Health relationships and connections: break down isolation, polarization, division, prejudice and stereotypes between/among groups	Process of inter-group dialogue; networking; relationship building processes; joint efforts and practical programmes on substantive problems
Root causes/justice: address underlying issues of injustice, oppression/exploitation, threats to identity and security, and people's sense of injury/victimization	Long-term campaigns for social and structural change; truth and reconciliation; changes in social institutions, laws, regulations and economic systems
Institutional development: establish stable/reliable social institutions that guarantee democracy, equity, justice and fair allocation of resources	New institutional and governance arrangements/entities; development of human rights, rule of law, anti-corruption; establishment of democratic/equitable economic structures; decentralization
Grass roots mobilization: mobilizing the community so that politicians have to pay attention	Mobilize grass roots groups, non-violent direct action campaigns, use of the media, education/mobilization efforts, advocacy groups

Source: Based on Church, Cheyanne and Mark M. Rogers, *Designing for Results: Integrating Monitoring and Evaluation in Conflict Transformation Programs*, Search for Common Ground, Washington, D.C., 2006, pp. 14–15. See http://www.sfcg.org/programmes/ilt/ilt_manualpage.html.

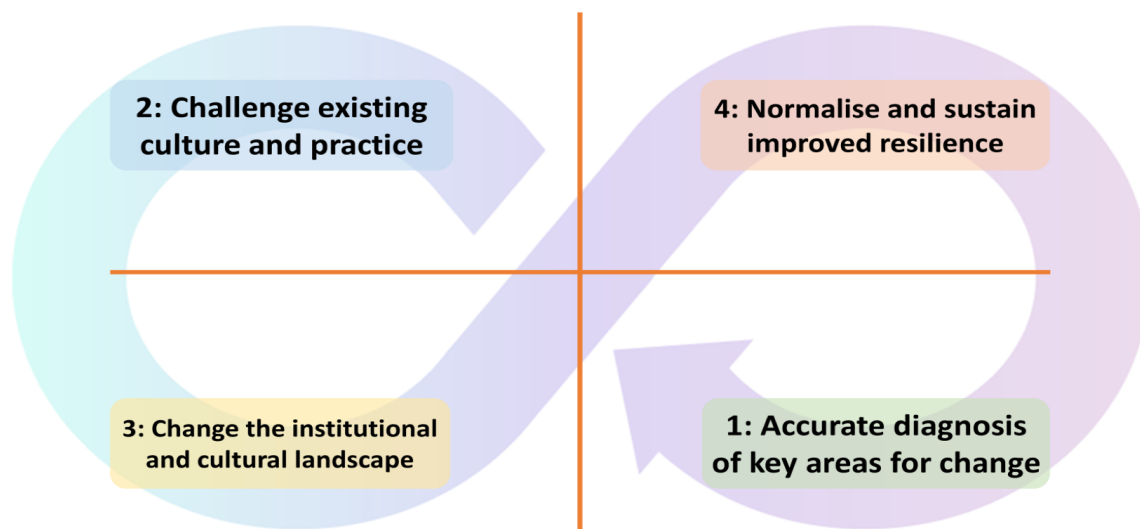
Five compositions of changes which are individual change, health relations and connections, root causes, institutional development, and grass roots mobilization can benefit of the capture of change of this study by linking with interventions and changes in the studied area.

Bridging ToC and Adaptive Cycle of Resilience to Build Slavery and Human Trafficking-Free Communities

Gardner et al. (2020) have brought the concept of change for resilience into anti-trafficking by purposing adaptive resilience cycle. This adaptive resilience cycle adapts from Holling's (2001).

Diagram of the adaptive cycle comprising of four stages including exploitation, conservation, release, and reorganization. The adaptive resilience cycle consists of four stages: accurate diagnosis of key areas for change, challenge existing culture and practice, change institutional and cultural landscape, and normalise and sustain improved resilience as showed in Figure 4 below:

Figure 4: Adaptive Cycle of Resilience to Build Slavery-Free Communities



Source: Gardner et al. 2020. Adaptive Cycle of Resilience to Build Slavery-Free Communities.

1) Diagnose: Accurate diagnosis of key areas for change: This first stage is to critically examine risk and vulnerability. The analysis relates to examine risk factors to vulnerability including ‘geographic, demographic, or sectoral weaknesses can enable particular threats to be identified’ (Gardner et al., 2020: 5). Also, investigation of community assets helps to identify resource in tackling different forms of exploitation and human trafficking.

2) Challenge: Challenge existing culture and practice: After identify risk, vulnerability and assets, key notion is to engaging all stakeholders, multiple actors at multilevel, and survivors in particular to ‘discussing and validating risk and vulnerability findings, prioritising and implementing action, sharing best practice, and learning from both community and global networks’ to challenge and identify gap as well as bring a new vision. (Gardner et al., 2020: 6).

3) Change: Change institutional and cultural landscape: To support cultural and institutional practices shift in particular structural issues in relation to social determinants to resilience. The process of impacting cultural and institutional changes is prerequisite to enabling long-term change.

4) Normalise: Normalise and sustain practice: This phase relates to considering ‘what changes to governance, legislation and policy are needed to embed the positive changes identified and achieved’ (Gardner et al. 2020: 6). Monitoring and evaluation of progress also involves in this phase as the core of adaptive cycle is to be continually adjusting and re-evaluating the local context for improvement towards establish sustainable of anti-modern slavery.

3.2 Determinants of Human Trafficking and Modern Slavery

The idea of social determinants has been largely applied in health sector. Social determinants is described by the World Health Organization (WHO) as ‘the circumstances in which people grow, live, work, and age, and the systems put in place to deal with illness. The conditions in which people live and die are, in turn, shaped by political, social, and economic forces’ (CSDH 2008). In other fields, social determinants become elements of studies in finding causes and relations of specific issues. For migration, modern slavery and human trafficking studies, social determinants are increasingly focused, for example, causes of human trafficking in the US (Jac-Kucharski, 2012), factors of the flow of human trafficking in Europe (Hernandez and Rudolph, 2014).

Social determinants in human trafficking relates to social, economic, political, and environmental conditions that shape how people live, grow, and work. These determinants ultimately affect people’s vulnerability to exploitation (Perry and McEwing, 2013). This section highlight common key social determinants of human trafficking and modern slavery as follows:

Individual determinants

• Economic causes

Across literature, economic causes are one of the significant factors leading a person falling into migration trajectory and human trafficked cycle in South-east Asia (Perry and McEwing, 2013), in Europe (European Commission, 2015), in the U.S. (Jac-Kucharski, 2012). According to Perry and MeEwing (2012), their systematic reviews show that economic causes play a significant cause in trafficking vulnerability, especially for women and children. Poverty relates to low income which is caused by agriculture is less profitable, scared land (DGD, 2003); lack of formal, education (Perry and MeEwing, 2012); lack of economic opportunity (European commission, 2015), feminization of poverty (Kingshott and Jones, 2016). Poverty is push and pull factor of human trafficking. That is pushing people to leave from origin setting into new destination in which might be lured by human trafficker (Jac-Kucharski, 2012), Furthermore, the prevention and mitigation of human trafficking extensively rely on the reduction of poverty, extreme, poverty, and chronic poverty (UNODC, 2006; DGD, 2003).

• Informality / Working Environment

Informal employment means casual work done by low skilled workers paid as ‘cash in hand’ (Ivakhnyuk, 2005). The characteristic of informal work generally associates with “low wages, lack of social guaranties and labor protection, unsteady employment, wide spread part time work, casual jobs, and irregular employment” (Ivakhnyuk, 2005). In many cases, employers intentionally take benefit from workers through illegal forms of employment and illegal status of migrant workers hired for casual works. The exploitation can be in many forms, for instance, giving low salaries, absence of formal obligations to employees, impunity for deceits and groundless dismissals (Ivakhnyuk, 2005).

- **Sex and Gender**

Gender is the second frequency cited as the determinant of the systematic review of Perry and MeEwing (2012). Human trafficking is considered a gender-based issue (Zimmerman, 2005). Sex and gender brings impact and vulnerability differently between males and females. The United Nations Office on Drugs and Crime (UNODC) (2020) reports that the vast majority of all human trafficking victims are women and girls which accounts 65 percent and one third are children. Furthermore, males in pre-puberty period tends to be trafficked, but females are more vulnerable to be trafficked when they are in post-puberty (ARCPPT, 2003). Gender also relates to dissimilar forms of human trafficking. Women and girls are usually trafficked for marriage and sexual slavery, however, men and boys are trafficked into exploitative labor, for instance, in the mining sector, porters, soldiers, and slaves (UNODC, 2016). Nevertheless, the analysis of gender determinants tends to ignore the impact of patriarchy relates to interventions of human trafficking, for example, policies, laws, and services. One example is the study of Kingshott (2016). This study points out that the U.S. basically responses to crimes based on “law and order” approaches which reflects a “masculine-defined institutional bias toward problem solving” (Lutze & Symons, 2003: 321). Males have historically dominated the U.S. legal system through male perspectives and interests. The United States’ Victims of Trafficking and Violence Protection Act (TVPA) has been criticized in neglecting trafficking victims’ needs which minimize the other compositions in anti-human trafficking including prevention, protection and rehabilitation.

- **Age**

Age groups also a factor in human trafficking and migration studies. The extent of vulnerability varies by particular age groups. According to IOM (2018), the average age of trafficked victims is 27 years old and 50 percent of all victims ranging between 19 and 33 years old. Also, the demand of trafficking involves with age group. ADB (2003) highlights that the demand of destination countries regarding for young girls, who just reach puberty, caused by fear of HIV/AIDs.

- **Formal Education and knowledge/ignorance on human trafficking**

“Education and knowledge of trafficking in persons among all members of society are key to beating human traffickers” (Chutikul, 2011). There is a significant connection between human trafficking and education. A common characteristic of trafficked persons are illiteracy and low levels of education (Perry and MeEwing, 2012). Limited access to education links with the implications for better future opportunities of people. Lack of education, especially marginalized groups, for examples, refugees, undocumented, and ethnic minorities, make them more vulnerable. The study of Spires (2012) indicates that education is applied as a means by agencies of the prevention of human trafficking and the protection survivors from victimized or return to a human trafficked path. In particular, education is seen by many as a means of prevention and protection, especially for vulnerable groups.

Education also relates to non-formal education involving with educating and awareness raising on human trafficking. From reviewing main activities of agencies regarding anti-human trafficking, it shows that investing on education, especially for children is a key strategy to prevent and surveillance human trafficking. For instance, The Human Trafficking Youth Prevention Education (HTYPE) Demonstration Program in the U.S. provide financial support to local educational agencies in developing and implementing programs to prevent human trafficking victimization for school staff and students. Furthermore, educating staff by providing training for law enforcement officials, the judiciary, service providers is vital to ensure that cases are identified, victims are protected and perpetrators are punished (UNODC, 2020).

- **Capacity building as a prevention program**

Jayagupta (2013) referred to an effective prevention of human trafficking program that participants must be aware of the root causes of human trafficking and are able to eliminate those root causes (166). According to a capacity building course on human trafficking prevention organized in one of the Northern Provinces in Thailand in 2012, finding that one of the most important root causes for migration is poverty. The training tool focused on the concept of safe migration, which should also be applicable during the pre-decision stage.

- **Ethnicity Citizenship and documentation**

Lack of citizenship has been agreed as a substantial risk factor from the systematic review of Perry and McEwing (2013). This is because a lack of citizenship affected on other social determinants, for instance, no rights, no education, no access to social services, particularly when a person has no proof of their legal identity and existence; this exacerbates to be trafficked.

- **Family determinants**

Family dysfunction is a factor contributing to human trafficking. According to IOM (2008), forty-one percent of identified child trafficking involve with the recruitment of family members. In adult case, family members involved in nine percent of the case. Marital status also relates to a risk becoming a victim. This is because marriage is a recruitment tool, for example, forced marriage (Perry and McEwing, 2013).

Human trafficking also intersects with domestic violence. Domestic violence relates to human trafficking as an associate factor. This can be illustrated by a situation when an individual is trafficked by family members, for instance, an intimate partner, parents, or sibling; domestic violence often happens (Cody, 2017). Furthermore, domestic violence can be a push factor that causes a person becomes vulnerable to be trafficked (UNICEF, 2017).

Community determinants:

- **Cultural context and social norm**

Cultural context and social norm are not only a push factor of human trafficking, but also an obstacle for victims to access to get assistances. The culture in helping families and responsibilities for families facilitate human trafficking and victims are submissive from this belief. For example, a Cambodian sex trafficked victim denied to get help from a practitioner as she is afraid in losing an opportunity to gain money to help her families (Chesnay, 2003). In the Southern part of North-East region in Thailand, many villagers also hold a value in having Western husbands to pursue better lives and get social recognition as there is an assumption that “Western” are superior and wealthier than “Eastern” (Hongthong, 2013). In an African context, spiritual belief plays a significant factor in turning victims away from getting assistance from exploitation. Victims believe that themselves and their families could become victims of supernatural harm if they broke their debt contracts (Finnish Immigration Report, 2015). Furthermore, in South-East Asia society, women are tended to be placed lower social status than men in families, community, and society, these social norms contribute to put women at risk in being trafficked (Perry and MeEwing, 2013).



Source: Homestaybaanbosuak/ เสน่ห์บ้านวันนี้/ วิถีตากล้อง
https://web.facebook.com/homestaybaanbosuak/?_rdc=1&_rdr

- **Social Stigmatization**

Social stigmatization often occurs to trafficked victims especially those who are women. Stigma generally attaches which women trafficked for sexual exploitation (IOM, 2006). A case of victim in West Bengal, India reveals that victims face a “social boycott” of her and her family by community. This leads to psychological health and also impacts victims to be self-stigmatized (Gupta, 2017). In South Sudan, social stigma and fear of punishment also discourage victims of trafficking from reporting the crimes and seeking assistances (Petry, 2021).

Social and Political determinants

- **Policies, laws and enforcement**

Key challenge of human trafficking is enforcement. International and national levels have been enacted specific legislation to address human trafficking and modern slavery. For example, The United Nations Convention against Transnational Organized Crime, adopted by General Assembly resolution 55/25 of 15 November 2000, is the main international instrument in fighting against transnational organized crime. Subsequent protocol relating to anti-human trafficking also stipulates, for instance, Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, the Protocol against the Smuggling of Migrants by Land, Sea and Air; and the Protocol against the Illicit Manufacturing of and Trafficking in Firearms. These international agreements portray the way in which global community agrees to tackle human trafficking. Nevertheless, limited enforcement of the existing laws which have the potential to discourage and punish traffickers has been found across literature, especially in South East Asia (Perry and MeEwing, 2012). For example, traffickers may operate relatively easily in trafficking without punishment because of an absence of labor inspections, law enforcement and social control (UNODC, 2020).

- **Globalization**

Globalization is the process of an integration of global economy marked especially by free trade, free flow of capital, and labor markets across nation-state boundaries (Brewer, 2008). Due to globalization, the transfer of people both voluntary and coerced is becoming more widespread which associates with demand and migration.



Source: Sob Khun Story, https://web.facebook.com/SobkhunStory/?_rdc=1&rdi



Source: Sob Khun Story, https://web.facebook.com/SobkhunStory/?_rdc=1&rdi

- **Demand**

A demand of destination countries for cheap and free labor contributes to the trafficked trajectories. Demand can be a push factor and pull factor. For the push factor, demanding of families to earn more money push women to be a trafficked victim, for example, in Edo State women are pushed to earn money for their families through abusive sex work (Finnish Migration Report, 2015). For the pull factor, evidence across literature shows that high income countries have an extensive demand for cheap labor in insecure and informal service sectors, for instance, domestic work, factory work and prostitution (Belser, 2005; IOM, 2019).

- **Migration**

The flow of migration and human trafficking are interrelated. Migration usually occurs from lower economic origin to wealthier destination. UNODC (2016) reports that approximately 60 percent are international migrants who have moved from one country to another. The aim to migrant is to seeking better lives, for example, decent employment, educational options, security. In many cases, peoples are forced to migrate because of conflict and natural disasters. These are push determinant of the movement of people. The flow of migration can lead to being a prey of human trafficking. Criminals exploit the migration desire to generate massive profits from the exploitation of victims, especially those who are vulnerable, for example, those who have lower education, ethnic minorities, women and children. They are at risk for manipulation by traffickers (UNODC, 2014; Perry and MeEwing, 2013).

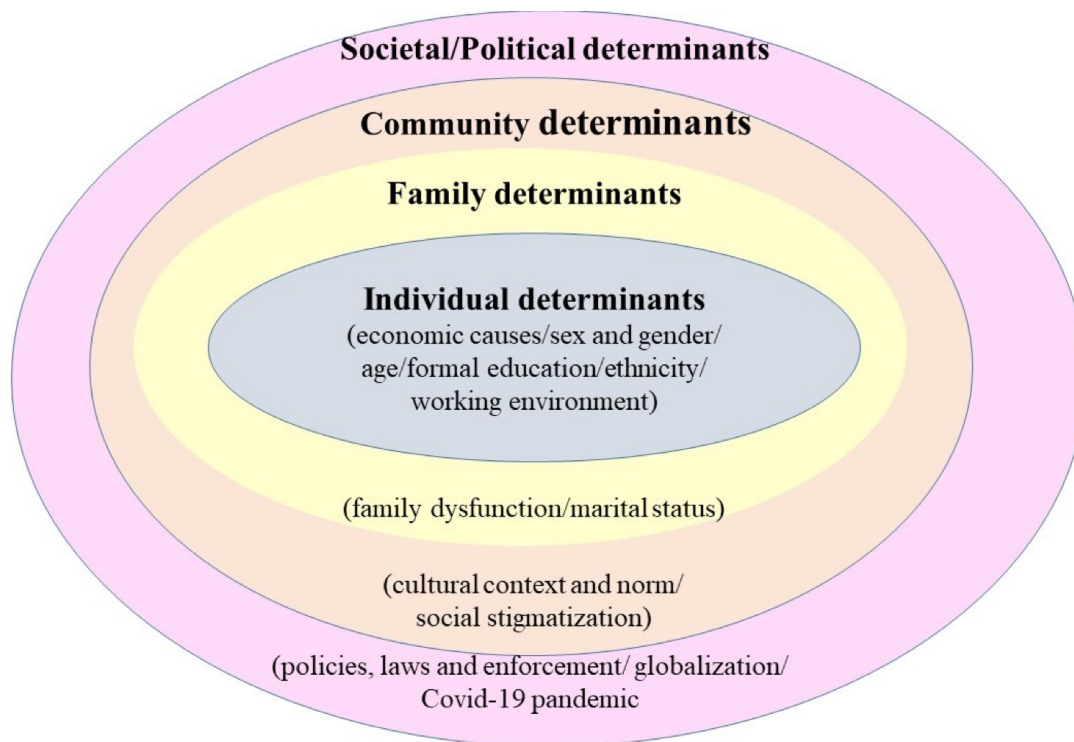
- **COVID-19 pandemic and human trafficking**

The outbreak of COVID-19 pushes people into vulnerable situation. The World Bank declared that the COVID-19 outbreak will be affecting approximately 40-60 million people into extreme poverty (World Bank, 2020). Furthermore, ILO (2020) estimates that 1.25 billion workers representing approximately thirty-eight percent of the global workforce are employed in sectors that are facing a severe decline and being a high-risk sector including retail trade, accommodation and food services, and manufacturing. They are in a risk of layoffs and reductions in wages and working hours. These workers are also at risking into vulnerable situations including human trafficking. In addition, school closure due to COVID-19 could increase the potential for child exploitation. Traffickers might take this situation to expand to new forms of abuse, for example, online or livestreamed exploitation (Giammarinaro, 2020). Restricted to people to gain income, vulnerable groups might be lured into human trafficked cycle, for example, sex trafficking. Due to economic downturn, social services may be limited and financial support to civil society working for survivors of human trafficking may be reduced grant and donation (Giammarinaro, 2020).

- **Interconnection of among social determinants**

Key social determinants discussed above can be differentiated based on the social-ecological model which focusing on individual, relationship, community, and societal determinants. However, this study adapted the model by classifying the social determinants as individual, family community, and social and political determinants as shown below:

Figure 5: Key social determinants adapted from the social-ecological model



Source: Adapted from NHTTAC, 2020

However, these social determinants are not distinct, but they are interrelated and interconnected. For example, individual determinants such as poverty links to the distribution and allocation of resource which based on societal and political determinants such as policies of government in eradication of poverty. Poverty tends to place an individual at a higher risk of trafficking. Furthermore, community determinants can be linked with how to prevent and surveillance individual from being trafficked persons, by increasing awareness. This also relates to relationship among family and community members to interact. In addition, societal and political determinants, for example, law enforcement and support services, and judicial system can lessen the number of individuals in experiencing trafficking (NHTTAC 2020).

3.3 Sense of Community and Community Participation:

A sense of community defines by McMillan & Chavis[7] (1986) as “a feeling that members have of belonging, a feeling that members matter to one another and to the group, and a shared faith that members’ needs will be met through their commitment to be together”. A sense of community comprises of four elements which are “membership, influence, reinforcement integration of fulfillment needs, and shared emotional connection”[8] (Stewart, 2016, Byrne, 2014).

[7] McMillan, D.W., & Chavis, D.M. (1986). Sense of community: A definition and theory. *Journal of Community Psychology*, 14(1), 6-23.

[8] Stewart, Martha. Sense of Community [online]., *Psyched for Social Justice*. Posted on 17 October 2016. Available from : <http://www.blogs.uml.edu> [2021, April 17].

Membership often refers to sense of belonging in a particular community, while a person has a personal connection, a sense of emotional safety, being recognized and accepted. **Influence** always refer to when you are making a difference and having an influence on other members of the community, these also includes a rights to offer one's opinion about what happens in and around your community, and having a closeness to other members. **Reinforcement integration of fulfillment needs** defines as a mutual satisfaction between yourself and community; such as a community has something that you want, while you have something that the community offers. One can feel that s/he were respected for that s/he has offered and s/he should respect what others have offered in the community. **Share emotional connection** refers to a common connection that brings people connecting to each other.

- **Solidarity**

With reference to Durkheim (1893) on the solidarity discourse, he refers to the types of solidarity that had correlation with types of society, either mechanical or organic society. Mechanical solidarity shows its cohesion and integration that comes from the homogeneity of individuals; people feel connected through similar work, lifestyle, etc., it regularly operates in traditional and small-scale societies. While organic solidarity refers to a social cohesion which based upon the interdependence that arises between people from the 'specialization of work and complementarianism' as result of modern societies. Though individuals perform different tasks and often have different interests and values, the society depends on their reliance on each other to perform their specific tasks.

- **Community participation**

With reference to Wilcox[9] (1994), he referred to a summary of a new Guide to Effective Participation, which included a comprehensive framework for involvement, empowerment and partnership. There were ten keys ideas related to participation;

- I. **Level of participation**, which includes

- Information: informing people what is planned,
- Consultation: offering some options, listening to feedback, but not allowing new ideas,
- Deciding together: encouraging additional options and ideas, and providing opportunities for joint decision making,
- Acting together: make decision together, and form a partnership to carry out
- Supporting independent community interests: local groups or organizations offered funds, advice, or other support to develop their own agendas within guidelines.

- II. **Initiation and process**, this idea refers to the stage where participation just initiated then manages a process overtime, and allows others involved more or less control over what happens. The four phases that involved in the process includes; initiation, preparation, participation and continuation.

- III. **Control**, the initiator is in a position where s/he decides how much or how little control that the others can have.

[9] Wilcox, David. Community participation and empowerment: putting theory into practice [online]., RRA Notes (1994), Issue 21, pp.78-82, IIED London. Available from : <http://www.pubs.iied.org> [2021, April 12].

IV. Power and Purpose, Wilcox stated that in order to understand participation, one should understand ‘power’, which referred to the ability of the different interests to achieve what they want. Power always depend upon who has information and money, which also includes people’s confidence and skills.

V. Role of the practitioner, is only existed when planning or managing participation processes, since practitioners control much of what happens in the community.

VI. Stakeholders and community, when referred to the community, it often masks a complex range of interests, many will have different priorities. Some may wish to involve since initiative stage while the others may not.

VII. Partnership, it will be very useful when a number of different interests are willingly come together in order to achieve some common purposes. The partners do not need to have equal in skills, funds or even confidence, but they do have to trust each other and share some commitment, and it is a time consuming.

VIII. Commitment, normally people are committed when they want to achieve something and care about what they are interested.

IX. Ownership of ideas, regularly people are committed on things that they have a stake in the idea. In practice, having brainstorming can assist people being part of the ideas ownership.

X. Confidence and capacity, the ability to transform ideas into practice depends on people’s confidence and skills. People need capacity building to develop skills and confidence and building trust in each other.

3.4 The Theory of Partnership:

The definitions of partnership (McQuaid, 2000) [10] refers to several assumptions that underlying the definitions. First, it refers to a synergy of some forms, while the others refer to the involvement of both development and delivery of strategy or a set of projects or operations. However, each stakeholder might not be equally involved in all stages. Partnership involves cooperation, stakeholders should work and act together.

Bridging the human trafficking issue with partnership:

With reference to SDG 5 [11]: Achieve gender equality and empower all women and girls, also refers to its sub-goal on “5.2 Eliminate all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation”, while SDG 17 refers to strengthen the means of implementation and revitalize the Global Partnership for Sustainable Development with specific sub-goal that focusing on ‘multi-stakeholder partnerships’; to enhance the global partnership for sustainable development, complemented by multi-stakeholder partnerships that mobilize and share knowledge, expertise, technology and financial resources, to support the achievement of -

[10] McQuaid, R.W. (2000). “The Theory of Partnerships – Why have Partnerships”, in S.P. Osborne (ed.), *Managing public-private partnerships for public services: an international perspective* (Routledge, London) pp.9-35.

[11] United Nations. (2016). “Report of the Inter-Agency and Expert Group on Sustainable Development Goal Indicators”[online] (E.CN.3/2016/2/Rev.1). Available from <http://sustainabledevelopment.un.org>

the SDGs in all countries, in particular in developing countries (17.16), and also to encourage and promote effective public, public-private and civil society partnerships, building on the experience and resourcing strategies of partnerships (17.17).

Furthermore, one of the SDG17's sub-goals also refers to data, monitoring and accountability, therefore, the issues of enhancing the capacity-building by 2020 to support and to increase significantly the availability of high-quality, timely and reliable data disaggregated by income, gender, age, race, ethnicity, migratory status, disability, geographic location and other characteristics relevant in national contexts also emphasized (17.18).

Community Development [12]

is a “systematic approach to building social capital, sustainable communities, community networking, business and community partnerships”.

It is a “fundamental requisite to progress toward strong social, environmental and economic sustainability for the city, and it can positively shape the future through connected efforts and sharing responsibility with individuals, organizations, businesses and all levels of government. Community development framework comprises of people, place, participation and partnerships”.

→ **People:** providing opportunities that promote an active, accessible, and inclusive community that provides social, economic, educational, sporting, recreational and cultural opportunities for families and individuals to endure they feel connected, safe and supported within the community. (factors: strong, diverse and inclusive community, honoring and celebrating our cultural heritage and identity, foster community safety, support community driven initiatives, and support community leadership)

→ **Place:** Support local area development that creates livable gathering places for people to meet and engage in work, social or recreational activities, be their towns, neighborhoods or the city center (factors: engendering and build a sense of pride and belonging, fostering active, healthy and connected communities, dynamic services, facilities, and events).

→ **Participation:** Developing responsive consultation and engagement that facilitates and enables community to be active in decision making processes both locally and more broadly, regarding issues that affect them in the realms of environment, social health and economic prosperity (supporting community participation in decision making through best practice community engagement, establish learning communities, community participation and recognition, sustainable community groups)

→ **Partnerships:** development of leading edge partnerships between all levels of government, the private and not for profit sectors that deliver innovative solutions to complex needs and issues in conjunction with the community (strong regional relationships and partnerships, integrated approaches across sectors and effective advocacy on behalf of the community).

[12] Australia. Greater Shepparton. “Community Development Framework”[online]. October 2010. Available from <http://greatershepparton.com.au>

4.Context: Thailand

4.1 Human Trafficking, Exploitation, and Modern Slavery's Related Law and Legislation:

- **Human Trafficking**

Human trafficking, or trafficking in persons (TIP), is a heinous and widespread crime occurring around the world in nearly every society. It is considered to be a form of modern-day slavery that causes suffering to victims who are treated as badly as slaves were in the past. The majority of human trafficking crimes are transnational and most of them involve, are operated or are controlled by organized criminal groups, in accordance with the UN's definition of organized criminal groups provided in the UN Convention against Transnational Organized Crime or the Palermo Convention (Roujanavong, 2012).

The Universal Declaration of Human Rights specifies that “No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.” [13] While slavery and the slave trade were the subject of treaties throughout the nineteenth century, it was not until 1926, with the adoption of the League of Nations Slavery Convention, [14] that an international legal definition of slavery was formally articulated. Article 1 of that instrument defines slavery as “the status or condition of a person over whom any or all of the powers attaching to the right of ownership are exercised.” The same instrument also called upon States to bring about “progressively and as soon as possible, the complete abolition of slavery in all its forms.” The term “powers attaching to the right of ownership” and the “forms” of slavery that were to be progressively abolished were not specified and the resulting ambiguity has regularly given rise to expansionist interpretations. However, a careful review of the relevant travaux préparatoires confirms that the phrase “slavery in all its forms” was not intended and does not operate to expand the definition beyond those practices involving the demonstrable exercise of powers attached to the right of ownership. The inclusion of “practices similar to slavery” is not explained in the Travaux Préparatoires but is a clear reference to the 1956 Supplementary Slavery Convention. That instrument does not define contemporary forms of slavery but rather prohibits a set of practices. Accordingly, it operates to incorporate into the concept of “exploitation” the following: Debt bondage, Serfdom, Servile forms of marriage, and Sale of children for exploitation (UNODC, 2015).

[13] Universal Declaration of Human Rights, article 4. Retrieved from <https://www.un.org/en/about-us/universal-declaration-of-human-rights>

[14] Convention to Suppress the Slave Trade and Slavery, 60 LNTS 253, done 25 September 1926, entered into force 9 March 1927 (Slavery Convention).

The “UNODC Model Law against Trafficking in Persons” offers the following definition of slavery: “Slavery” shall mean the status or condition of a person over whom any or all the powers attaching to the right of ownership are exercised; or “Slavery” shall mean the status or condition of a person over whom control is exercised to the extent that the person is treated like property. [15] The definition in the Slavery Convention may cause some difficulties today, as there could be no rights of ownership for one person over another. In order to solve this difficulty, an alternative definition is included here, which instead requires that the person is “treated like property”. Another definition of slavery, which focuses on the core of the crime — that is, the objectification of human beings — is “reducing a person to a status or condition in which any or all of the powers attaching to the right of property are exercised”.

On the Practices similar to slavery, the “UNODC Model Law against Trafficking in Persons” offers the following definition of practices similar to slavery: “Practices similar to slavery” shall include debt bondage, serfdom, servile forms of marriage and the exploitation of children and adolescents. The Supplementary Convention on the Abolition of Slavery does not contain a definition, but specifically prohibits debt bondage, serfdom, servile forms of marriage and the exploitation of children and adolescents. Moreover, another definition could be: “Practices similar to slavery shall mean the economic exploitation of another person on the basis of an actual relationship of dependency or coercion, in combination with a serious and far-reaching deprivation of fundamental civil rights, and shall include debt bondage, serfdom, forced or servile marriages and the exploitation of children and adolescents” (UNODC, 2015).

However, the existing legal understandings of servitude, ‘practices similar to slavery’ and ‘exploitation of prostitution’ are directly relevant to interpreting their substantive content within the context of the Protocol: While none of these three concepts is subject to clear international legal definition, there does exist a general understanding at law as to their substantive scope and content. The term ‘practices similar to slavery’ encompasses debt bondage, sale of children for exploitation, serfdom and servile forms of marriage, which have all been defined in international law. Definitions of these forms of exploitation are applicable to their use in the Trafficking in Persons Protocol. Servitude entails these four practices and additionally includes egregious exploitation of one person over another that is in the nature of slavery but does not reach that very high threshold of slavery. It is important to note that the Protocol does not equate prostitution with trafficking. For prostitution involving adults to fall within the definition of trafficking all three definitional elements (act, means and purpose). The relevant ‘purpose’ is ‘exploitation of prostitution’. This term refers not to prostitution per se but rather, to deriving some benefit from the prostitution of another person (UNODC, 2015).

[15] Derived from Slavery Convention of 1926 as amended by the 1952 Protocol, article 1, paragraph 1.

Slavery is defined in international law and there are agreed international legal understandings as to the practices that fall within ‘practices similar to slavery’ and ‘servitude’. Most States surveyed have included these forms of exploitation within their list of stipulated purposes of trafficking. Some have attached definitions to these terms but most have not. Some States have Court practice concerning trafficking cases with slavery and practices similar to slavery and servitude as the exploitative element. But in most States these purposes of trafficking appear to be of limited importance, remain inadequately understood, and are rarely prosecuted. Irrespective of whether the law included a specific definition, practitioners in most States were able to point to slavery as being qualitatively different to other forms of exploitation in embodying the idea of de facto ownership of one person over another. No State surveyed has provided a legislative definition of ‘practices similar to slavery’ and there is some indication that States do not understand well the scope and substantive content of this international legal prohibition. Practitioners were generally unclear on the distinction between slavery, practices similar to slavery and other stipulated forms of exploitation, most particularly forced labour (UNODC, 2015).

4.2 General Situation of Human Trafficking and Modern Slavery in Thailand

Thailand, a country in Southeast Asian, has a population of 66,181,982 people which 32,359,030 are male and 33,822,952 are female as of June 2021 (Department of Provincial Administration, 2021)[16]. The US Trafficking in Persons Report describes Thailand as a source, destination, and transit country for men, women, and children subjected to forced labour and sex trafficking. Thailand attracts a great number of illegal migrants from poorer, neighbouring countries who are trafficked to the country (Ninsri, 2008)[17]. U.S. State Department's Office to Monitor and Combat Trafficking in placed the country in “Tier 2” in 2020 as The Government of Thailand does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore, Thailand is currently on Tier 2 Watch List. In 2020, the Thai government reported investigating 132 potential trafficking cases (288 in 2019), initiating prosecutions of 302 suspected traffickers (386 in 2019), and convicting 233 traffickers (304 in 2019). Courts sentenced approximately 76 percent of convicted traffickers to two or more years of imprisonment. On the protection of victim, the Thai government identified 230 trafficking victims in 2020, compared with approximately 868 victims identified in 2019, and 631 in 2018. (Trafficking in Persons Report, 2021)[18].

[16] Department of Provincial Administration (DOPA), Ministry of Interior. Retrieved from https://stat.bora.dopa.go.th/new_stat/webPage/statByAgeMonth.php on 12 September 2021.

[17] Son Ninsri, Thailand's Anti-Trafficking in Persons Act B.E.2551 (2008): A New Development in Human Rights Protection and Justice, Naresuan University and Center for Peace and Reconciliation Studies, Coventry University. In *Factis Pax* Volume 2, November 2, 2008: Special Issue: Proceedings of the International Institute on Peace Education (IIPE) — “Critical Pedagogy: Educating for Justice and Peace.”, 2008. http://www.infactispax.org/Volume_special_IIPE/Ninsri.pdf

[18] US Department of State (2021), Trafficking in Persons Report 2021, US Department of State, Washington, DC. <https://www.state.gov/reports/2021-trafficking-in-persons-report/thailand/>

The pattern of human trafficking in Thailand resulting in abuse and sex exploitation and forced labor of Thai, Myanmar, Cambodian and Vietnamese children in Thailand or in foreign owned fishing boats; Child labor: children are submitted to exhausting hours of work (18 to 20 hours a day) in degrading conditions (no adequate water, food or medical supplies) through debt-based coercion; and exploitation of migrant workers by labor traffickers in the poultry industry, manufacturing, and agriculture and domestic work.

On combatting human trafficking, Thailand ratified the UN Convention on Transnational Organized Crime (TOC) and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, known as the Palermo Protocol, in 2013 which defines 'Trafficking in persons' and also marks the milestone for Thailand in its efforts to fight against transnational organized crimes. Thailand has enacted numbers of legal tools to ensure effective compliance and cooperation under the aforementioned Convention and its supplementing Protocol; – the Prevention and Suppression of Trafficking in Persons Act 2008 (Amendment in 2015, 2017 and 2019), the Penal Code, the Criminal Procedure Code, the Child Protection Act, the Prevention and Suppression of Prostitution Act, the Anti-Money Laundering Act, the Witness Protection Act, the Labor Protection Act, the Extradition Act and the International Cooperation in Criminal Matters Act. Also, the Thai law protected victims from prosecution for unlawful acts that their traffickers compelled them to commit.

4.3 Human trafficking and modern slavery in Thailand: Legal Framework

Thailand has campaigned against the use of child labour and forced labour, and has passed Penal Code punishing those who use child or forced labour, and Anti-Trafficking in Persons Act B.E. 2551 (2008) prohibiting human trafficking. Thailand has been facing critical problems of human rights abuse, especially on human trafficking and labour exploitation for years especially during 2005 to 2015. At present, the Thai domestic laws that can deal with these issues are the Criminal Codes and the Anti-Human-trafficking Act B.E. 2551 (2008), and the punishments stated in these laws are not proportional to the severity of the crime. Furthermore, in Thailand, human rights abuses include not only enslavement but also other inhumane acts, which in some cases, are not protected by the Criminal Codes and the Human-trafficking Act B.E. 2551. This situation has made it difficult to bring the perpetrators to justice (Likhitwitayawuid, 2017).

The United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (Trafficking in Persons Protocol) is considered to be “the principal, legally binding global instrument to combat trafficking in persons.” It defines trafficking in persons as constituting three elements:

- (i) an “**action**”, being recruitment, transportation, transfer, harbouring or receipt of persons;
- (ii) a “**means**” by which that action is achieved (threat or use of force or other forms of coercion, abduction, fraud, deception, abuse of power or a position of vulnerability, and the giving or receiving of payments or benefits to achieve consent of a person having control over another person); and
- (iii) a “**purpose**” (of the action / means): namely, exploitation, which is defined to include, at a minimum, “the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs”.

All three elements must be present to constitute ‘trafficking in persons’ except in relation to trafficking of children for which the ‘means’ element is not required. The consent of a victim in trafficking is specified as irrelevant when any of the stipulated ‘means’ are used.

As well as the Anti-Trafficking in Persons Act (B.E. 2551/2008), the offence of human trafficking involves three elements:

1. The action of procuring, buying, selling, vending, bringing from or sending to, detaining or confining, harbouring, or receiving any person;
2. By means of the threat or use of force, abduction, fraud, deception, abuse of power, or of the giving of payments or benefits to achieve the consent of a person;
3. For the purpose of having control over another person for exploitation.

Where trafficking involves children (a person under the age of 18), the second element of the offence is not relevant because a child cannot provide consent.

In addition to this aforementioned Act, there are several other legislations which criminalise human trafficking activities and offences, including:

- Labour Protection Act (2008)
- Child Protection Act (2003)
- Anti-Money Laundering Act (1999)
- Penal Code Amendment Act (1997)
- Criminal Procedure Amendment Act (1997)
- Prevention and Suppression of Prostitution Act (1996)
- Amendments to the Securities and Exchange Act (1992), and
- Immigration Act (1979).

These laws allow for serious penalties for individuals found guilty of charges relating to prostitution, exploitative labour, forced begging and other inhumane acts.

Below are key legal instruments, agreements and guidelines which also relate to anti-human trafficking in Thailand;

- Memorandum of Understanding between the Government of Thailand and the Government of Myanmar on Cooperation to Combat Trafficking in Persons, especially Women and Children (2009).
- Agreement between the Government of Thailand and the Government of Vietnam on Bilateral Cooperation for Eliminating Trafficking in Persons, especially Women and Children and Assisting Victims of Trafficking (2008).
- Memorandum of Understanding between the Government of Thailand and the Government of the Lao People's Democratic Republic on Cooperation to Combat Trafficking in Persons, especially Women and Children (2005).
- Coordinated Mekong Ministerial Initiative Against Trafficking (COMMIT) Memorandum of Understanding on Cooperation Against Trafficking in Persons in the Greater Mekong Sub-region (2004).
- Memorandum of Understanding between the Government of Thailand and the Government of Cambodia on Bilateral Cooperation for Eliminating Trafficking in Children and Women and Assisting Victims of Trafficking (2003).
- National memoranda of understanding relating to trafficking in women and children which contain common guidelines for government, and nongovernment counter trafficking organisations in Thailand on how to work together to combat human trafficking.
- Regional memoranda of understanding relating to trafficking in multiple provinces in Thailand, which contain the operational procedures for victim rescue and assistance.
- Operational Guidelines on the Prevention, Suppression, Assistance and Protection of Trafficked Persons for Labour Purposes, which lists procedures for labour officials to follow when they are dealing with human trafficking cases.
- The National Policy Strategies and Measures to Prevent and Suppress Trafficking in Persons (2017-2022) following on from the National Policy Strategies and Measures to Prevent and Suppress Trafficking in Persons (2011-2016) and National Policy and Plan on Prevention, Suppression and Combating of Domestic and Transnational Trafficking in Children and Women (2005-2010).
- National Policy and Plan to Eliminate the Worst Forms of Child Labour (2009-2015).
- On 4 June 2018, Thailand deposited the instrument of ratification of the Protocol of 2014 to the Forced Labour Convention, thereby becoming the 24th country worldwide and the first in Asia to ratify the instrument. The Protocol, adopted by an overwhelming majority by the International Labour Conference in 2014, reinforces the international legal framework for combating all forms of forced labour, including trafficking in persons, and calls on ratifying States to take measures to prevent forced labour, protect victims and ensure their access to remedies and compensation.

Table 3: Main elements of Modern Slavery and Human Trafficking

Elements	The United Kingdom	Thailand
Legislations	The Modern Slavery Act 2015	The Anti-Trafficking in Persons Act B.E. 2551 (2008) <ul style="list-style-type: none"> • 1st Amendment of the Anti-Trafficking in Persons Act B.E. 2558 (2015) • 2nd Amendment of the Anti-Trafficking in Persons Act B.E. 2560 (2017) • Emergency Decree Amending the Anti-Human Trafficking Act, B.E. 2551 (2008)/ 2562 (2019),
	Modern slavery encompasses <ul style="list-style-type: none"> ➢ human trafficking ➢ slavery, servitude and forced or compulsory labour 	
Human Trafficking		
Action	recruitment, transportation, transfer, harbouring or receipt, which includes an element of movement whether national or cross-border	procuring, buying, selling, vending, bringing from or sending to, detaining or confining, harbouring, or receipt of any person (Article 6)
Means	<ul style="list-style-type: none"> - the threat or use of force - abduction - fraud - deception - the abuse of power or of a position of vulnerability - the giving or receiving of payments or benefits - physical coercion - psychological coercion 	<ul style="list-style-type: none"> - threat or use of force, - abduction - fraud - deception - abuse of power - giving money or benefits to a guardian or caretaker of the person to achieve the consent of the guardian or caretaker of such person to allow the offender to exploit the person under his or her control - intimidation, use of force, or any other means causing such person to be in a state of being unable to resist.

Elements	The United Kingdom	Thailand
Purpose of exploitation	- sexual exploitation - forced labour or domestic servitude, slavery, or practices similar to slavery - financial exploitation - removal of organs (also known as organ harvesting) - forced criminality	<p>“Exploitation” means seeking benefits from</p> <ul style="list-style-type: none"> ➤ the prostitution ➤ production or distribution of pornographic materials ➤ other forms of sexual exploitation ➤ Slavery ➤ causing another person to be a beggar ➤ forced labour or service ➤ coerced removal of organs for the purpose of trade ➤ or any other similar practices resulting in forced extortion, regardless of such person’s consent. <p>“Forced labour or service” means compelling the other person to work or provide service by putting such person in fear of injury to life, body, liberty, reputation or property, of such person or another person, by means of intimidation, use of force, or any other means causing such person to be in a state of being unable to resist.</p>

The concept of modern slavery and human trafficking are interrelated and encompassed each other. In the U.K., the Statutory Guidance for England and Wales (under s49 of the Modern Slavery Act 2015) and Non-Statutory Guidance for Scotland and Northern Ireland under the Modern Slavery Act 2015 adopts “modern slavery” as a term in the official documents and provides a definition of modern slavery into two forms. These forms cover human trafficking; and slavery, servitude and forced or compulsory labour. For Thailand, according to the Anti-Trafficking in Persons Act B.E 2551 (2008), the law adopts the term “human trafficking” and includes slavery as one form of exploitation.

• **Forced Labour**

Although each country has developed laws related to human trafficking, International Labour Organization addressing the legal gaps in the laws of countries that in compliance with international law on human trafficking. Some countries do not have a clear distinction between human trafficking, illegal smuggling of immigrants and immigration laws. Some countries use enslavement or similar laws in human trafficking to prosecute. Smuggling is different from human trafficking which is considered moving people across the country's borders to make profit from the movement rather than for the purpose of exploitation (Cheevapanich, 2006). Prior to 2019, Thailand had no statutory provisions defining offenses and measures to protect victims of forced labour, so there was difficulty on preventing and resolving forced labour's problems which is effectively part of the exploitation of human trafficking offenses. In addition, Thailand has ratified Convention Concerning Forced or Compulsory Labour on 26 February 1969 which committed that member states accept to operate and suppress all forms of forced labour and then has ratified Force Labour Protocol 2014 on 4 June 2018 which is the first country in Asia that ratifying this protocol.

Forced labour is work that is coerced or “not voluntarily engaged in” by the worker. In some cases, a person may apply for a job directly by themselves, but then become a victim of human trafficking afterward by being forced to perform work that they did not consent to. The situation becomes coercive when there is threat of harm if the work is not performed, or the threat that the employer will not enable the worker to return home, or the employer confiscates the worker's passport to prevent the worker from fleeing, physically abusing other workers as a warning to a reluctant employee, or withholding of wages or paying a fraction of the agreed wages as a form of bondage to pressure the worker to stay on the job. The three components of forced labour or services apply to a situation in which the worker does not have freedom of choice whether to perform the labour or not, but is compelled to perform the labour because they are in a coercive situation. In determining whether forced labour is a form of human trafficking, the screener needs to understand the distinction between permissible labour practices in accordance with the Labour Protection Act, and forced labour which constitutes human trafficking (Wongkiatpaisan, 2015). Moreover, The Royal Thai Government enacted Labour Protection in Fisheries Act B.E. 2562 (2019), effective on 18 November 2019, to support the implementation of ILO Convention No. 188 on Work in Fishing. The Act specifies duties of vessel owners and maritime labours to meet international standards in order to prevent forced labours in fisheries and protect the rights of fishery labours, whose working conditions differ from those of general labours because of risks at sea and long working hours. In addition, the Ministry of Labour (MOL) and related government agencies have enacted 9 secondary laws and guidelines to support the implementation of the Act under close consultation with ILO and the tripartite.

On the Anti-Human Trafficking relates to labour trafficking, The Article 4 of the Anti-Trafficking in Persons Act B.E. 2551 defines “forced labour or services” as compelling the other person to work or provide service such person in fear of injury to life, body, liberty, reputation or property, of such person or another person, by mean of intimidation, use of force, or any other means causing such person to be in a state of being unable to resist. When probing more deeply, the meaning of “forced labour or services” has three components:

- There is a perpetrator who exploits another person in order to extract labour or services;
- There is a victim who is fearful of being harmed or placing others or property in danger;
- There is a method of coercion by threat of harm to life, body, freedom, reputation, or property of the victim or related person(s); threats of any kind are those which include threat of violence or placing the victim in a situation which they cannot refuse, and these are considered punishable offenses under the Criminal Code.

Table 4: The Difference between Decent Work and Forced Labor

Differences between Decent Work and Forced Labor

Decent Work	Forced Labor
<ul style="list-style-type: none"> ➤ The worker has the freedom to decide by themselves what work they do, free of deceit, coercion or force. ➤ The employer has authority and control over the employee only during the limited scope and duration of the work hours. ➤ The conditions of the work do not violate labor law. ➤ Punishment is conducted in an orderly way, and the amount of punishment is fair and does not harm life, body, or freedom, and does not violate the terms of the employment or the law. ➤ The worker has the freedom to resign from their job at will. 	<ul style="list-style-type: none"> ➤ The worker does not have the freedom to choose the work they do, or are deceived or denied access to information about the work, or are in a coercive situation where they have to perform work involuntarily. ➤ The worker is forced to work under threat or use of violence, or deprived of rights and freedom without due cause. The worker is not able to lead an independent life, and must exist under the authority of another. ➤ The terms and conditions of the work violate the law. This may apply to confiscation of the worker’s passport by the employer, confiscation of wages, pressure or prevention of the worker from contacting others outside the workplace, forcing the worker to work very long hours or without days off, withholding wages or compensation, paying inappropriate wages or compensation, or paying only a fraction of the agreed wages. ➤ The punishment of the worker violates the law. There is control and punishment by use of threats or harm to the worker’s physical or mental status, or the worker’s freedom is restricted. ➤ The employer alone determines whether a worker can resign or not.

Source: Handbook on Prevention and Suppression of Human Trafficking in Labor. Foundation for Child Protection. First printing, 2012, pp 59-60

In addition, the Thai Government enacted Emergency Decree Amending the Anti-Human Trafficking Act, B.E. 2551 (2008) / 2562 (2019), effective on 8 April 2019, to support the implementation of Protocol to ILO Convention No. 29 on Forced Labour. The decree defines offenses concerning forced labour or service and sets appropriate penalty to deter and eliminate forced labour and service. It also provides measures to protect the welfare of victims of forced labour and ensures that trial procedure is in line with human rights principles. This has resulted in better victim care and protection as well as remedies equivalent to those rendered to human trafficking victims (Royal Thai Government, 2020).

4.4 Trafficking in Person (TIP) in the Forms of Forced Labour and Slavery

The victims of trafficking in the category of forced labour or services and slavery or practices similar to slavery are often considered illegal economic migrants. There are more than two million illegal migrants in Thailand. Some illegal economic migrants become victims of human trafficking. Most of these victims are men and women living in poverty in rural areas and look forward to finding a well-paying job in an urban area or in a foreign country. The majority of them have low education and lack the skills required by well-paying jobs. When the traffickers offer them a well-paying job in other countries, providing false information about the income and/or conditions of work, the victims ignorantly accept and do whatever the traffickers tell them. When they cross the border, some victims are sent to factories with high walls and locked gates and some are sent to farms. The factory or farm owners who paid the traffickers to smuggle them then deduct the amount paid from the salary earned by the workers. These factories or farms are often unhygienic and require hard labour that very few local people would accept. During the initial stage, the workers are prohibited from leaving the workplace and, in some cases, are detained within the factories or farms until the amount paid to the traffickers is fully deducted. Even after this repayment, the workers receive less than the minimum wage set forth in the labour laws and regulations. These illegal immigrants end up underpaid and work long hours with deficient sanitation and inhumane living conditions. Besides factories or farms, the massive fishing industry in Thailand employs many foreign migrants (both legal and illegal migrants) as part of ships' crews. It is an honest business like other industries and most of them are good employers who hire migrants with good pay and fair work conditions. However, a few greedy owners of fishing trawlers exploit illegal migrants. The victims of this form of trafficking comprise quite a small minority of the several hundred thousand foreign workers who worked willingly in the fishing industry. Additionally, they are considered to be illegal economic migrants, not victims, until the facts concerning the exploitation are revealed to the authorities.

Another form of forced labour is domestic servitude. Many domestic servants are brought by the traffickers from their countries of origin to the countries of destination and delivered to the masters for a price. The majority of domestic workers receive fair treatment and pay. However, some domestic workers become victims of trafficking when they are exploited by their masters using violence, sexual assault or sexual harassment, or other illegal means. In some cases, the workers are not allowed to go out of the house or are violently abused, while receiving low wages for their work. In a case of trafficking for domestic servitude with violent exploitation, a 14-year-old girl was hired from a remote rural area in Thailand for domestic work in the house of the defendant. The victim was forced to do housework from 4.30 a.m. until midnight every day without adequate rest, food or wages. The victim was not allowed to leave the house. On various occasions, the female exploiter used violence against the victim by beating her on the head, back and knees with a wooden stool, stabbing her chest with an iron rod, and other means of violence which inflicted serious wounds, bruises and some severe bleeding on the victim. This exploiter was arrested and -

prosecuted. The exploiter was convicted and sentenced to nine years and 42 months of imprisonment and was ordered to pay compensation of THB200,000.- (approximately USD6,330. -) to the victim. The verdict was affirmed by the Appeal Court[19] (Roujanavong, 2012).

Although Thailand is a developing country, it is relatively more economically advanced than some of its neighbouring countries. Thus, many illegal immigrants from neighbouring countries have entered Thailand for better-paid jobs, or to escape from unrest within their own country. It is estimated that more than 2,000,000 illegal immigrants are in Thailand working in the construction sector, the fishing and seafood industries, factories, restaurants, and in houses as domestic workers. The majority of these migrant workers are Myanmar people and other ethnic minority groups from Myanmar. The methodologies used in smuggling illegal immigrants across the border into Thailand, in some cases, are dangerous. In many instances, the victims are hidden in a vehicle in order to avoid inspection by law enforcement officers at the border or along the travel routes. Several victims have died of suffocation due to being packed in cramped spaces, placed under heavy loads of goods, or put in an air-tight container with a malfunctioning air conditioner (Roujanavong, 2012).

Labour exploitation of illegal immigrants is another challenge for Thailand. The Thai government, for the purpose of regulating these illegal immigrants, allowed them to register as legal immigrants who could work legally for a fixed period of time. Up to November 2011, 1,248,413 from two million illegal immigrants, or around 60%, came out to register. The problem was the illegal immigrants did not want to pay THB2,000. - (approximately USD70.-) fee for medical examination, health insurance and registration. Some employers also did not want to pay this cost, because the illegal immigrants might move to another factory as soon as they obtained the working permits. The problem of forced labour stems from the fact that the owners of factories employing illegal immigrants have to pay brokers to smuggle these illegal immigrants into Thailand. The amount paid for smuggling is deducted from the salary of the immigrants. Some illegal immigrants, after working for a couple of days, changed their minds about working and ran away. To prevent illegal immigrants from escaping, some factory owners detained them in the factories until the smuggling debt was fully deducted. Upon complete payment, the owners then allowed them stay outside the factory and come to work during working hours. Such detention against their will was considered to be exploitation constituting a trafficking offence. The Ministry of Labour had been working hard to solve the problem of forced labour in factories, and the result so far is satisfactory. Several factory owners were arrested, prosecuted and convicted with severe penalty (Roujanavong, 2012).

[19] Public Prosecutor v. Wipaporn Songmeesap, Court of Appeals (Sarn Uthorn) No. 12213/2552 (6 Nov. 2009).

Besides factory work, labour exploitation of illegal immigrants in the fishing industry is much more complicated and is not easy to solve. Working in a fishing trawler is a hard work, physically and mentally, often in dangerous or unpredictable conditions. The labourers have no fixed working hours and have to work in the damp and limited space of the ship. It takes a great deal of endurance to get used to the difficult conditions of this kind of work. Due to the hardship faced, some fishing trawlers cannot find enough seamen to work on the boat, therefore, some owners applied every possible way to put the minimum number of workers on board to operate their trawlers. Each boat needs approximately 15–30 crew members depending on the type and size of the boat. Illegal immigrants are persuaded, brought, bought, lured, deceived or even kidnapped onto some fishing boats, departing before they can change their minds. Victims constitute a small minority among voluntary crew members who have been working for a long time in the fishing industry (Roujanavong, 2012).

Despite reduced growth of the industry over the last decade because of smaller catch sizes and higher fuel prices, the demand for labour has remained high. Meanwhile, the often difficult and dangerous working conditions, low remuneration, and length of time at sea, have discouraged potential workers from accepting work on fishing boats. This has created inefficiencies in the labour market and has led to the expansion of forced labour practices and human trafficking within the sector. Trafficking and exploitation of migrants in the commercial fishing industry is widely acknowledged to be a major human rights concern within Thailand. Despite increased legislative efforts in the form of the Anti-Trafficking in Persons Act passed in 2008 and the establishment of shelter facilities by the Ministry of Social Development and Human Security for male victims of trafficking. In 2013, news reports by the BBC and PBS highlighted the severe and largely uninterrupted exploitation occurring in the fishing sector. Although not as vulnerable as foreign migrants, Thai men who internally migrate for work were also trafficked into labour exploitation on Thai fishing boats. Thailand ratified the ILO conventions on forced labour and in 2012 the ILO Committee of Experts made an observation on the application of these conventions that raised specific concerns on the vulnerability of migrant workers in the Thai fishing industry (ILO, 2013).

Furthermore, a qualitative study by the Solidarity Center found within its sampling a high prevalence of such indicators of labour exploitation as excessive working hours, deceptive, unfair payment practices, and physical abuse. The stories recorded during the study of migrant workers being deceived and/or coerced, revealed that human trafficking for purpose of labour exploitation was regularly used for assisting the need of the labour demands of the Thai fishing industry, particularly for long-haul boats bound for Indonesian waters (Solidarity Center, 2009, referenced from ILO, 2013).

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A quantitative survey to identify the prevalence of human trafficking and forced labour among Myanmar migrants working in the seafood processing sector in Samut Sakhon was carried out by LPN and the Johns Hopkins School of Public Health in 2010. The survey results revealed that 33.6 per cent of these migrants had been trafficked and that 57.3 per cent had been subjected to forced labour (LPN and Johns Hopkins School of Public Health, 2011, p. 53, referenced from ILO, 2013).

The involvement of agents or brokers is a key element in the placing of migrants into exploitative situations, with such workers frequently being subjected to forms of debt bondage (Solidarity Center, 2009). The anecdotal estimates of LPN placed 80–90 per cent of Myanmar migrant workers in Samut Sakhon Province as being employed in debt bondage situations (UNIAP, 2007, referenced from ILO, 2013).

A study by the Mirror Foundation also revealed that the problems of human trafficking and forced labour in the fishing sector are not limited to foreign workers. Their study identified 83 cases of Thai nationals who were coerced or deceived into working on fishing boats for months or years at a time (Mirror Foundation, 2011, p. 40, referenced from ILO, 2013).

Overall, there are strong indications from previous research that that the cases of forced labour and human trafficking uncovered within the fishing sector are simply the tip of the iceberg in terms of the real prevalence of such abuses. As discussed further within section 2.7.3, major capacity gaps exist in victim identification activities by authorities, which currently limit the amount of empirical evidence available (ILO, 2013).

- **Case Study**

Since the Anti-Trafficking in Persons Act (B.E. 2551 / 2008) came into force, there has been more emphasis on forced labour and labour exploitation, particularly in the fishing industry, within the counter-trafficking sector. In the past, more attention was given to commercial sexual exploitation and child labour. Demand for cheap labour in unskilled sectors is met by migrant workers from neighbouring countries, particularly from Myanmar. The nature of labour migration to Thailand creates vulnerabilities for migrant workers who do not speak Thai and do not understand their rights under Thai law. Undocumented migrant workers are particularly vulnerable, and many fears being apprehended by the Thai authorities and/or deported, if they approach authorities for help. Lack of education, poverty and few employment opportunities within the home community also create vulnerability to trafficking.

A small proportion of victims of human trafficking are subject to other forms of sexual exploitation besides prostitution. For example, some girls are sold off to marry aging men for a period of time (six months to one year or more) for a considerable sum of money. These sexual exploiters pay money to the parents, or the traffickers, in the pretext of dowry. In actual fact, these girls are sent off to become sex slaves of those aging men (Roujanavong, 2012).

In August 2007, the Human Rights and Development Foundation (HRDF), led by human rights lawyer Somchai Homlaor, initiated a working group of Thai lawyers who have pursued cases of severe labour exploitation and trafficking. These lawyers have made remarkable advances in prosecuting human trafficking through various means with the existing Thai criminal and civil laws, which do not yet include anti-trafficking legislation in compliance with the Palermo Protocol. A prime example of such innovation is the first successful prosecution using the fifty-year-old anti-slavery legislation in Thailand in April 2007, led by lawyer Siriwan Vongkietpaisan. This case brought to justice a family who trafficked and brutally abused their Thai domestic servant. While some authorities originally interpreted the legislation to require the victim to have been literally chained to her work, this landmark case brought the court to judge that slavery does not require a victim to be kept in shackles. (UNIAP, 2008). The case of a 14-year-old housemaid who was kept in slave-like conditions where she was brutally beaten by her employer - a well-to-do Bangkok housewife - and suffered severe injuries. In 2007 the Criminal Court sentenced the employer to 12-and-a-half years of imprisonment. The provision of the anti-slavery law, which was incorporated into the Criminal Code since 1954, has never been used before. When Siriwan filed the anti-slavery case with the police, she was told straight to her face that slavery no longer exists. "We have no slavery in Thailand. It was abolished by King Rama V over a century ago," she quoted as one police officer saying. It is a standard practice for the court to rely on previous verdicts for their cases, she pointed out. Since the anti-slavery law has never been invoked, it makes the police and the public believe the problem no longer exists.

<http://www.bangkokpost.com/feature/people/39172/human-rights-heroine>

Child Labour: The Broker Case. In October 2013, police officers from the Anti-Trafficking in Persons Division successfully rescued 5 children of Laos nationality, all of whom had been forced to work in a pineapple field and in a street food stall in Prachuap Khiri Khan Province where Case results: Criminal case No. 9/2556, suspects and case dockets submitted to the prosecutor on 7 October 2013 and currently pending in the 99 they had been working for over 3 months without pay. The owner of the food stall was arrested and charged with the offence of trafficking in persons by using forced labour. All 5 children are now under the care of the Kredtrakarn Protection and Occupation Development Center. Further investigation has led to the arrest of two Thai male brokers in January 2014, while an arrest warrant has been issued for another suspect. It is also found that the two brokers engaged in facilitating illegal immigrants from Laos, who were later found to be victims in four criminal cases including, among others, a case concerning slave labour trafficking in which 9 victims were successfully rescued.

4.5 Smuggling and Trafficking of Rohingya

Research and statistical data which conducted following the launch of the Anti-Trafficking in Persons Act B.E. 2551, indicated that victims were mainly migrant sex workers, child beggars, and migrant sea fishers from Myanmar and Cambodia (Chantavanich, 2020). After 2012, new types of trafficking, including forced labour, migrant sea fishers, and child labour, emerged. The existing legal definition of trafficking became too rigid and inadequate to cope with new forms of exploitation. After its launch in 2008, Thailand TIP Act underwent two revisions; the first amended in 2015 and the second amendment in 2017. The first amendment includes protection of whistle-blower, addition of inspection in the workplace and vehicles for victim identification, lack of cooperation from the workplace and vehicles conductor shall lead to license suspension, increase of penalties, and reason for the amendment as stipulated in the law: to address the transnational characteristics of the crime and its complexity. To motivate whistle-blower to participate in the prevention with proper protection. The second amendment includes revision of the definition of exploitation and forced labour and services, increase penalties for crime against children under 19 years old, for perpetrators as juristic person and for higher compensation, and reason for the amendment as stipulated in the law: to address the severe magnitude of violence and complexity of the crime, to increase the efficiency of prevention and suppression by adding the clarity of definition of key terms, and to impose appropriate penalties. Therefore, Thailand's amended TIP Act contains a revised definition of exploitation to include practices similar to slavery. The amendment also expanded the definition of forced labour to include "seizure of identification documents and debt bondage" (Quinley, 2018).

The case of the Rohingya brought to light problems in the interpretation of 'exploitation,' particularly as related to extortion, slavery, and forced labour (Cheevapanich, 2016). In the Rohingya case, exploitation included mainly extortion of money from family members. However, the confinement of the Rohingya in the border camps reflected other practices similar to slavery. Moreover, the intention to smuggle them into Malaysia suggested possible forced labour. (Chantavanich, 2020). Between 2013 and 2015, there was systematic large-scale smuggling of Rohingya migrants by sea from Bangladesh and Myanmar through Thailand to Malaysia. UNHCR reported that in 2014, approximately 54,000 Rohingya undertook the irregular maritime journey that passed through South-East Asia. Among those, some endured serious criminal and human rights abuses by human smugglers and traffickers.

Upon reaching Thailand, Rohingya migrants were forced to contact relatives and to demand payments to cover the cost of the journey. Each migrant had to pay approximately USD2,000.- Some were allowed to travel without payment, on the condition that their relatives would pay later. If the money was not transferred, migrants would be assaulted and sold to employers to use as forced labourers (Roujanavong, 2019). UNHCR and the Thai government assisted vulnerable arrivals, especially children separated from parents, those with physical and mental disabilities, and those with malnutrition due to vitamin deficiency. Thailand implemented screening of the identified groups. Those identified as victims of trafficking were protected by the TIP Act and transferred to shelters and the government conducted investigation and prosecution of suspected smugglers. The amended TIP Act was enforced to protect the victims. However, Rohingya smuggling was a transnational business, involving many types of migrants, which complicated matters further. (Chantavanich, 2020).



Source: The Freedom Story/ homvisit_210626_10

5. Nan Province, Thailand (a selected site for the study)

5.1 Situation of Human Trafficking in Nan

Nan Province is a fairly typical provincial city in the Northern Thailand which is approximately 675 kilometers or 420 miles from Bangkok. Nan is a border province between Thailand and Lao PDR and has a vast, interesting history and nature. In total, Nan Province has a population of 478,989 people in 15 districts, 99 sub-districts and 921 villages, out of which, 240,313 are male and 238,676 are female [20]. There are a total of 109,203 families living in Nan Province out of which 41,735 are extended families, 53,474 are single families, 3,353 are families with a single family head, 1,718 are families that are looked after by elderly, and 146 are same sex families. The statistics show 32 cases of under-aged pregnancies and 1.58 % divorces (Statistical Office Nan Province, 2019). Altogether, the ethnic groups in Nan Province represent a population of 94,424 people. Nan is an ethnically diverse province. Apart from Northern Thais, there are also Thai Lua and various other ethnic groups such as Lua, Hmong, Mien, Khmu, Mabri, and Lahu. There are numerous ethnic groups living in all of Nan's districts [21].

On the employment situation in Nan province, Labor Office Nan Province reported that in the first quarter of 2020 [22], there are 246,370 people (68.09%) within the employment age group and 115,426 people (31.91%) who are not. Most employed people work in the agricultural sector, which is an estimate of 140,264 people (57.10%). The others who are not working in the agricultural sector comprise the remaining 105,379 people (42.90%). Out of which, 30,037 are employees in trading businesses (12.40%), followed by 19,060 working as production workers (7.87%). Most employed people (approximately 61,477 people) have not finished their primary school education. 186,635 people who are categorized as informal labor, a majority of which are working in the agricultural sector (138,707 people, or 74.32%) and in other sectors (42,928 people, or 25.68%). There are 867 migrant workers employed in Nan Province. A majority (410 people) of these migrant workers are imported labor (MOU) (47.29%). The remainder are divided as follows: 305 people (35.18%) are workers from within the country (pink card), 132 people (15.22%) are general short-term migrant workers, and 20 (2.31%) are people from ethnic minority groups. Migrant workers mostly work in Muang and Puer district areas [23].

[20] Nan Provincial Public Health Office. Nan Population Statistic as of 31 December 2020. Retrieved from https://www.nno.moph.go.th/nanhealth/index.php/data-service/health-data/item/3035-popnan_2018-12-31 on 12 September 2020.

[21] Raks Thai Foundation. COVID-19 Rapid Gender Analysis in Nan Province, Thailand 2020. Retrieve from https://www.raksthaiplp.org/uploads/1/2/0/6/120675026/rga_nan_compressed.pdf on 12 September 2021.

[22] Labor Office Nan Province. Labor information in Nan Province in the first quarter January-March 2020. Retrieved from https://nan.mol.go.th/labor_statistics on 12 September 2021.

[23] Raks Thai Foundation, op. cite.

On the education situation in Nan province, the Freedom Story conducted Nan Needs Assessment Preliminary Findings in December 2020 with a total of 84 households (n= 52 adults, n= 32 children) across three villages in three sub-districts. This included ethnic Northern Thais and ethnic Hmong households. The results show that the education factor, 42% of adult respondents (22 of 52 respondents) admitted that at least one of their children has dropped out before finishing high school. The main reason for dropping out was overwhelmingly the cost of educating children. Moreover, of those that admitted that a child had dropped out, 95% (21/22 respondents' children) dropped out before the government mandated 9th grade. It is possible that the dropout rate is higher than reported due to the sensitivity of the question- parents are legally responsible for students who drop out before 9th grade[24]. In addition, the study of Raks Thai Foundation on COVID-19 Rapid Gender Analysis in Nan Province, Thailand 2020 found that there should be a support in terms of funding or school fees to parents in order to reduce risk of children leaving their schools prior graduation. In addition, awareness raising campaign regarding domestic violence prevention should be conducted with an objective of reducing violence that had been embedded in their culture structure and this should be done in long term and there should be a government loan offered for running businesses and providing solutions systematically, particularly to women who are entrepreneurs and become unemployed owing to the fact that they are vulnerable and potential to become poorer. This also includes assisting them in product development and promoting an on-line marketing.[25]

According to the information from Nan Provincial Social Development and Human Security Office on human trafficking and exploitation, Nan is a source, destination and transit province for human trafficking and exploitation. The type of human trafficking and cases were sex trafficking of students in 2002, novice labor trafficking in 2004, Cambodian monks' tourism exploitation in 2012, Lao young adult sex trafficking in karaoke shop in 2013, Lao migrant workers forced labor in 2013, and Thai girl on sex trafficking in 2021. Nan Province has coordination between multi-disciplinary team and the local provincial mechanism such as the emergency operation centers in provincial, district and sub-district levels, the provincial anti-trafficking sub-committee meeting, the provincial anti-trafficking strategic plan (2018-2022), and the prevention and awareness raising activities for community members and children. Moreover, from the study of, the Freedom Story on the trafficking in Nan Province with a total of 84 households, 48% of adult respondents reported knowing someone who was trafficking others. They mostly mentioned people in the village recruiting others to work in restaurants or in construction jobs in southern Thailand. 65% of adult respondents reported that they knew someone who had been trafficked. Again, most mentioned being trafficked to work in restaurants or construction or agriculture in southern Thailand. A few mentioned international trafficking to countries like Japan. However, when asked if they would work in a bar, club, karaoke bar or massage parlor (all of which are ways of referring to sex work) if their family really needed the money, 22% (7 of 32) said 'possibly', while 69% (22 of 32) said 'probably not'. The remaining 9% (3 of 32)

[24] McCray, L. (2020). Nan Needs Assessment Preliminary Findings. The Freedom Story.

[25] Raks Thai Foundation, op. cite.

said 'definitely not'. It is notable that a higher percentage of girls responded 'possibly'; 29.5% vs 13.3% of boys. Therefore, addressing poverty will be essential to decreasing risk and should include both scholarship and focus on sustainable incomes for the community. [26]

6. The Findings and Analysis

6.1 Social Determinant to Vulnerability and Resilience to Human Trafficking in Nan Province

- **Economic status**

Agriculture is the province's main industry. Since 2016 tourism becomes one of sources of incomes for locals. The average economic status and living cost in Nan is low where poverty line of Nan is approximately USD69.- per month (Nan National Statistic Office, 2019). Person living with poverty is 9.4 percent or 42,000 people, which declines from 17.44 percent in 2018 (NSO, 2019). Data from interview show that the current number of the poor are 85,655 persons. An interviewee describes the situation in a village that,

"Approximately 95 percent are poor which hold a welfare card provided by the government" (Code 9.2).

Poverty in Nan can be differentiated into 3 levels. The first level is people live with poverty, but they have their own property and own land for agriculture. This group is considerate as poor but be able to effort daily subsistence living. For example, an interview describes that:

"An average income is approximately 200 pounds. This is sufficient for living especially those household owns their property and have agricultural land." (Code 3)

The second level of poverty is people with no agriculture land and earn from daily contract work, which relies on the demand of hiring. This group tends to be in economic trouble when there is no daily job.

"Characteristics of poor families, they work in rubber plantation, they have to leave their children in Suksasongkho (government boarding school for the poor) and they do not have much chances to visit their children as they must work." (Code 7)

The last level is the poorest group. People in this group live with no job and have no land. They tend to live in remote areas which less infrastructure.

"People earn from collecting things in forest, for example, bamboos, mushrooms. They have no land." (Code 9.2)

[26] McCray, L. op. cite.

The data from the interview found that poverty in Nan also relates to geographical areas, especially in highland, ethnic groups live far below the established poverty line and tends to be in the last level of poverty. This indication illustrates from documents from field work. For example, in Tha Wang Pha, families are living far below the established poverty line, but are largely able to make ends meet through subsistence living. The extract below also illustrates the economic situation of ethnic groups in some areas:

"In some villages in highland, people live with no electricity and internet". (Code 7)

Poverty is a risk factor in pushing people to be vulnerable to trafficked victim, especially those who are ethnic group who live in poverty. The form of human trafficking includes forced labour with unfair payment or sexual servitude. Data from documents and interviews indicate in the same way;

"When people are poor, they have no much choices". (Code 14)

• **Education**

Data from documents and interviews show that the level of education of Nan people is average when compares with the average year of education of Thai population. In Thailand, the average year of education is 9.86 years, which is secondary school level (Office of the Educational Council, 2021). In Nan, the average year of education for whom aged from 50s and above is at primary and secondary school level (average year of education is 6-9 years). Whereas, the average of year of populations aged below 50s are in high school to bachelor degree (average year of education is 12 - 16 years).

Financial situation effects an opportunity of education, this are illustrated by the data from documents and interviews. From the documentary analysis, due to financial situation and the cost of education, children tended to drop out before the government mandated 9th grade. The cost of educating children is significant, on average respondents reported paying THB4,700.- per month (USD157.36) (MSDHS, Nan Province, 2021). The expenses include dorm, food, educational equipment, term fees and travel costs of students. An interviewee also points out that an ethnic student dropped out due to poverty, such student remained in education for only 9 years and get married (Code 6).

However, evidence indicates that the assumption that low level of education is vulnerable to human trafficking is misunderstood. Many interviewees especially those who relate to legal enforcement revealed that victims of human trafficking or sex workers that might be vulnerable to be the victim have good level of education, for example, vocational school. This reflects that having high education might not prevent people to be involved in the cycle of vulnerability of human trafficking. One factor is related to sex work gains money “easily”. (Code 14).

- **Risk Businesses**

Nan province is considered as “A Calm and Slow Living or Nan Nerb Nerb -in Thai” city. Business in Nan is relatively small with less than 20 workers in an enterprise. The biggest factory is a noodle factory with approximately 20 workers.

"Here, there are small business, most registered businesses, they tend to have two or three workers under one employer. The biggest business here is a noodle factory with around 20 staffs as they use machine to produce their goods." (Code 15)

Data from interviews show that risk business of human trafficking are restaurants with Karaoke and crop production.

"Working in Karaoke which might be a fake business to hide commercial sex... serving in nightclub ... these are risk [of human trafficking]. (Code 7) There are some issues that workers gain their payment less than what actually was due". (Code 9.3)

One indication of risk business was a case of human trafficking by sexual exploitation of person aged below 18-year-old in a restaurant with Karaoke in February in 2021.

"The recent human trafficking case in Nan was in February. Police Force from the Provincial Police Section 5 invaded to Karaoke [a restaurant with entertainment] found victim of commercial sex and human trafficking....one of them aged below 18 years old." (Code 14)

Regarding crop production, there is no distinct example, but the majority of interviewees highlight that crop production might be risk for labor exploitation.

"I have heard about stories workers who are hired below the minimum wage...in harvesting." (Code 8)

- **Social value: Materialism**

Materialism is one of factor that pull people to work aboard or move to other cities. Materialism is the idea that people value the acquisition of goods, and especially the purchase of goods, as a vehicle for personal satisfaction. This value might lead people to be lured in human trafficked cycle. One example is a village in Nan, people tend to move to work in other cities or abroad to earn more money and sent back to their families to acquire goods and build a new house to show economic status.

"Materialism... their parents did not have car. Anything that helped their families to get better... they went to work around two or three year and then came back." (Code 4)

In addition, culture might hinder people to develop their potential and choice of living. A document shows that children's drop out from school because of the value of duty and gratitude. "As the oldest child, to care for younger siblings or to sacrifice their education for younger siblings" (Nan Province, MSDHS, 2021). These issues prohibit them to have a choice to gain better incomes, which tends to push people in to the cycle of vulnerability.

- **Families**

Having family members involved in risk sector of human trafficking is one of jeopardy for being vulnerable. According to the study of The Freedom Story Nan Project (2020), it showed that 70% of the respondents had a parent or sibling who was involved in sex work, and 62% had an extended relative who was involved in sex work (Nan Province, MSDHS, 2021).

- **Geography**

Nan neighbors with Laos, where Laos easily migrates to Nan. The status of entering the Nan tends to be legal. However, some of them work illegally. Illegal work might lead to being victims of human trafficking.

"Our border connects with Laos. There are two checkpoints here, people came here legally, but they work without permission, for example, Laos who cross the border and work without work permit." (Code 2.1)

- **Gender**

Gender perspectives in Nan are varied. In town, the role of women in community have been active when compared with women who live in high land.

"Women in town have actively participated in economic, social, and political spheres. For example, an interviewee highlights that: Women now are leaders in many areas... Leader in natural preservation...or in the past a spiritual guide must be men... nowadays we see women." (Code 2)

In contrast, in highland gender roles remain traditional. Women tend to be a follower and submissive, while men are leaders and have rights more than women as explained here:

"In some ethnic groups, they pay respect to men as it is a traditional way of their culture. Even though women have education, but they will let men make a decision." (Code 4)

In addition, the segregated of work remains strong. Women work in service sectors, while men work in agricultural sector. The sex-segregated work also links with forms of human trafficking. Women tend to be a victim of sexual exploitation in service sector, whereas men tend to be a victim of labor exploitation.

6.2 Social Determinants for Safe City

- **Knowledge on Human Trafficking**

Nan has a strong dissemination of knowledge on human trafficking, especially forced labor. The dissemination raises an awareness on this issue. At provincial level, offices relating to anti human trafficking issues, for example, Provincial Labor Office and Provincial of Social Development and Human Security Office regularly distribute information regarding human trafficking. This illustrates from the extract below:

"We find leaflet and poster relating to raising awareness on human trafficking, particularly in Labor everywhere." (Code 13)

Likewise, data from documents also shows that knowledge of human trafficking in many village is relatively high (Nan Province, MSDH, 2021). Besides, NGOs, communities and other sectors, for example, schools have disseminated information for human trafficking prevention through various channels. For instance, Our community disseminates information on human trafficking via community broadcasting. (Code 9.2)

"In school, we insert a story and situation of human trafficking in class to raise awareness for students". (Code 6)

- **Migration**

Migration in Nan is relatively small. Most of interviewees indicate that the level of migration, especially for work is not significant when compared with other cities. However, forms of migration in Nan can be classified into three forms. The first form is cross-country migration, in general, most of interviewees did not mention this form, but one interviewee revealed that in Bo Suak is a significant example of cross-country migration, female with vocational education from this district moved to Korea for fruit harvesting. Generally, they worked for 2-3 years and then they came back to and work in Nan as usual.

"One example of migration is the movement of labour, particularly women who have got vocational diploma... They applied to work in Korea through government process... I heard from head of villagers that people go there to work in agriculture sector, but it is not an intense work." (Code 4)

"Another form of migration is relocation for education Nan people migrate to study in big cities and work there after graduation. Students here when they graduate high schools they tend to move to other districts in Nan or other provinces to pursue their higher education. (Code 6). Young generation they move to study in other cities, and then they work there to explore themselves to gain experience." (Code 13)

The third form is seasonal migration, some workers from other provinces and neighboring countries move to help to harvest crops in Nan. According to the statistics from Labor Office in Nan, the statistics of registered foreign workers are Laos, Burmese, and Cambodian. The numbers are 68, 20, and 10 respectively. Other than these numbers are other nationalities, for example, Philippines who migrate to work in Nan as a foreign language teacher. Migration occurs in a certain area, for example, Tan Wang Pha district, Pua district, and Chalermprakiat district. Males tend to work in using labour forces, for example harvest crop, construction. For females, they tend to work in service sector.

- **Community surveillances and strong civil society**

Community surveillance in Nan is relatively strong. Due to the size of small city, people in Nan tend to know each other and know background of each other, this helps to prevent human trafficking as they can capture a sign of human trafficking.

"We know each other. When I wandered in the city, they called me and chat about daily life." (Code 14)

At community level, community leaders, for instance, head of villages and head of sub-districts are key persons in keeping the strength of community with help of villagers to observe suspicious behaviors or strangers who come into the city.

"Mostly, Nan has less human trafficking because we have strong community, head of villages can capture strangers in their communities." (Code 1)

Additionally, there is strong civil society in Nan. Business sectors have cooperated as occupational groups, for example, Association of Travel Business, Association of Hotel. These business groups are another platform in sharing information and data regarding human trafficking. Furthermore, civil society support the prevention of human trafficking. There are various NGOs work in Nan. The interviewees share the same perspective that civil society is effective as indicated from the extract below:

"We admit that civil society here is very strong. We have key persons to help to build up processes...process of participation from civil society." (Code 3)

- **Various development organizations and projects**

Various development projects have been established in Nan to uplift people's quality of life. Examples are the following:

→ **Freedom story** is a non-government organization focusing on providing human rights education, scholarships and resources empower at-risk Thai students to stay in school and break the cycle of poverty and exploitation. The organization also conducted a study in Nan to investigate main risk factors of trafficking, including a lack of education, poverty and social isolation.

→ **Pid Thong Lang Phra** is a public organization which adopts the philosophy of "sufficiency economy" to develop community. The aim is well-being of people. In Nan, the organization works on sufficient agriculture and environment preservation. The foundation changes the method of agriculture from Slash-and-burn agriculture to eco-agriculture.

→ **Rak Thai** is another NGO that support human development in Nan. The primary aim is to raise an awareness on environment issues and climate change and promotion of eco-agriculture. This NGO has expanded their work to women's economic empowerment. For example, We have a project to build up women entrepreneur to help them to rely on themselves.... another project is promoting digital skill for online marketing for women. (Code 7).

Many business models assist Nan people to have a secure economic status. Social Enterprise is one of remarkable example in boosting up villagers' economic, environment preservation, and sustainable development in Nan. For example,

→ **CP All company** has established social enterprise business by encouraging farmers to change from single crop farming to high value crops as well as preserve rain forest as illustrated here:

We have run this project for 5 years. We have 93 farmers to join and 700 Rai of plantation... We support farmers since the starting point, teach them new technology and marketing. (Code 9.3)

→ **Coco Valley** is another business model that creates economic opportunity for villagers. Coco Valley provides cocoa seedlings for villagers to grow and purchase their cocoa bean back. In addition, they also hire local staff to run their business.

"At first, it was a bit hard to start as they were accustomed to growing corn...we tried not to change their way of life, just asked them to grow cocoa in a space of their land. When they can earn more money from cocoa, people start to understand." (Code 12)

- **Regular and random Inspection and Surveillance**

Government in Nan works proactively in prevent human trafficking and forced labour. They provide regular and random with a multi-disciplinary team. The team consists of police, social development officer, labour officer to inspection enterprises to prevent illegal workers and forced labor. They not only inspect to detect human trafficking cases, but also examine to ensure that enterprises have allied with national standard of working conditions, and benefits for workers as interviewees in business sector revealed:

"Labor officer usually visit us to check the conditions and welfare for workers. They come 2-3 times every year." (Code 1)

"Labor officer visits us randomly without a notification. They came to give us information about security funds for our staff and give recent information about labor policies. They came quite often 2-3 times a year". (Code 13)

These regular and random inspection helps to detect labour exploitation and reduce risk of human trafficking in enterprise. Even though law enforcement officers indicate that the risk of human trafficking in Nan is considered low, they regularly detect and check actively. These examples are highlighted by the extract below:

"We also randomly checked from Facebook to check whether there is a case of human trafficking." (Code 14)

"I admit that though there is a low risk in Nan, but there might be some. We inspect business that might be suspicious and hide human trafficking crimes from authorities, for example, massage business or sex workers...In some education institutions, students might be involved in human trafficked cycle. We have an operation team to regularly check at least 2 times a month, in some circumstance we inspect every week especially in entertainment establishment." (Code 11)

- **Geography**

The province is surrounded by forested mountains and high land. This geography make Nan is small economical scale city. Though Nan has adjusted itself to open for agricultural and eco- tourism, but the scale of tourism is relatively small. Furthermore, Nan has a landlocked geography, this also makes Nan a close city. That is Nan is not a transit town. Due to this geography, no industrial and landlocked, less people migrate to work in Nan and the risk of human trafficking is low as explained form the extracts below:

"It is a bit strange, we do not have big industrial, this makes less migration of workers from other cities." (Code 1)

"The geography of Nan is closed. Then, the majority of labour are local people." (Code 2)

In addition, forest and land in Nan is abundant. Though people are poor, they can find something to survive from their gardens and forests. As an interviewee explains here:

"People might be poor, but they can survive from their gardens." (Code 15)

- **Culture**

Nan has a unique culture; majority of population remain lead their lives at a slow pace. People in Nan remains have a strong sense of community and help each other's as well as respect elderly and their ancestor. This unique way helps Nan to live in a peaceful way as explained here: The centre of villagers is our ancestor, people respect them even young generation. This helps us to make a good deed (Code 9.2). People here are kind, do not live in hurry, and do not compete with others (Code 15). One reason of the slow living pace in Nan might relate to the principle of sufficient economy as illustrated by interviewees here:

"Philosophy of Sufficiency Economy is applied in our daily lives ... spending in a moderate way in family...for example, we grow vegetable garden." (Code 3) .

"The basic idea is to make people rely on themselves, for example, growing vegetable garden, livestock farming. So, villagers can be dependent." (Code 4)

- **Technology**

Technology facilitates sharing information and warning regarding human trafficking issue. For officers, they use a chat application, for example, Line to communicate with others to handle cases as an officer explained here:

"It is easy to communicate with out team. I just call or send a message; our team is prompt to help to identification of victims." (Code 14)

In villages, head of villages and villagers also use application to communicate and dissemination information as illustrated here:

"We have Line group to send information to others. If there is suspicious person come to our village, villagers will report through this channel." (Code 9.2)

- **Education system**

School system in Nan shows an effective schooling model, especially school that have the proper proportion of teacher and students. School provides support system for students, for example, scholarship from government and alumni, home visiting, an extra curriculum that suits for Nan context.

One distinct example in helping to prevent from and detect children for human trafficking is home visiting, a teacher visits a student during the starting term time to examine students' family status and problems that they might have as an interviewee explains:

"We have a supporting system for students. When the term begins, all teachers must visit students' homes to determine the status of living. In case of poor, we will pass this information to the Office of the Basic Education Commission... In case student absent from class, we will visit their homes to check if there is any problem." (Code 6)

Another example is developing a curriculum that suit to context. The aim is to instill local value, tradition, and culture.

The school committees are aware that local curriculum guide youth to understand and respect their local wisdom and culture. (Code 3)

Besides the main curriculum, the school initiate our local curriculum, local science for sustainable development to teach students to learn method of rice growing and preserve Thai rice. (Code 6)

- **Peer to Peer learning**

Peer to peer learning is another good example to help prevent human trafficking. As mentioned that though there is low migration from Nan to work in other cities and aboard, there are some people that migrated to work and encountered exploitation experience. They brought their experience and warn other villagers to be conscious of exploitation. For example,

"... they use their stories to warn other people, to be aware of illegal agents for working abroad...or word of mouth from other villagers who might not reckon that they are lured by illegal agents from other provinces..." (Code 4)

- **COVID-19**

Covid-19 epidemic tends to support Nan as a safe city from human trafficking. All interviewees indicate that the pandemic reduce risk factors of human trafficking. For example, borders between Thai and Laos have been closed. Travel within countries is also limited. Lock down measures effect temporary closure of restaurants, especially restaurants with entertainment. Furthermore, communities have established surveillance system and active searching of COVID-19, this helps to prevent suspicious persons to enter to communities. The impact of COVID-19 and the reduction of risk of human trafficking is illustrated from the extracts below:

"During COVID-19, all restaurants are closed, no gathering, no parties... there are no risk of human trafficking. Before COVID-19, there might be a case particularly sex exploitation... Currently, I am certain that there is no risk of human trafficking." (Code 14).

"Due to the pandemic, we close all entertainment places. We have one discotheque [nightclub], which has been closed. This lessens the risk." (Code 11)

6.3 Law, Concepts, Local Initiatives, Case Studies: Preventing Modern Slavery and Human Trafficking in Nan Province

The local Government has enforced anti-TIP law and policy and apply to implement in the local level in the form of provincial center for combatting human trafficking with provincial TIP sub-committee in provincial level consists of multi-disciplinary team from different agencies such as provincial office, provincial police, provincial prosecutor office, provincial labor office, provincial labor protection and welfare office and office of social development and human security as a secretariat of the sub-committee working on the administration and information of the province. The sub-committee is focusing on 5Ps strategy, prevention, prosecution, protection, policy and partnership and information management. Sub-committee conducting surveillance to monitor on the TIP in private company setting, particularly farms and factories in the province and arrange meetings and reporting annually. The sub-committee is also working on MOU signing with local administration office to coordinate on the Anti-TIP Act, Child Protection Act, and Domestic Violence Victim Protection Act. Currently 99 sub-districts have signed the MOU to actively respond on protecting victims according to the Acts and there are 99 labor protection volunteers reporting the labor protection situation to the Provincial Labor Office. Besides the TIP provincial sub-committee, Nan province has also set up the working group to work on anti-labor trafficking center. The Governor is a chairperson and deputy commissioner of 38th Military Circle as a deputy chairperson and other working group members are representatives from Internal Security Operations Command, Public Health Office, Immigration, SDHS Office, Provincial Administrative Office, Social Security Office, Labor Welfare and Protection Office, and Provincial Labor Office as a secretariat of the working group to follow up closely on the law enforcing and conduct surveillance in the workplace.

“Nan is having anti-trafficking strategy in the province following the national strategic plan. It is very important for every local administration office to understand and follow the provincial strategic plan. The sub-district administrative has 5 years developmental plan and the next one is 2023-2027 which is already covered the anti-TIP. The local Government agencies are very strict on implementing TIP law, I observe that they arrange seminar and provide reports regularly.” (Code 03)

“The provincial office is using the same format of national level, but the office has not invited CSOs to join and we never attended any MDT meetings or consultations, except we receive some information on cases and would like to invite them to discuss or arrange the meeting such as the discussion about domestic violence.” (Code 07)

“I have not seen the TIP case and smuggling cases. I found students who were working as waitress in the restaurant, and they might be at risk of sexual exploitation, and I talked to them to find more information why they are working at that place. Some students are also working part time to help in farming for income generation, but the farm owners are not forcing them.” (Code 06).

Nan is a small province and the people in community are knowing each other and many are the relatives. The community is aware on hiring child labor even in the community tourism promotion activity. They have set up the community rule for both community members and visitor to respect and follow community practice and traditions, particularly to do no harm and no illegal practices in community such as fighting with other, preserve environment etc. These practices are considered as a basic rule in community justice system and if anyone does not follow, the community would report to police for prosecution, depends on the level of harm. However, informants from private sector expressed that they have not been informed about the TIP policy in the provincial level; yet they know about the TIP related law such as labor law and the child labor which are the restriction from RTG to the private sector. Provincial labor office and provincial public health office are very strict on conducting surveillance on do not hiring worker ages below eighteen.

“RTG is very strict on hiring staff, we are not allowed to hire worker ages below eighteen due to the labor law. Even an intern in the spa, they are not allowed to give massage to customer, they could work only in other part of the hotel such as lobby and restaurant.” (Code 01)

“In our community, we are very aware that it is a high risk to have child labor if we have student to work with us in the community tourism, so we have to be very careful and well organize on the management so that our children in community could learn about community culture and history, and follow the anti-child labor procedure at the same time”. (Code 03)

There is a demand on hiring worker in the service sector, but the registration for work permit is complicate so many workers are using agency services which is mostly located in Vientiane, the capital of Lao which is far away from the border across Nan province. Therefore, some Lao migrant workers prefer to cross the border to work illegally, but they are not coming to work in Nan, instead they prefer to work in the city and other provinces. In Nan, the provincial sub-committee conduct labor surveillance regularly so most of the workers are working legally with the work permit.

“Lao worker has to proceed the work permit from agency in Vientiane which is located far away from the province in Lao which is across Nan province in the border”. (Code 01)

On the type of trafficking, Nan is rarely found the trafficking case such as forced labor and sex trafficking case due to the surveillance from Government officials and community leaders and volunteers. However, sex workers and entertaining workers are still being found at the restaurant, bar, and karaoke.

“I have not seen the forced labor case or trafficking case, there might be some cases long time ago, but not for current situation. Maybe it is because they were caught. I have not heard that women below 18 is forced to be a sex worker. I don't think we have this in the province, but they might be hidden”. (Code 01)

“We have conducted surveillance regularly, mainly responsible by provincial office snowball checking the restaurant and shops every Tuesday or Friday night, including karaoke, bar, and hotel and they have rarely found the TIP case”. (Code 04)

- **Prevention**

The Nan TIP provincial sub-committee are working on the prevention which consisting of provincial administrative office, provincial labor office, provincial police, provincial army, provincial public prosecutor office and SDHS office, etc. The example of prevention activity according to the implementation of the provincial sub-committee are such as the committee is working with education institute on arrainging anti-TIP awareness raising activity in schools and having student protection network like watch dogs to report when the case with students is found and the provincial labor office and provincial police are also working as a center for anti-TIP on labor case to arrange the regular surveillance in the private sector workplace and provide information about the anti-force labor. The provincial army set up the checkpoint at the provincial border to prevent on smuggling and illegal present of migrant workers. Government agencies, through local administration office, distributed brochures to private sector to promote on anti-TIP with customer. Nan police arranges community protection project by training community leaders on the reporting mechanism and community safety. The Drug Abuse Resistance Education or DARE police teachers are also teaching students about drug prevention in schools, and they also include TIP prevention in the session. Moreover, CSOs which is focusing on anti-TIP project is having awareness raising activity in community through workshops for at risk population, particularly indigenous communities.

However, as mentioned in the law and legislation situation, informants from private sector and CSOs indicated that they have not seen the anti-TIP prevention and awareness raising materials such as poster, billboard, etc. in the province and the awareness raising activities are not organized in every districts. The informant from public sector mentioned that there is anti-TIP training for community volunteers, but the training is not arranging regularly. Moreover, many community members expressed to informants that they are not capable to report the case, if TIP case happened, they do not know how to start working on the case. Also, there is no direct TIP training arranged for community leaders and volunteer, both from public sectors and CSOs.

“I might not notice on an-TIP advertisement maybe it is the billboard, but from what I have seen I did not know that anti-TIP is promoting in the province. It might be in the journal advertisement, but I never know. Maybe it is because we are not having many TIP cases in the province”. (Code 01)

“The provincial office informed business owner to register migrant workers annually. But for the TIP law, I do not know the information and never read about this. There is no prevention activity in my province, I never see the activity.” (Code 06)

“Nan is not having many TIP case due to the prevention factors in the community, but we still need to prepare if it happens.” (Code 2.1)

“Two years ago, I have received brochures from local government so that I could give to customers to promote anti-TIP” (Code 2.2)

“As a CSO which is working on anti-TIP project, we arrange workshop to raise awareness and build capacity of the local community, we also provide coaching for community members as a training for trainers program for community leaders.” (Code 5.1)

“CSOs such as Raks Thai Foundation, CCF, and Hug Mueang Nan are arranging prevention activity in the community.” (Code 5.4)

“I think the province already has policy on TIP, but in our community, we don’t have much information. I think it is very rare that TIP could happen in our community members.” (Code 9.2)

“I have had very little information and news about TIP. I work with community for many years and have not heard about it in the community, I mostly heard about drugs.” (Code 10)

“As an entrepreneur, the provincial admirative office arrange meetings for business owner which is around 1-2 times per year. Also, the club has provided information to members through campaign about child labor and snowball surveillance by Government sector. They also provide us the anti-TIP poster to advertise in the workplace” (Code 13)

“There is a child protection center in the provincial level which consists of many public agencies and is having monthly meeting to follow up on the TIP situation in the province. Police has to focus on combatting TIP and the parlor for the sex trafficking case, during COVID-19 pandemic most of the shops is closed.” (Code 14)

“We are providing surveillance in workplace twice a week to check on the labor protection and TIP.” (Code 15)

On the TIP prevention activity in education sector, the schools in Nan is not having direct information in the curriculum about TIP. There is a human rights topic so that some students were able to learn about TIP in school, but not in every school. Teachers also provide information to student and teach about migrant workers and the safety and protection from stranger in community. Children and youth in community are helping on community protection as a community watchdog. However, some informants stated that they have not learned about TIP in schools, instead they have heard from online social media such as YouTube, Facebook, and movies.

“In school, we are not related much to the TIP. There is a human rights topic in the school curricular and some teachers have included TIP into this session. But, on the province policy about TIP we have not been informed much, we received policy from Basic Education Commission Office.” (Code 9.1)

“Community members are taking care of one another and help looking after other members. Children and youth are also using online communication tools to communicate and inform their friends and adults in community.” (Code 12)

“I have not learned about TIP in school, I know the information from news and YouTube.” (Code 16.1)

“I mostly saw the TIP on internet, especially in Facebook. But in our province, it is not much TIP, it is more about drug as we are the border province and drug is trafficked from neighbor country.” (Code 16.4)

- **Prosecution**

In Nan province, there are four TIP cases during 2012 to 2021. One case on child begging which the Cambodian boy was exploited, others three cases were sex trafficking of Thai girls. These cases followed the process according to the provincial plan starting from victim identification interview, prosecution at the police level, prosecutor level, and court level. When the TIP is found from community or is reporting through hotline such as 1300, a hotline of MSDHS, the process is to report to police or if the incident is occurred at the community, the community leader, village chief, or anonymous reporter would report to the supervisor and police officer. The provincial anti-TIP sub-committee has followed up on the prosecution of TIP cases. On the migrant workers related case, the immigration police, provincial labor office, and SDHS office are in charge of conducting surveillance and proceed the report to if they found the case. However, some informant also mentioned that sometimes the prosecution process was very long and there is no continuous following up for child victim.

“As a CSO, we observed that immigration police, provincial labor office and SDHS office are working very closely on preventing illegal migrant workers. They also work with CSOs and we are a part of the support on anti-TIP network” (Code 5.1)

“I was working on trafficking case before, sometimes the officials were very active in the beginning, but then they were not following up on the case and left the child victim behind. I would like them to follow up closely and play an active role on supporting victim” (Code 5.2)

“I heard that there is the committee in provincial level working on anti-TIP and prosecution. It was the TIP prosecution case around three years ago and the shop was closed due to the sex trafficking. The main actors are police, SDHS office, and SDHS shelter.” (Code 12)

“When we received report on TIP case, the MDT conducted raid and victim identification interview right after the raid. Then, we will have a meeting to conclude the information whether it is a TIP case or not. If so, we will proceed on the prosecution and victim protection.” (Code 15)

There were some cases that the mediation process happened in the community level and the TIP case was not reported or proceed according to the prosecution such as the child victim family talked to offenders and the offenders offered to pay for compensation directly to victim family, this process is sometimes involved community leaders as one of the mediators.

“In previous case, we found that the child victim and offender were mediated by community leaders and offender paid compensation so that the child victim family did not want to report with Government officials to process on the prosecution” (Code 5.4)

In addition, due to Nan province is not having active TIP case, majority of informants, particularly representative from private sector, developmental CSOs, and community are not having information about the prosecution and prevention of TIP case as they never found or witness TIP in the community or workplace, not even been informed in the local news. Moreover, the informants from private sectors and CSOs which are working on the developmental program not the anti-TIP program, expressed that they are not familiar with prosecution process so that they are not having information to share on this topic during the interviewing.

“In our factory, we don’t have TIP so we don’t have information on the prosecution.” (Code 9.3)

“I have not heard about TIP prosecution.” (Code 10)

“I really don’t know the information on prosecution, I saw the court and we have two court in the province, Nan court and Pua district court. In the past 2-3 years, I have not heard about TIP prosecution.” (Code 13)

- **Protection**

Nan province is having protection mechanism which is implementing through provincial anti-TIP sub-committee consisting of representatives from various Government agencies as mentioned in the law and legislation part. On the protection, the SDHS office and Nan Shelter for Children and Families provide safe place to protect TIP victim and provide medical treatment, counseling, rehabilitation, and vocational training. Not only referring victim to the government shelter, but Nan police also works with Police Region 5 in Chiang Mai province and CSO shelter to provide protection for TIP victim. The personal information of TIP victim is being protected with high confidentiality. The protection process is provided to TIP victim aligning with prosecution process such as victim forensic interview, court testifying, and compensation claiming. When protection and prosecution are finished, SDHS office would conduct reintegration program to TIP victim and follow up with them and police are also following up after the reintegration that victim are safe from threatening of offenders.

“The SDHS office is the main actor in providing protection support to TIP victim by working closely with public agencies and private shelter from the beginning of the victim identification interview until the community reintegration” (Code 08)

“There is not much TIP case in Nan, sometimes the sex trafficking case happened, but mostly there are women from neighboring country come to work in the restaurant to entertain and drink with customer which they were not working as a sex worker. When the officials come to surveillance, they sent back these women to their home countries.” (Code 2.1)

“The protection of people who are affected on TIP are according to the Government procedures and it is a coordination among local agencies.” (Code 03)

“On the child TIP victim, the officials provide counseling sessions from psychologist at hospital or specialist in the area.” (Code 5.4)

“Police Region 5 and ZOE Foundation reported to SDHS Office before the raid for sex trafficking case and they could refer the victim to protect in shelter right after the raid. The social workers were involved in all process to ensure the protection of victim, particularly who are ages below 18.” (Code 07)

“I have heard in the meeting that there is a government shelter for children for abuse and domestic violence cases and they provide basic assistance to victims.” (Code 12)
“Police coordinate with CSO shelter which is in the Police Region 5 team in Chiang Mai Province that providing shelter for TIP victim. They also provide vocational training and reintegration.” (Code 14)

In addition to the information mentioned in prosecution topic, the informants from private sectors and CSOs which are working on the developmental program not the anti-TIP program, expressed that they are not familiar with protection process so that they are not having information to share on this topic during the interviewing.

*“I don’t know about the TIP victim protection; I don’t have information.”
(Code 9.1, 9.2, 9.3, 13)*

- **Partnership**

The provincial TIP sub-committee is the main actor on implementing and responding on TIP in the provincial level. The meetings were arranged regularly quarterly with the good coordination among committee members mostly discuss on the community and workplace surveillance. The committee also arrange the meeting with business owners to provide information on illegal present of migrant workers, work permit registration process and timeframe, forced labor, and information related to the labor protection and welfare. If there is any TIP case reported, the committee would arrange and urgent case meeting to discuss on the responding.

“Since there is not much TIP case in the province, there is not much awareness raising activity or surveillance at the workplace. But when there is a report on TIP case, the officials would immediately taking action such as sex trafficking case.” (Code 2.1)

All informants mentioned that the partnership in the local level is very strong, particularly the relationship between local Government and CSOs. The CSOs, foundations, clubs, Nan Red Cross, Royal Project and community-based organizations (CBOs) in Nan province is well organized and are actively participated and contribute to the developmental project of the province such as the anti-drug, environmental reservation, water management, etc. The private sector has played an important role on contributing on the community development of the local community through CSR program on vocational development and social enterprise project to reduce poverty. However, when mentioned about the TIP coordination in the provincial level, informants from public sector and private sector indicated that they have not seen the participation of TIP CSOs as the main actor is SDHS Office.

“There are local clubs and foundations working on promoting the local lifestyle and community development, especially on the drug prevention, water reservation, rice development. The members are consisting of both Government officials, retirement officials, and community members.” (Code 03)

“I see the SDHS Office responding on child abuse and neglect case, but not the exploitation case and sometimes with the provincial administrative office. I have not seen the CSOs in Nan responding on TIP.” (Code 04)

“I have not known any foundation which is working on TIP in Nan, I know some foundation in other province [Mirror Foundation], I know from the media that if there is TIP related problem the SDHS Office is the main organization to support.” (Code 06)

“The chairperson of women group in community told me that the SDHS Official came to inform members about TIP, but it is not a problem in community as they have not had TIP case.” The women group is very strong network on supporting one another in the community level, sub-district level, district level, and provincial level.” (Code 10)

“Nan MDT members are having good network, we could communicate through phone. When we had case or urgent meetings, we called, and everyone was actively participated in the event. But I don’t have much connection with CSO.” (Code 14)

“Everyone in the MDT knows about duty and responsibility according to the provincial order and we coordinate with each other on workplace surveillance” (Code 15)

Beside the information from public sector and private sector, the CSO informants mentioned that they have played an active role on working with the local community on the anti-TIP activities and community capacity building activities through child scholarship, child advocacy, and income generation, domestic violence prevention projects.

“The Lanna Women Network and Friend of Women Foundation are working in the local community to empower and strengthening women in Muang District and Phu Pieng District, but they are focusing on domestic violence not including TIP. The anti-TIP activities of provincial officials are not promoting actively in both provincial level and community level. CSOs are arranging activity such as training, campaign, poster in Thai, English, and Cambodian, in many topics such as human rights and drug prevention, but also not mainly focusing on TIP.” (Code 07)

6.4 Construction of Database, Sense of Community and Community Participation to Tackle Modern Slavery and Human Trafficking

The community development and participation is one of essential determinants for anti-human trafficking. All steps of community development and its initiatives must welcome all stakeholders’ involvement which including problem identification and problem solving by focusing on root causes. Prioritization of the community problems is also significant with a well establish of community partnership and ownership. In regard to a construction of database of human trafficking in Nan Province, majority of the findings referred to a collaboration among stakeholders which including database from the MDT. Some CSOs/NGOs also developed their own database for the purpose of anti-human trafficking especially for prevention, protection and supporting prosecution. Some government sectors have not yet systematically shared their database and information with others. Even though their data is sufficient and efficient, still having a challenge on information sharing. The community participation with government sector in this province were relatively active and as illustrated in the record of several interviews; such as a collaboration among communities, MOL, MSDHS, the Royal Thai Police (RTP) and private sector, on the -

advocacy program for raising awareness, and observation on human trafficking, labour and migration issues. In addition, a well collaboration across sectors reflect in the area of tourism, economic development , and Nan's ways of living.

"Policy makers, practitioners, and villagers need to always closely work together, creating the platform for discussing and searching the facts, finding the root causes, and search for solutions together" (Code 01).

"I would like to suggest the government sector to work outside their regular framework, and actively work with community to search for the root causes of human trafficking" (Code 2.1)

Culture and belief is also one of significant findings from Nan Province. It reflected in ways of livings of people both downtown and remoted areas. For instance, a belief and respect in "spiritual", some communities especially in mountainous areas have a "Karma Day", when they do not allow outsiders to enter to their villages, and the villagers are not working on that particular day, whoever violate the community's practice, they believe that someone in the community will pass away. This can reflecting in the strong community collaboration, and surveillance sytem.

"The community has a strong surveillance system where they are always aware of new comers or strangers who are visiting our villages, especially during COVID-19 Pandemic; we do not allow outsiders coming to our community, and those who want to leave the village need to always inform the head of the village" (Code 04).

Community leader is also among important denominations. The findings from all interviewees responded that a decent community/province leader would bring community/province free of human trafficking and prosper economic. Leaders must have clear vision, work plan, timeline and implementation. Villagers participation is also a must, in order to establish ownership, and strengthening the level of participation at all levels (Wilcox 1994); information, consultation, decision, implementation and community support. In addition, villagers' power is also essential, villagers can construct community power against leaders.

"I will share you a story of one community leaders where he has been sanction by his villagers; he is a father in law and planning to kill his son in law for the purpose of the benefit of life insurance. Once the evidence of planning was revealed, no one in the community ever talked or communicated with him again, so his family was left alone, and he is no longer re-elected as community leader" (Code 07).

"A successful community leader is not only having a determination, but also to truly serve the community. The leader must not always wait for official orders from government supervisor, but need to understand the community's demand and challenges. In addition, the leader should be well educated and financially well livings, because the leader works hard, s/he does not have time for growing and selling crops, hence the leader's income should be sufficient for survival and support her/his works" (Code12).

“Sufficiency Economy” philosophy (SEP) refers to a Thai development approach attributed to the late King Bhumibol Adulyadej. The SEP in Nan Province mostly implemented by government sector, while at community level also referred to this philosophy and combined with their own initiatives; such as a model on “Farmer School” where they focus on an actual way of livings, the founder of this school (a former district public health officer), established this school with the main purpose to provide outside classroom learning; skills for farmers. Community governance was also discussed during FGDs and interviews, and played a significant factor to keep Nan’s communities unique, accountable and participatory.

“Another initiative to strategically promote villagers’ participation and information sharing is to bring the religion to community; an activity called “open house for Buddhism chanting”; villagers are gather together preparing and attending the chanting. Villagers can share and update information prior and after the activity, this is an example of a very effective community communication” (Code 10).

6.5 Partnership: Close Engagement of Local Initiatives and Authorities

With reference to Wilcox (1994) referred to a useful partnership as a coexistent between a number of different interests and some common purposes. Stakeholders does not need to have equality in skills, and funds, they can only trust each other and share commitments. While MacQuaid (2000) defines the theory of partnership as a synergy of some forms that also refers to the involvement of both development and delivery of strategy or a set of projects or operations which each stakeholder may not be equally involved in all stages. Partnership focuses on operation, and collaboration among stakeholders. The findings have reiterated the above-mentioned concepts that partnership is essential and leading to a decent developed community. Further, the findings also indicate a developed community as a well collaboration among stakeholders at all sectors and levels, as well as to reserve the “folk wisdom”. In addition, Shepparton (2010) referred to a community development as a systematic approach to “building social capital, sustainable communities, community networking, business and community partnerships”. In addition, the community development framework consists of people, place, participation and partnerships.

“from my observation, nowadays, policy planning and development of sub-district has been developed from the practitioners’ perspectives or it turns to be a bottom up approach, which I think it is realistic and practical” (Code 03).

“Developed community should be a community where all villagers are supported their basic needs, and especially on economic aspect. In addition, children should be taken care by their parents not by grandparents” (Code 09).

According to ToC as stated in Allen, Cruz, and Warburton (2017), highlighted the essential elements of ToC approach which referred to inputs, activities, outputs and outcomes. While Taplin and Rasic (2012) stated the key essence of ToC is a participatory process where partners participate in all intervention process to establish a goal, process and “preconditions in achieving a designed outcome”.



Source: Home stay baan bo suak/ ครัว ผักทอมือเมืองน่าน/ เสน่ห์น่านวันนี้
https://web.facebook.com/homestaybaanbosuak/?_rdc=1&_rdr

With reference to the findings from Nan province, there are sufficient information to support the framework of ToC on the aspect of prevention of forced migration, especially on human trafficking and labour exploitation. The inputs refer to a knowledge and information sharing among stakeholders; government sector, business and CSOs sectors regard to current situation and prevention program of human trafficking (both sexual and labour trafficking). However, some sectors such as academic, business sector are still not well received of overall human trafficking situation information from both national and sub-national levels, which including awareness raising, capacity building, contact details of relevant stakeholders, and report/compliant mechanism.

The findings show that most of the well-developed communities, the inputs of information and knowledge related to trend of migration, economic opportunity, and awareness raising are well shared and informed community members through various activities with a well-designed approach in response to community's demand and available resources. The outputs reflect in a strong community surveillance system, where villagers are supporting each other and reserve culture norms and practices. However, this close community monitoring system, can be a negative impact for those who prefer to live independently. The outcomes of the aforementioned activities, also reflected in a sustainable society and being aware of human trafficking situation. However, the findings also show that a collaboration between government and civil society needs to be strengthen. CSOs are not member of MDT on anti-human trafficking as a result they seem to work in parallel.

Regarding the adaptive cycle of resilience to build slavery-free communities proposed by Gardner et al.2020, several communities in Nan Province diagnose key area for change, such as some remote and mountainous areas where several projects have been focusing on the prevention of human trafficking programs, they also examined possible risks and vulnerability of people in particular areas. The analysis covers risk factors, which focuses on both individual and community levels. The diagnosis refers to economic factor, working conditions and opportunities, age, gender, education, knowledge and ignorance of human trafficking issue, ethnicity and citizenship, culture context, social norms, and social stigmatization. However, there are some challenges in the exiting culture and practice, as a result, the engaging of relevant stakeholders at community and provincial levels are also introduced, discussed, validated risks, prioritised and implementation action, and learned the lessons from different communities.

The change in institution and cultural landscape can speed up especially during an irregular situation; COVID-19 pandemic in Thailand during 2020 until today (October 2021). The close community and border monitor have been strengthening with a very well collaboration from all community members and stakeholders at all levels. Medical, counselling and necessity services are also available from both government and non-government sectors. The lesson learned from some sectors and areas voluntarily to exploitation, human and drug trafficking, can be a good asset for Nan to further monitor and evaluate the progress on a sustainability of anti-human trafficking.

6.6 Strengths and Opportunities

Nan province is full of resources in both personnel and national resources and has a strong MDT team which actively coordinate with one another. However, it would be better if CSOs members are invited to join the provincial MDT for anti-Human Trafficking. The TIP provincial sub-committee are consisting of the agencies which understand the roles and responsibilities. There are social workers and officials who have been trained on anti-TIP Act and related laws and are ready to response at anytime. Since Nan province is a small province and officials, CSOs staff, and community leaders are familiar with one another, they are communicating through an informal channel such as telephone or LINE application to communicate and reduce the official communication steps through formal official letter proceeding. Also, the community-tie in Nan is strong because the coordination among community members, temple, school, and government sector which is considering as the main source of trust building for villagers to prevent TIP in their communities. The community's activities on preserving local tradition, culture and environment are also the factors which are strengthening community through the family empowerment. The strong foundation of family creates solid and sustain community.

“We have the staff from community, these people have a perspective and understand their community which outsiders can't have because they come from the community. It is extremely helpful. No organization has a perfect and so the ability to adapt and learn from mistakes and learn from ideas is one of the best things about it.” (Code 5.3)

“CSOs in Nan are having good coordination, we arrange forums to share and exchange information and communicate with others” (Code 12)

“When stranger accessing community, the community members are communicating and warning each other about the stranger and inform community leaders immediately about the information about strangers and their vehicle details.” (Code 9.2)

“The strength of Nan MDT is a good coordination.” (Code 15)

The reporting mechanism and police hotline (191) in Nan province are very active. Police are standby to response on the report immediately such as child abuse, gambling, drug, and community dispute not about TIP case.

“Police has to reach the incident within 5 minutes after the report if the incident happened in municipality area and 10-15 mins in the outer area.” (Code 14)

Another strength for Nan province is the woman leaders' group at community and provincial levels. These women have been playing an active role as community volunteers, teachers, community health volunteers, etc. and have received trainings, capacity building and empowering by CSOs. Community surveillance system can act as a strength factor and as well as a challenge. The close monitor and awareness of activities happening in the community can consider as a well precaution mechanism, and at the same time it can create a nuisance for those who prefer to live their lives independently.

6.7 Gaps and Challenges

Gaps:

The findings show that in some government's sector and NGOs tend to work in parallel on human trafficking issue. This indication illustrates from some interviews of government officials that they are not aware of NGOs' work on anti-human trafficking in Nan. Representatives of NGOs/CSOs are not a member of provincial MDT. While some NGOs express that they do not know much about how government sector works on this issue and also curious about an effectiveness of government's roles and responsibilities regarding human trafficking issue.

An education sector; at primary, secondary and university levels are also important to receive knowledge and information regard to situation of human trafficking. Regarding to the findings from government sector, they indicated that the raising awareness campaign and knowledge sharing were delivered to the aforementioned groups, however, the findings from university students and teacher found that they never been informed and be aware of any anti-human trafficking campaigns and/or activities.

Challenges:

The victim identification interview is also considered as one of challenges. It depends upon the knowledge and understanding of victim identification of the interviewers; such as police officer and SDHS officers. The good cooperation from victims is also considered as one of the main challenges faced by service providers during the victim identification process. Sometimes, victim may not want to disclose information at the first several interviews, or may want to withdraw his/her testimony, as a result the officers cannot further a prosecution process due to the insufficient of supporting evidence.

“Sometimes when we have TIP case, we need to make sure that the victim identification is conducting properly, and the result of interview is made according to the anti-TIP Act so that we can identify whether the interviewee is a victim of human trafficking. Sometimes, there are some differences in viewpoint among interviewers, regard to indicators of the situation. Some victims do not want to access to justice and proceed on the prosecution, so they do not share all information on what was happening”. (Code 08)

The main push factors for community members to vulnerable to victim of human trafficking are poverty, job opportunities, education, and drug. Women tends to have a higher risk to TIP than men, according to TIPs' cases happened in Nan during the past years. However, due to the economic situation and job opportunities, both female and male are also vulnerable for migration. In some families, some children would like to drop out from schools in order to work and support their families. Some are below 15 years old of age and the law permits them to work part-time and innocuous work environment.

“Some students are working at restaurants as waitress at nighttime and some are selling food at the tourist attraction area. After I received the information, I talked to children and parent on how to prevent student from dropping out from schools. In a case that family cannot pay for school fee, we need to find scholarships for them. We also discuss with community leaders requesting for families’ supports to prevent them from having their children working instead of coming to school. We do not want students to drop out from school”. (Code 06)

“The economic problem has affected lives of people in community, parents leave children with grandparents and focus on their works; for instance on every Monday to Friday morning, children come to school, return home and living with their grandparents, later on Friday late afternoon, parents pick them up from school and stay with them on the weekend.” (Code 9.1)

The knowledge and understanding of community members on anti-TIP Act are considered as one of the challenges. As a result, CSOs are working in the community to promote the knowledge and understanding of anti-TIP Act so that community members are well-informed, understood, and prevented from being exploited. In addition, there are numbers of unregistered workers in Nan, therefore it is a challenge for them to access to available services. In order to solve this problem, the government may consider setting up the center or hotline number to provide relevant information for irregular workers on how to register and receive social protection and other benefits and to ensure that they can access to all services provided for workers in a support of the employment’s rights.

“There are many irregular workers, it would be good if government can set up a registration information center and promote them to register as legal workers. Probably, government can start at the district level as a model so that unregistered worker can participate in social support system.” (Code 15)

7. Conclusion and Recommendations

To conclude, with reference to aforementioned social determinants to vulnerability and resilience to human trafficking, and for safe city in Nan Province, illustrated in section 6 of this report confirming that the economic, education, business or job opportunities, social value, families, geography, gender, knowledge, migration pattern, community surveillances and strong civil society, culture, technology, irregular situation (such as COVID-19 pandemic), legislation, local initiatives, community and people participation, and database construction are among essential factors that have an impact for building a safe city free of human trafficking and modern slavery in a current globalization era.

Recommendations are as follows;

A) Economic, Education and Community Participation

The provincial MDT should focus more on the root causes of the TIP problem especially on the education opportunity and poverty eradication. Awareness raising is also significant for community members on the anti-TIP through the public relations and trainings. This approach may not be focusing only on the business owner, but also to all people in the community which including students in schools, colleges and universities. As a result, the community members are able to prevent themselves from TIP and exploitation. In addition, providing vocational training and employment support can be a decent mechanism to prevent TIP in the province.

“Community members should be taking care of one another in the community, the activities can be related to family- strengthening activity and supporting each other. Some families are separated, children and youth are at risk to drug, sexual abuse, and other forms of exploitation. If we take good care of them, they will not vulnerable to criminals or create any crimes. The root cause of the problem is starting from a household level.” (Code 04)

“The most important thing for anti-TIP is everyone must be aware of the situation, sharing information with others, and forgiveness. We have to provide more TIP’s information and knowledge for children through teachers and parents, which including the principles of human dignity and sustainability so that they will not become TIP victim.” (Code 10)

“Arranging project or activity that can support at risk children or family on the employment or vocational training might be a successful factor for TIP prevention.” (Code 12)

“It is very important for people to have knowledge and truly understand TIP, particularly communities in remoted areas. It would help reducing TIP problem in the long term” (Code 13)

“My recommendation is to having TIP prevention project in every school so that students understand about TIP principle and are able to prevent themselves from it.” (Code 16.1)

“I would like to have anti-TIP project in both at-risk communities and general communities so villagers can have knowledge to prevent themselves from TIP. Currently, we can use online platform, so it is easy for knowledge sharing.” (Code 16.2)

B) Legislation, law enforcement and family participation

The law enforcement agency should always take serious implementation and enforcement of the anti-TIP Act by strengthening community’s surveillance mechanism, particularly on the area of forced labor, child labor, child sexual exploitation, and activities that may vulnerable to human trafficking. The prosecution of offenders is a must according to a criminal process. The community mediation between victim’s family and offenders through the direct compensation without prosecution in justice system must be avoided.

“It would be good to have a regular capacity building for officials so that they are ready to respond to TIP and government should provide budget to arrange awareness raising activity for community members, particularly indigenous people who are living in the remoted area so that they will have knowledge on TIP and can prevent themselves from crimes.” (Code 08)

C) Partnership and knowledge sharing

In addition, there is a recommendation for public agencies to arrange regular meetings on anti-TIP to discuss the actual situation and update information of national and sub-national levels. The activity should be conducted on a regular basis; it should not be organized only when there is a TIP case. This meeting should include representatives from government, CSOs, business sector, community and all stakeholders. In fact, there are many CSOs working on various issues related to children and youth, women empowerment, and community development, yet they are not actively working with government agencies on anti-TIP. As a result, there is a strong recommendation that the public agencies should have closely worked with CSOs to promote the anti-TIP activities and knowledge sharing in Nan Province.

D) Migration

Though internal migration pattern in Nan province reflects in a seasonal or a daily travel for working in town or business districts, however, there are some external brokers who come to remote communities and recruit workers to work outside Nan province, this can cause a vulnerable situation for labor exploitation. As a result, the education and/or knowledge for safe migration is a must to provide to Nan people, especially to those who are residing in the remote areas.

E) Geography and technology

Since majority of Nan’s area comprises of mountainous landscape, information sharing, preventive and protection mechanisms may not timely support those who live in these particular areas. The internet and phone signal may not be able to reach all communities in this province, hence a state of the art to develop new communication channels or strengthening the conventional way of communication should be discussed among anti-human trafficking stakeholders.

F) Irregular situation (COVID-19 Pandemic)

Regarding to the COVID-19 situation, Nan can learn a good lesson for being a safe city from the COVID-19, which can be a model for a safe city free of human trafficking and modern slavery.

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ANNEXES:

Annex One: Research Timeline and Deliverables

Deliverables	Proposed new Timeline for 2021									Note
	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	
Proposal development										Local team meeting/consultation
Proposal submission										Submit first draft: 12 nd February 2021 Final proposal: 10 th March 2021
Team webinars										24 th February 2021 and others
Institute of Asia Studies (IAS) and University approvals										Submit official paper (including research contract and financial agreement) to IAS's Committee Approval, and Division of International Affairs, Chulalongkorn University's approval.
Desk Review										Social determinants /Law and concepts, local initiatives that prevent modern slavery/human trafficking/community partnership, <u>etc.</u>
Apply for IRB approval										Submit paper at Office of the Research Ethics Review Committee for Research Involving Human Subjects, Chulalongkorn University
Develop semi-structure questions and techniques design for all types of data collection										Key informant, In-depth interview, FGD, non-participant observation, <u>etc.</u>
Revise semi-structured questions according to IRB's suggestions (if any)										

Deliverables	Proposed new Timeline for 2021									Note
	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	
Research team workshop/weekly meeting										Data collection planning, field note template development, security briefing, ethical guidance, etc.
Data collection										Documentary review, virtual interview, and 5 days in Nan Province, and probably additional key informants in Bangkok.
Field note transcription and analysis										
Progress report submission / Research Report writing and analyzing										
Draft Report submission										Submission semi-final draft of the report to BRICs Policy Center, Pontifical Catholic University of Rio de Janeiro (PUC-Rio).
Final report submission and closing of the project										Submission of final research report and financial report to BRICs Policy Center, Pontifical Catholic University of Rio de Janeiro (PUC-Rio) and Chulalongkorn University

Annex Two (2.1): Copy of IRB Approval from Chulalongkorn University (Thai and English Version)



บันทึกข้อความ

ส่วนงาน คณะกรรมการพิจารณาจริยธรรมการวิจัยในคน กลุ่มสหสถาบัน ชุดที่ 2 สังคมศาสตร์ มนุษยศาสตร์
และศิลปกรรมศาสตร์ จุฬาลงกรณ์มหาวิทยาลัย โทรศัพท์ 0 2218 3210

ที่ อว 64.2.2 (จว.2)/1156/2564

วันที่ 23 กรกฎาคม 2564

เรื่อง แจ้งผลการพิจารณาจริยธรรมการวิจัยในคน

เรียน ดร.รัชดา ไชยคุปต์

- สิ่งที่ส่งมาด้วย
1. ใบรับรองโครงการวิจัย (ภาษาไทย/ภาษาอังกฤษ)
 2. เอกสารข้อมูลสำหรับกลุ่มตัวอย่าง/ผู้มีส่วนร่วมในการวิจัย
 3. หนังสือยินยอมเข้าร่วมในการวิจัย
 4. แนวคำถามสำหรับการสัมภาษณ์

ตามที่ผู้วิจัยได้เสนอโครงการวิจัยเพื่อขอรับการพิจารณาจริยธรรมการวิจัยในคน จากคณะกรรมการพิจารณา
จริยธรรมการวิจัยในคน กลุ่มสหสถาบัน ชุดที่ 2 สังคมศาสตร์ มนุษยศาสตร์ และศิลปกรรมศาสตร์ จุฬาลงกรณ์
มหาวิทยาลัยนั้น ในการนี้คณะกรรมการฯ เห็นสมควรให้โครงการวิจัยของท่านได้รับการพิจารณาแบบลดขั้นตอน
(Expedited Review) ผลการพิจารณาจริยธรรมการวิจัยมีดังนี้

โครงการวิจัยที่ 123/64 เรื่อง เมืองที่ปราศจากทาสและการค้ามนุษย์ (GLOBAL CITIES FREE OF SLAVERY
AND HUMAN TRAFFICKING) ของ ดร.รัชดา ไชยคุปต์ ผ่านการพิจารณารับรอง

จึงเรียนมาเพื่อโปรดทราบ

(ศาสตราจารย์กิตติคุณ ดร.ธีระพันธ์ เหลืองทองคำ)

ประธานกรรมการ

ผู้ประสานงาน นางสาวชนัญญา สุขสมวัฒน์ โทร. 0 2218 3210

Annex Two (2.2): Research Project Information for interviewee (AF 04-07)

AF 04-07

เอกสารข้อมูลสำหรับกลุ่มตัวอย่าง/ผู้มีส่วนร่วมในการวิจัย

ชื่อโครงการวิจัย...เมืองที่ปราศจากทาสและการค้ามนุษย์ (Global Cities Free of Slavery and Human Trafficking).....
ชื่อผู้วิจัยหลัก.....ดร.รัชดา ไชยคุปต์.....ตำแหน่ง.....นักวิจัยอาวุโส/อาจารย์เชี่ยวชาญเฉพาะ (AR).....
สถานที่ติดต่อผู้วิจัย (ที่ทำงาน).....ศูนย์วิจัยการวิจัยถิ่นแห่งเอเชีย สถาบันเอเชียศึกษา จุฬาลงกรณ์มหาวิทยาลัย.....
โทรศัพท์ (ที่ทำงาน).....02-218-7415.....ต่อ.....โทรศัพท.....
โทรศัพท์มือถือ.....086-994-1546.....อีเมล.....Ratchada.ja@chula.ac.th.....

- ขอเรียนเชิญท่านเข้าร่วมการวิจัย ก่อนที่ท่านจะตัดสินใจเข้าร่วมในการวิจัย มีความจำเป็นที่ท่านควรทำความเข้าใจว่างานวิจัยนี้ทำเพราะเหตุใด และเกี่ยวข้องกับอะไร กรุณาใช้เวลาในการอ่านข้อมูลต่อไปนี้อย่างละเอียดรอบคอบ ท่านสามารถสอบถามได้ หากถ้อยความไม่ชัดเจน หรือขอข้อมูลเพิ่มเติมได้
- โครงการศึกษานี้มีจุดมุ่งหมายเพื่อศึกษาและวิเคราะห์ปัจจัยทางสังคมที่ส่งผลต่อสถานการณ์การค้าทาสสมัยใหม่ และการค้ามนุษย์ รวมทั้งวิธีการในการดำเนินการของท้องถิ่นในการสร้างชุมชนเข้มแข็งของจังหวัดน่าน เพื่อพัฒนา นโยบาย สร้างการริเริ่ม และความร่วมมือของทุกภาคส่วน ทั้งภาครัฐ ภาคเอกชน และภาคประชาสังคม ประโยชน์ที่คาดว่าจะได้รับจากโครงการศึกษานี้ คือ การสร้างองค์ความรู้ในเรื่องปัจจัยทางสังคม ตลอดจนการมีตัวอย่างที่ดีเพื่อเป็นต้นแบบในการส่งเสริมความร่วมมือ และความริเริ่มสร้างสรรค์ของหน่วยงานและผู้ที่เกี่ยวข้อง โดยมีระยะเวลาการวิจัยทั้งสิ้น 6 เดือน จากเดือนเมษายน ถึงเดือนกันยายน 2564
- ท่านได้รับเชิญให้เข้าร่วมการวิจัยนี้เนื่องจากท่านเป็นผู้ที่มีความรู้ความเข้าใจและประสบการณ์เกี่ยวกับสถานการณ์การค้ามนุษย์ หรือการสร้างชุมชนเข้มแข็งของชุมชนในจังหวัดน่าน จำนวนผู้เข้าร่วมการวิจัยทั้งสิ้น จำนวนประมาณ 25 คน
- หากท่านตัดสินใจเข้าร่วมการวิจัยแล้ว ผู้วิจัยจะขอสัมภาษณ์ท่านในประเด็นเกี่ยวกับการค้ามนุษย์และการสร้างความเข้มแข็งของชุมชนในจังหวัดน่าน โดยใช้เวลาในการสัมภาษณ์ 90-120 นาที ซึ่งมีข้อคำถามทั้งหมด 78 ข้อ
- ข้อมูลที่ได้จากสัมภาษณ์ ผู้วิจัยจะขออนุญาตบันทึกเสียง ถ่ายภาพ และถอดเทปบันทึกเสียง และจะดำเนินการทำลายข้อมูลตลอดจนข้อมูลอื่น ๆ ทั้งหมดที่เกี่ยวข้องกับท่านภายหลังเสร็จสิ้นการวิจัยในระยะเวลา 1 ปี โดยจะทำลายข้อมูลโดยการลบออกจากเครื่องบันทึกเสียง เครื่องคอมพิวเตอร์ และเครื่องเก็บข้อมูลฟลอปปีดิสก์ของผู้วิจัย
- ในระหว่างการสัมภาษณ์ท่านอาจรู้สึกอึดอัด หรืออาจรู้สึกไม่สบายใจอยู่กับบางคำถาม ท่านมีสิทธิ์ที่จะไม่ตอบคำถามเหล่านั้นได้ รวมถึงท่านมีสิทธิ์ถอนตัวออกจากโครงการนี้เมื่อใดก็ได้ โดยไม่ต้องแจ้งให้ทราบล่วงหน้า และการไม่เข้าร่วมวิจัยหรือถอนตัวออกจากโครงการวิจัยนี้ จะไม่มีผลกระทบต่อท่านแต่อย่างใด
- ข้อมูลส่วนตัวของท่านจะถูกเก็บรักษาไว้ ไม่เปิดเผยต่อสาธารณะเป็นรายบุคคล แต่จะรายงานผลการวิจัยเป็นภาพรวม ผู้ที่มีสิทธิ์เข้าถึงข้อมูลของท่านจะมีเฉพาะผู้ที่เกี่ยวข้องกับการวิจัยนี้ และคณะกรรมการจริยธรรมการวิจัยในคนเท่านั้น
- โครงการวิจัยนี้เป็นการศึกษาสัมภาษณ์จำนวน 2 รูปแบบ คือ การสัมภาษณ์แบบเห็นหน้าและการสัมภาษณ์แบบออนไลน์ ซึ่งท่านจะไม่เสียค่าใช้จ่ายใด ๆ และท่านจะได้รับเงินรางวัล 100 บาท เป็นของที่ระลึก โดยหากเป็นการสัมภาษณ์แบบออนไลน์ โครงการวิจัยจะขอให้ท่านลงนามในหนังสือยินยอมการร่วมการวิจัย จากนั้นสแกนหรือถ่ายภาพเอกสารและส่งกลับมายังผู้วิจัยทางออนไลน์ ทั้งนี้ ผู้วิจัยจะจัดส่งผู้ไปรษณีย์ที่พินได้แจ้งไว้ในระหว่างสัมภาษณ์ 23 ก.ค. 64



AF 04-07

- หากท่านมีข้อสงสัยใด ๆ โปรดสอบถามเพิ่มเติม โดยติดต่อกับผู้วิจัยได้ตลอดเวลา และหากผู้วิจัยมีข้อมูลเพิ่มเติมที่เป็นประโยชน์หรือโทษเกี่ยวกับการวิจัย ผู้วิจัยจะแจ้งให้ท่านทราบอย่างรวดเร็ว
- หากท่านไม่ได้รับการปฏิบัติตามข้อมูลดังกล่าวข้างต้น ท่านสามารถร้องเรียนได้ที่คณะกรรมการพิจารณาจริยธรรมการวิจัยในคน กลุ่มสหสถาบัน ชุดที่ 2 สังคมศาสตร์ มนุษยศาสตร์ และศิลปกรรมศาสตร์ จุฬาลงกรณ์มหาวิทยาลัย อาคารจามจุรี 1 ห้อง 114 ถนนพญาไท แขวงวังใหม่ เขตปทุมวัน กรุงเทพฯ 10330 โทรศัพท์ 0 2218 3210-11 อีเมล curec2.ch1@chula.ac.th

ลงชื่อ.....
(.....ดร.รัชดา ไชยคุปต์.....)
ผู้วิจัยหลัก



Annex Two (2.3): Consent Form (AF 05-07)



AF 05-07

เลขที่โครงการ 123/64
วันที่รับรอง 23 ก.ค. 64
วันหมดอายุ 22 ก.ค. 65

หนังสือยินยอมเข้าร่วมในการวิจัย

สถานที่
วันที่ เดือน พ.ศ.

เลขที่ ผู้มีส่วนร่วมในการวิจัย

ข้าพเจ้า ซึ่งได้ลงนามทำหนังสือนี้ ขอแสดงความยินยอมเข้าร่วมโครงการวิจัย
ชื่อโครงการวิจัย.....เมืองที่ปราศจากทาสและการค้ามนุษย์ Global Cities Free of Slavery and Human Trafficking.....
ชื่อผู้วิจัยหลักดร.รัชดา ไชยคุปต์.....
ที่อยู่ติดต่อศูนย์วิจัยการย้ายถิ่นแห่งเอเชีย สถาบันเอเชียศึกษา จุฬาลงกรณ์มหาวิทยาลัย.....
โทรศัพท์086-994-1546.....

ข้าพเจ้า ได้รับทราบรายละเอียดเกี่ยวกับที่มาและวัตถุประสงค์ในการทำวิจัย รายละเอียดขั้นตอนต่างๆ ที่จะต้องปฏิบัติหรือได้รับการปฏิบัติ ความเสี่ยง/อันตราย และประโยชน์ซึ่งจะเกิดขึ้นจากการวิจัยเรื่องนี้ โดยได้อ่านรายละเอียดในเอกสารข้อมูลสำหรับผู้มีส่วนร่วมในการวิจัยโดยตลอด และได้รับคำอธิบายจากผู้วิจัย จนเข้าใจเป็นอย่างดีแล้ว

ข้าพเจ้าจึงสมัครใจเข้าร่วมในโครงการวิจัยนี้ ตามที่ระบุไว้ในเอกสารข้อมูลสำหรับผู้มีส่วนร่วมในการวิจัย โดยข้าพเจ้ายินยอมเข้าร่วมการสัมภาษณ์ เป็นเวลา90-120 นาที จำนวน 1 ครั้ง โดยมีการบันทึกเสียง ถ่ายภาพ และถอดเทปบันทึกเสียง เมื่อเสร็จสิ้นการวิจัยแล้วข้อมูลที่เกี่ยวข้องกับผู้มีส่วนร่วมในการวิจัยจะถูกทำลายภายหลังเสร็จสิ้นการวิจัยในระยะเวลา 1 ปี

ข้าพเจ้าให้ความยินยอม ดังต่อไปนี้ (กรุณาทำเครื่องหมาย ✓ ในช่องที่ต้องการให้ความยินยอม)

- บันทึกเสียงและถอดเทปบันทึกเสียง
 ถ่ายภาพ

ข้าพเจ้ามีสิทธิ์ถอนตัวออกจากกรวิจัยเมื่อใดก็ได้ตามความประสงค์ โดยไม่ต้องแจ้งเหตุผล ซึ่งการถอนตัวออกจากกรวิจัยจะไม่มีผลกระทบทางลบใด ๆ ต่อข้าพเจ้าทั้งสิ้น

ข้าพเจ้าได้รับคำรับรองและคำยืนยันว่า ผู้วิจัยจะปฏิบัติตามข้าพเจ้าตามเอกสารข้อมูลซึ่งเป็นคำชี้แจงผู้มีส่วนร่วมในการวิจัย และข้อมูลใด ๆ ที่เกี่ยวข้องกับข้าพเจ้า ผู้วิจัยจะเก็บรักษาเป็นความลับ โดยจะนำเสนอผลการวิจัยเป็นภาพรวมเท่านั้น ไม่มีข้อมูลใดในการรายงานที่จะนำไปสู่การระบุตัวข้าพเจ้า

หากข้าพเจ้าไม่ได้รับการปฏิบัติตรงตามที่ได้ระบุไว้ในเอกสารชี้แจงผู้มีส่วนร่วมในการวิจัย ข้าพเจ้าสามารถร้องเรียนได้ที่คณะกรรมการพิจารณาจริยธรรมการวิจัยในคน กลุ่มสถาบัน ชุดที่ 2 สังคมศาสตร์ มนุษยศาสตร์และศิลปกรรมศาสตร์ จุฬาลงกรณ์มหาวิทยาลัย อาคารจามจรี 1 ชั้น 1 ห้อง 114 แขวงวังใหม่ เขตปทุมวัน กรุงเทพฯ 10330 โทรศัพท์ 0 2218 3210-11 อีเมล curec2.ch1@chula.ac.th

ข้าพเจ้าได้ลงลายมือชื่อไว้เป็นสำคัญต่อหน้าพยาน นอกจากนี้ข้าพเจ้าได้รับสำเนาเอกสารข้อมูลซึ่งเป็นคำชี้แจงผู้มีส่วนร่วมในการวิจัย และสำเนาหนังสือยินยอมไว้แล้ว

ลงชื่อ
(.....ดร.รัชดา ไชยคุปต์.....)
ผู้วิจัยหลัก

ลงชื่อ.....
(.....)
ผู้มีส่วนร่วมในการวิจัย

Annex Two (2.4): List of Questions (Page 1-5)



โครงการศึกษาระดับนานาชาติเรื่อง "เมืองที่ปราศจากทาสและการค้ามนุษย์"
(Global Cities Free of Slavery and Human Trafficking)
จัดทำโดย

ศูนย์วิจัยการย้ายถิ่นเอเชีย สถาบันเอเชียศึกษา จุฬาลงกรณ์มหาวิทยาลัย ดำเนินการโครงการศึกษาวิจัยเรื่อง "เมืองที่ปราศจากทาสและการค้ามนุษย์ (Global Cities Free of Slavery and Human Trafficking)" ซึ่งเป็นความร่วมมือระหว่าง Nottingham University สหราชอาณาจักร, Eduardo Mondlane University ประเทศโมซัมบิก และ Pontifical Catholic University of Rio de Janeiro (PUC-Rio) ประเทศบราซิล มีวัตถุประสงค์หลักเพื่อศึกษานโยบายการป้องกันการค้ามนุษย์และเสริมพลังชุมชนเชิงแข็ง โดยมีการศึกษาวิจัยใน 4 ประเทศ เพื่อแลกเปลี่ยนวิธีการ รวมทั้งหาแนวทางและต้นแบบในการป้องกันการค้ามนุษย์ โดยในส่วนของประเทศไทย ศูนย์วิจัยการย้ายถิ่นฯ ได้กำหนดพื้นที่ในการศึกษาคือ จังหวัดน่าน

วัตถุประสงค์ของการศึกษาคือ:

- 1) เพื่อศึกษาและวิเคราะห์สาเหตุของปัจจัยทางสังคมของประเด็นการค้ามนุษย์ในจังหวัดน่าน
- 2) เพื่อศึกษาผลกระทบจากการค้ามนุษย์และแนวทางการมีส่วนร่วมของท้องถิ่นในการป้องกันการเป็นทาสในยุคปัจจุบันและการค้ามนุษย์ในจังหวัดน่าน
- 3) สนับสนุนการจัดสร้างฐานข้อมูลในเรื่องการค้ามนุษย์ซึ่งรวมถึงข้อมูลการศึกษา รายงานต่าง ๆ เพื่อพัฒนาเป็นนโยบายสาธารณะและนโยบายของภาคเอกชน และเพื่อจัดการเป็นทาสในยุคปัจจุบันและการค้ามนุษย์
- 4) เพื่อสร้างการมีส่วนร่วมระหว่างหน่วยงานภาครัฐ เอกชน องค์กรประชาสังคม ระดับประเทศและท้องถิ่นเพื่อส่งเสริมกระบวนการเรียนรู้ว่าด้วยประเด็นการค้ามนุษย์ในการแก้ไขปัญหาการค้ามนุษย์

คณะผู้วิจัย

- ดร.รัชดา โขบุญศักดิ์
- ดร.พีลา ภูริสิทธิ์
- น.ส.ณัฐกานต์ โนวี



เลขที่โครงการ 123/64
วันที่รับรอง 23 ก.ค. 64
วันหมดอายุ 22 ก.ค. 65

ส่วนที่ 1: ข้อมูลทั่วไป

- 1) ชื่อ-นามสกุล.....
- 2) หน่วยงาน/อาชีพ.....
- 3) สัญชาติ..... เชื้อชาติ.....
- 4) เพศสภาพ
0 หญิง 0 ชาย 0 อื่น ๆ
- 5) อายุ.....ปี
- 6) สถานภาพ
0 โสด 0 สมรส 0 หย่าร้าง, หม้าย, แยกกันอยู่ 0 อื่น ๆ
- 7) ระดับการศึกษาสูงสุด
0 ประถม 0 มัธยม 0 ปวช./ปวส./อนุปริญญา 0 ปริญญาตรี 0 ปริญญาโท 0 ปริญญาเอก
0 อื่น ๆ ระบุ.....
- 8) รายได้เฉลี่ยต่อเดือน (ตนเอง)
0 น้อยกว่า 5,000 บาท 0 5,000-10,000 บาท 0 10,001-15,000 บาท
0 15,001-20,000 บาท 0 20,001-25,000 บาท 0 25,001-30,000 บาท
0 มากกว่า 30,001 บาท ระบุ
- 9) รายได้เฉลี่ยต่อเดือน (ครอบครัว)
0 น้อยกว่า 5,000 บาท 0 5,000-10,000 บาท 0 10,001-15,000 บาท
0 15,001-20,000 บาท 0 20,001-25,000 บาท 0 25,001-30,000 บาท
0 มากกว่า 30,001 บาท ระบุ



เลขที่โครงการ 123/64
วันที่รับรอง 23 ก.ค. 64
วันหมดอายุ 22 ก.ค. 65

ตอนที่ 2: สาเหตุและปัจจัยทางสังคม

ปัจจัยทางสังคม (Social determinants)	คำสำคัญ (Key words)	คำถาม (Questions)	
		ผู้เป็นนายงาน/องค์กร	บุคคล
สถานะทั่วไป/ปัจจัยส่วนบุคคล			
1. ปัจจัยทางเศรษฐกิจ (Economic causes)	รายได้น้อย (low incomes - push factor)		ทำนงรายได้/มีเงินพอเพียง

ปัจจัยทางสังคม (Social determinants)	คำสำคัญ (Key words)	คำถาม (Questions)	
		ผู้เป็นนายงาน/องค์กร	บุคคล
1. ความยากจน (poverty /extreme poverty/ chronic poverty/ feminization poverty - push factor)	1. สถานภาพ/ระดับชีวิตของครัวเรือนเป็นอย่างไร 2. สถานะระดับความยากจน / ค่าใช้จ่ายที่ไม่เพียงพอ มีแผนการ 3. จำนวนผู้ที่ถือสวัสดิการแห่งรัฐ ประชากร	1. สถานภาพ/ระดับชีวิตของครัวเรือนเป็นอย่างไร 2. สถานะระดับความยากจน / ค่าใช้จ่ายที่ไม่เพียงพอ มีแผนการ 3. จำนวนผู้ที่ถือสวัสดิการแห่งรัฐ ประชากร	ปัจจุบัน ทำน /ครอบครัวของทำนงรายได้/มีเงินพอเพียง / ค่าใช้จ่ายที่ไม่เพียงพอ มีแผนการ ค่าเงินชีวิตอย่างไร / ได้รับความช่วยเหลืออย่างไร
2. การขาดโอกาสทางเศรษฐกิจ (Lack of economic opportunity)	การขาดโอกาสทางการศึกษา/ การขาดโอกาสในการทำงาน	การให้ความช่วยเหลือ / สนับสนุนโอกาสในการทำงาน	ทำนงเองกับรายได้ / อื่นๆ ในปัจจุบัน ถ้าไม่พอใจ มีแผนการดำรงชีวิตอย่างไร
3. การขาดโอกาสทางเศรษฐกิจที่ต่ำกว่า (seeking for economic opportunity - pull factor)	ผลกระทบของสภาพทางเศรษฐกิจ	ผลกระทบของสภาพทางเศรษฐกิจ	ความเสียหายของรายได้/ รายจ่าย
2. สถานภาพการทำงาน (Informality / Working Environment)	ผู้ที่อยู่ในสถานประกอบการทำงานหรือรูปแบบการทำงานที่ไม่เป็นทางการ มีโอกาสเสี่ยงต่อการค้ามนุษย์ การบังคับเป็นทาส	1. สถานะการทำงาน แรงงานในระบบ นอกกระบวน การว่างงานหรือจัดเป็นอย่างไร 2. นโยบาย/แนวทางการส่งเสริมและสนับสนุนในการจ้างงาน	การจ้างงาน ทำนงจ้างแรงงาน จากที่ใด อย่างไร ได้รับการสนับสนุนจากที่ใด อย่างไร
3. เพศ/เพศภาวะ (Sex/Gender)	จำนวนที่แตกต่างระหว่างผู้หญิงและผู้ชายในการถูกเป็นทาส	1. จำนวนประชากรจ้างงานเพศของจังหวัด	แรงงานส่วนใหญ่ในสถานที่ทำงานของท่าน เป็นเพศใด มีหน้าที่อย่างไร

ปัจจัยทางสังคม (Social determinants)	คำสำคัญ (Key words)	คำถาม (Questions)	
		ผู้เป็นนายงาน/องค์กร	บุคคล
3. ชุมชนและสภาพสังคม	ชุมชนที่มีการผูกค้ำมนุษย์ในเทศาภิบาลขึ้น	ชุมชนที่มีอายุเท่าไร	
	ช่วงก่อนวัยเจริญพันธุ์ ส่วนเพศหญิงเป็นช่วงหลังวัยเจริญพันธุ์		
	รูปแบบการค้ามนุษย์		
	เพศหญิงเป็นหรือวัตถุทางเพศ ส่วนเพศชายเป็นหรือใช้แรงงาน		
	บิดา/มารดา	แนวคิดในเรื่องความเสมอภาคระหว่างเพศ	ลักษณะของการจ้างงาน เช่น การทำเกษตร งานบริการ
		การแบ่งบทบาทหญิงชายในครอบครัว ชุมชน	
4. การศึกษา (Formal education)	ระดับการศึกษาของครอบครัว	สถิติการศึกษาของประชากร	ความสัมพันธ์ของการศึกษา (ครอบครัว / หน่วยงาน)
	การศึกษาของครอบครัว		
	การศึกษาเป็นเครื่องมือในการป้องกันการค้ามนุษย์		
5. อายุ (Age)	ช่วงวัยและสภาพสังคม	จำนวนประชากรจำแนกตามอายุ	
	สถานการณ์การค้ามนุษย์ในเทศาภิบาลขึ้น		
	ช่วงก่อนวัยเจริญพันธุ์ ส่วนเพศหญิงเป็นช่วงหลังวัยเจริญพันธุ์		

ปัจจัยทางสังคม (Social determinants)	คำสำคัญ (Key words)	คำถาม (Questions)	
		ผู้เป็นนายงาน/องค์กร	บุคคล
6. ชชาติพันธุ์ (Ethnicity)	ชนกลุ่มน้อยมีแนวโน้มในการเข้าสู่ธุรกิจการค้ามนุษย์		มีปัจจัย/เหตุ/สาเหตุใดของจังหวัด
7. สถานะพลเมือง (Citizenship and documentation)	ผู้มีสิทธิพลเมือง	สถานะประชากร	ผู้ที่มีไม่มีสัญชาติ
ปัจจัยทางสถานะครอบครัว			
8. สภาพและรูปแบบครอบครัว (Family dysfunction)	สถานะครอบครัวที่ไม่มั่นคงส่งผลต่อการเข้าสู่ธุรกิจการค้ามนุษย์	สถานะของครอบครัว	สภาพครอบครัวของท่านเป็นอย่างไร
9. สถานะการสมรส (Marital status)		สัดส่วนประชากรสถานภาพการสมรสของประชากรในจังหวัด	สถานะการสมรส
10. ความรุนแรงในครอบครัว (Domestic violence)		สถานการณ์ความรุนแรงต่อสตรี/ครอบครัวในจังหวัด	ท่านเคยได้รับ/รู้แจ้งเหตุเรื่องความรุนแรงในครอบครัวหรือไม่ อย่างไร
ปัจจัยทางสถานะอื่นในชุมชน/สังคม			
11. วัฒนธรรมจารีตประเพณี (Culture Social norm/ Virginity)	วัฒนธรรม ความเชื่อเป็นปัจจัยที่ทำให้เกิดการค้ามนุษย์ เช่น ความกลัว การตกตะนอย	ค่านิยมของชุมชน	ค่านิยมของชุมชน
	วัฒนธรรม ความเชื่อเป็นปัจจัยที่เป็นอุปสรรคในการแก้ไขปัญหาการค้ามนุษย์ เช่น ความกลัว การทุจริต	วัฒนธรรม (จุดแข็ง) ของชุมชน	วัฒนธรรม (จุดแข็ง)



Scan for Annexes
2.1/2.2/2.3/2.4

Annex Two (2.4): List of Questions (Page 6-10)

ปัจจัยทางสังคม (Social determinants)	คำสำคัญ (Key words)	ผู้เขียน	หน้า
การตีตรา (Social Stigma)	การตีตราผู้เสียหาย	ผู้เขียน	23 ก.ย. 64
การเพิกเฉยต่อการค้ามนุษย์ (Ignorance of trafficking)	การไม่ตระหนักถึงปัญหา มองว่าไม่ใช่เรื่องที่ได้ คนเองได้รับผลกระทบ การละเมิดของ จนท.	ผู้เขียน	22 ก.ย. 65
ปัจจัยทางสังคมและการเมือง			
12. นโยบาย กฎหมาย และการบังคับใช้ (Policy legislation and enforcement)	ข้อตกลงระหว่างประเทศ เป็นปัจจัยสนับสนุน	เชื่อมโยงกับคำถามตอนที่ 3	เชื่อมโยงกับคำถามตอนที่ 3
การควบคุมชายแดน (Border insecurity)	การขาดการควบคุม	เชื่อมโยงกับคำถามตอนที่ 3	เชื่อมโยงกับคำถามตอนที่ 3
สถานการณ์โลก/ปัจจัยต้นสุด			
13. โลกาภิวัตน์ (Globalization)	การค้าเสรีข้ามพรมแดน การเคลื่อนย้ายแรงงาน การโยกย้ายถิ่นระหว่างประเทศ การค้าเสรีระหว่างประเทศ การโยกย้ายถิ่นระหว่างประเทศ การโยกย้ายถิ่นระหว่างประเทศ การโยกย้ายถิ่นระหว่างประเทศ	เชื่อมโยงกับคำถามตอนที่ 3	เชื่อมโยงกับคำถามตอนที่ 3

ปัจจัยทางสังคม (Social determinants)	คำสำคัญ (Key words)	ผู้เขียน	หน้า
ความต้องการ (Demand)	ความต้องการแรงงานที่ถูกจากประเทศที่ล้าหลัง	ผู้เขียน	23 ก.ย. 64
การย้ายถิ่น (Migration)	ความต้องการของผู้ย้ายถิ่น	ผู้เขียน	22 ก.ย. 65
ความขัดแย้งและการพลัดถิ่น (Conflict and displacement)	เป็นปัจจัยผลักดันในการย้ายถิ่น	ผู้เขียน	22 ก.ย. 65

ตอนที่ 3: กลไกและกฎหมายที่เกี่ยวข้อง

- 3.1 ด้านนโยบาย (Policy): นโยบาย / ยุทธศาสตร์ / กฎหมายที่เกี่ยวข้องและการบังคับใช้กฎหมาย
 - จังหวัดของท่านมีนโยบาย ยุทธศาสตร์ และระเบียบที่เกี่ยวข้องกับการค้ามนุษย์อย่างไรบ้าง มีมีการบังคับใช้หรือแนวทางในการดำเนินงานอย่างไร และมีแนวทางในการติดตาม และประเมินผลอย่างไร
- 3.2 ด้านการป้องกัน (Prevention): แนวทางการป้องกัน
 - จังหวัดของท่านมีกลไกในการป้องกันการค้ามนุษย์อย่างไร
 - หน่วยงานของท่านมีการจัดกิจกรรมการป้องกันการค้ามนุษย์และการสร้างความตระหนักให้กับประชาชนอย่างไร
 - ขบวนการทางสังคมมีส่วนร่วมในการป้องกันการค้ามนุษย์อย่างไร
 - จังหวัดของท่านมีปัจจัยสนับสนุนและอุปสรรคในการป้องกันการค้ามนุษย์อย่างไรบ้าง

- 3.3 ด้านการดำเนินคดี (Prosecution): access to justice
 - จังหวัดของท่านมีกลไกในการดำเนินคดีอย่างไรบ้าง
 - จังหวัดของท่านมีการคุ้มครองสิทธิประโยชน์ของเหยื่อการค้ามนุษย์และผู้เสียหายอย่างไรบ้าง
 - ผู้เสียหายจากการค้ามนุษย์มีกระบวนการในการแจ้งความร้องทุกข์อย่างไร
 - ความสัมพันธ์ระหว่างความตระหนักในสิทธิและความระมัดระวังในการค้ามนุษย์ในจังหวัดท่านมีอย่างไรบ้าง
 - จังหวัดของท่านมีปัจจัยสนับสนุนและอุปสรรคในการดำเนินคดีการค้ามนุษย์อย่างไร
- 3.4 ด้านการคุ้มครอง (Protection): Government transfer aid program (BFP)
 - จังหวัดของท่านมีกลไกในการคุ้มครองอย่างไร
 - ผู้เสียหายจากการค้ามนุษย์มีสิทธิและได้รับบริการด้านการคุ้มครองอย่างไรบ้างจากหน่วยงานของท่าน
 - กระบวนการในการคุ้มครองผู้เสียหายจากการค้ามนุษย์มีอย่างไรบ้าง ระบบการบริการด้านการแจ้งเหตุ การส่งต่อ การฟื้นฟู การสืบสวนสอบสวน/ การสืบสวนสอบสวนทาง เป็นอย่างไร (reporting, referral, recovery, reintegration/ repatriation)
- 3.5 ด้านความร่วมมือ (Partnership): MDT
 - จังหวัดของท่านมีกลไกการประสานงานหน่วยงานในการค้ามนุษย์อย่างไร
 - ประเด็นความร่วมมือในการค้ามนุษย์มีอะไรบ้าง
 - จังหวัดของท่านมีผู้มีส่วนได้ส่วนเสียและสถาบันใดบ้างที่เกี่ยวข้องกับการต่อต้านการค้ามนุษย์
 - จังหวัดของท่านมีวิธีการเสริมสร้างความร่วมมือระหว่างหน่วยงานในการต่อต้านการค้ามนุษย์อย่างไร
- 3.6 ข้ออุปสรรค
 - หน่วยงานของท่านมีบทบาทอย่างไรในการดำเนินการต่อต้านการค้ามนุษย์
 - หน่วยงานของท่านมีจุดแข็ง / จุดอ่อน / ข้อท้าทาย / โอกาส (สิ่งที่ช่วยสนับสนุน) ในการดำเนินการต่อต้านการค้ามนุษย์อย่างไร
 - หน่วยงานของท่านมีแนวโน้มปฏิบัติที่ดี บทเรียน หรือประสบการณ์ด้านการค้ามนุษย์อย่างไร ยกเว้นตัวอย่าง (หากมี)
 - หน่วยงานของท่านมีข้อเสนอแนะในการพัฒนาการดำเนินการค้ามนุษย์สำหรับระดับประเทศและระดับจังหวัดอย่างไร

ตอนที่ 4: การริเริ่มของท้องถิ่นในการป้องกันการค้ามนุษย์และการทำงานร่วมกับชุมชนในจังหวัดปัตตานี (หมายเหตุ: คำว่า "ท้องถิ่น" ในที่นี้หมายถึง "พื้นที่" ซึ่งหมายถึง "พื้นที่" ที่มีการตั้งถิ่นฐานของประชากรในพื้นที่นั้นๆ) คำว่า "ท้องถิ่น" ในที่นี้หมายถึง "พื้นที่" ซึ่งหมายถึง "พื้นที่" ที่มีการตั้งถิ่นฐานของประชากรในพื้นที่นั้นๆ

การริเริ่มของชุมชน / ภาคประชาสังคม (Local initiative/civil society)

- 4.1 ท่านคิดว่า ชุมชนและจังหวัดของท่านมีจุดแข็ง อย่างไรบ้าง ทำให้เกิดเช่นนี้
- 4.2 ปัญหาหรืออุปสรรคของ ชุมชน / จังหวัด (ท่านคิดว่าต้นตอของปัญหาคืออะไร)
- 4.3 ท่านมีส่วนช่วยในการแก้ไขปัญหา/ข้อท้าทาย เหล่านี้ได้อย่างไรบ้าง
- 4.4 นอกเหนือจากตัวท่านแล้ว ใคร/ส่วนใด/ภาคี มีส่วนช่วยในการแก้ไขปัญหา / ข้อท้าทายเหล่านี้ อย่างไรบ้าง
- 4.5 อะไรคือ ข้อจำกัด ของการแก้ไขปัญหา/ข้อท้าทายเหล่านี้
- 4.6 ผู้นำของชุมชน มีความสำคัญอย่างไร ที่ทำให้ชุมชน/จังหวัดของท่าน ประสบความสำเร็จ อย่างไร
- 4.7 การมีส่วนร่วมของชุมชน ในกระบวนการต่าง ๆ เช่น การพัฒนาชุมชนให้เข้มแข็ง การแก้ไขปัญหาของชุมชน
- 4.8 มีการพูดถึง หรือรณรงค์กับชุมชน อย่างไร และมีอะไรบ้าง ใครมีส่วนร่วมในการขับเคลื่อน
- 4.9 การเรียนรู้ของชุมชน เป็นอย่างไร มีอะไรบ้าง
- 4.10 การสำรวจข้อมูลของชุมชน ทำอย่างไร ใครเป็นผู้ดำเนินการ / ได้รับความร่วมมือจากใครบ้าง
- 4.11 แนวคิดที่สำคัญ ที่นำมาใช้ในการพัฒนาชุมชน ให้เข้มแข็ง มีอะไรบ้าง (เช่น หลักปรัชญาเศรษฐกิจพอเพียงในการดำรงชีวิตและวิถีชุมชน)
- 4.12 ท่านทราบหรือไม่ว่า เป้าหมาย / วิสัยทัศน์ ของ ชุมชน / จังหวัดท่านคืออะไร และท่านเคยมีส่วนร่วมแล้วหรือยัง อย่างไร ถ้ามี ท่านคิดว่า ท่านจะเข้าร่วมหรือไม่ อย่างไร

ตอนที่ 5: ฐานข้อมูลและการมีส่วนร่วมของหน่วยงาน/องค์กร/สถาบัน/ทุกภาคส่วนที่เกี่ยวข้อง

- 5.1 ชุมชนที่มีการพัฒนาแล้ว ในมุมมองของท่านคืออะไรบ้าง
- 5.2 การมีส่วนร่วมของส่วนใดบ้างในความดีของท่าน ที่จะช่วยทำให้ชุมชน / จังหวัดของท่านเป็นชุมชนที่เข้มแข็ง (ปราศจากการค้ามนุษย์ / การอาชญากรรม)
- 5.3 การมีส่วนร่วมของส่วนใดบ้าง ในโครงการพัฒนา และมีหน้าที่ความรับผิดชอบอย่างไรบ้าง

- 5.4 ท่านทราบหรือไม่ว่า ชุมชน/จังหวัดของท่าน มีความเสี่ยงในปัญหาเรื่องใดบ้าง (เช่น การย้ายถิ่น การลักลอบขนคนเข้าเมือง การค้ามนุษย์ เป็นต้น) และใครควรมีส่วนร่วมรับผิดชอบ/ให้ความร่วมมืออย่างไร
- 5.5 ในการที่นำมาเป็นจังหวัดชายแดน ไม่ทราบว่ามีโครงการอะไรบ้างที่ร่วมกับประเทศเพื่อนบ้าน
- 5.6 ข้อคิดเห็นอื่น ๆ



เลขที่โครงการ 123/64
วันที่รับเรื่อง 23 ก.ย. 64
วันที่ส่งเอกสาร 22 ก.ย. 65



Scan for Annexes
2.1/2.2/2.3/2.4

Annex Three (3.1): Certificate of Research Approval (Thai Version)



คณะกรรมการพิจารณาจริยธรรมการวิจัยในคน กลุ่มสถาบัน ชุดที่ 2
สังคมศาสตร์ มนุษยศาสตร์ และศิลปกรรมศาสตร์ จุฬาลงกรณ์มหาวิทยาลัย
อาคารจามจุรี 1 ชั้น 1 ห้อง 114 ถนนพญาไท แขวงวังใหม่ เขตปทุมวัน กรุงเทพมหานคร 10330
โทรศัพท์ : 0 2218 3210-11 E-mail: curec2.ch1@chula.ac.th

COA No. 168/2564

ใบรับรองโครงการวิจัย

โครงการวิจัยที่ 123/64 เมืองที่ปราศจากทาสและการค้ามนุษย์

ผู้วิจัยหลัก ดร.รัชดา ไชยคุปต์

หน่วยงาน สถาบันเอเชียศึกษา จุฬาลงกรณ์มหาวิทยาลัย

คณะกรรมการพิจารณาจริยธรรมการวิจัยในคน กลุ่มสถาบัน ชุดที่ 2 สังคมศาสตร์ มนุษยศาสตร์ และศิลปกรรมศาสตร์ จุฬาลงกรณ์มหาวิทยาลัย พิจารณาจริยธรรมการวิจัยโดยยึดหลัก ของ Declaration of Helsinki, the Belmont report, CIOMS guidelines และ The international conference on harmonization – Good clinical practice (ICH-GCP) อนุมัติให้ดำเนินการศึกษาวิจัยเรื่องดังกล่าวได้

ลงนาม ธีระพันธ์ เหลืองทองคำ

(ศาสตราจารย์กิตติคุณ ดร.ธีระพันธ์ เหลืองทองคำ)
ประธานคณะกรรมการ

ลงนาม เนงน พริบ

(ผู้ช่วยศาสตราจารย์ ดร.หนึ่งทัย แรงผลสัมฤทธิ์)
กรรมการและเลขานุการ

รูปแบบการพิจารณาทบทวน: แบบลดขั้นตอน

วันที่รับรอง: 23 กรกฎาคม 2564

วันหมดอายุ: 22 กรกฎาคม 2565

เอกสารที่คณะกรรมการรับรอง

1. ข้อเสนอโครงการวิจัย
2. ประวัติและผลงานของผู้วิจัย
3. เอกสารข้อมูลสำหรับกลุ่มตัวอย่าง/ผู้มีส่วนร่วมในการวิจัย
4. หนังสือยินยอมเข้าร่วมในการวิจัย
5. แนวคำถามสำหรับการสัมภาษณ์



เลขที่โครงการ 123 / 64
วันที่รับรอง 23 ก.ค. 2564
วันหมดอายุ 22 ก.ค. 2565

เงื่อนไข

1. ผู้วิจัยรับทราบว่าเป็นการมีจริยธรรม หากดำเนินการเก็บข้อมูลการวิจัยก่อนได้รับการอนุมัติจากคณะกรรมการพิจารณาจริยธรรมการวิจัย
2. หากใบรับรองโครงการวิจัยหมดอายุ การดำเนินการวิจัยต้องยุติ เมื่อต้องการต่ออายุต้องขออนุมัติใหม่ล่วงหน้าไม่ต่ำกว่า 1 เดือน พร้อมส่งรายงานความก้าวหน้าการวิจัย
3. ต้องดำเนินการวิจัยตามที่ระบุไว้ในโครงการวิจัยอย่างเคร่งครัด
4. ใช้เอกสารข้อมูลสำหรับกลุ่มตัวอย่าง/ผู้มีส่วนร่วมในการวิจัย ใบยินยอมของกลุ่มตัวอย่างหรือผู้มีส่วนร่วมในการวิจัย และเอกสารเชิญเข้าร่วมวิจัย (ถ้ามี) เฉพาะที่ประทับตราคณะกรรมการเท่านั้น
5. หากเกิดเหตุการณ์ไม่พึงประสงค์ร้ายแรงในสถานที่เก็บข้อมูลที่ขออนุมัติจากคณะกรรมการ ต้องรายงานคณะกรรมการภายใน 5 วันทำการ
6. หากมีการเปลี่ยนแปลงการดำเนินการวิจัย ให้ส่งคณะกรรมการพิจารณารับรองก่อนดำเนินการ
7. โครงการวิจัยไม่เกิน 1 ปี ส่งแบบรายงานสิ้นสุดโครงการวิจัย (AF 03-13) และบทความผลการศึกษาวิจัยภายใน 30 วัน เมื่อโครงการวิจัยเสร็จสิ้น สำหรับโครงการวิจัยที่เป็นวิทยานิพนธ์ให้ส่งบทความผลการศึกษาวิจัย ภายใน 30 วัน เมื่อโครงการวิจัยเสร็จสิ้น ทั้งนี้เพื่อเป็นหลักฐานในการปิดโครงการ
8. โครงการวิจัยที่ได้รับการอนุมัติโครงการโดยการพิจารณาทบทวนแบบยกเว้น (Exemption review) ปฏิบัติตามเงื่อนไข ข้อ 1, 6 และ 7 เท่านั้น

Annex Three (3.2): Certificate of Research Approval (English Version)



Office of the Research Ethics Review Committee for Research Involving Human Subjects:
The Second Allied Academic Group in Social Sciences, Humanities and Fine and Applied Arts
Chamchuri 1 Building, Room 114, Phayathai Road, Wang Mai Sub-district,
Pathum Wan District, Bangkok 10330
Telephone number 0 2218 3210-11 E-mail curec2.ch1@chula.ac.th

COA No. 168/2564

Certificate of Research Approval

Research Project Number 123/64 GLOBAL CITIES FREE OF SLAVERY AND HUMAN TRAFFICKING

Principal Researcher Ratchada Jayagupta, Ph.D.

Office Institute of Asian Studies, Chulalongkorn University

The Research Ethics Review Committee for Research Involving Human Subjects: The Second Allied Academic Group in Social Sciences, Humanities and Fine and Applied Arts at Chulalongkorn University, based on Declaration of Helsinki, the Belmont report, CIOMS guidelines and the Principle of the international conference on harmonization – Good clinical practice (ICH-GCP) has approved the execution of the aforementioned research project.

Signature *Theraphan Luangthongkum*
(Emeritus Prof. Theraphan Luangthongkum, Ph.D.)

Chairman

Signature *Nunghatai Rangponsumrit*
(Asst. Prof. Nunghatai Rangponsumrit, Ph.D.)

Secretary

Research Project Review Categories: Expedited Review

Date of approval: 23 July 2021

Expiry date: 22 July 2022

Documents approved by the Committee

1. The research proposal
2. The researcher CV
3. The information sheet for research participants
4. The informed consent form
5. The guide questions for interview



Protocol No.	123 / 64
Date of Approval	23 JUL 2021
Approval Expiry Date	22 JUL 2022

Conditions

1. The researcher has acknowledged that it is unethical if he/she collects information for the research before the application for an ethics review has been approved by the Research Ethics Review Committee.
2. If the certificate of the research project expires, the research execution must come to a halt. If the researcher wishes to reapply for approval, he/she has to submit an application for a new certificate at least one month in advance, together with a research progress report.
3. The researcher must conduct the research strictly in accordance with what is specified in the research project.
4. The researcher must **only** use documents that provide information for the research sampling population/participants, their letters of consent and the letters inviting them to take part in the research (if any) that have been endorsed with the seal of the Committee.
5. If any seriously untoward incident happens to the place where the research information, which has requested the approval of the Committee, is kept, the researcher must report this to the Committee within five working days.
6. If there is any change in the research procedure, the researcher must submit the change for review by the Committee before he/she can continue with his/her research.
7. For a research project of less than one year the researcher must submit a report of research termination (AF 03-13) and an abstract of the research outcome within thirty days of the research being completed. For a research project which is a thesis, the researcher must submit an abstract of the research outcome within thirty days of the research being completed. This is to be used as evidence of the termination of the project.
8. A research project which has passed the Exemption Review, must observe only the conditions in 1, 6 and 7.

Annex Four: Map of Nan Province, Thailand.



Annex Five: Selected Photos from Nan Province



Source: Freedom Story/ S_18849826



Source: Freedom Story/ P8150648



Source: Freedom Story/ 20210626_160734



Source: Freedom Story/ เขื่อนบ้าน_210825_1



Source: Freedom Story/ กิจกรรมหลังเลิกเรียน วันเสาร์_210723_9



Source: Freedom Story/ คัดพบสิ่งใหม่_210731_34



Source: Homestaybaanbosuak/ เกี่ยวทั่วไทย ไปไหนดี/
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วิจัย
ชุมชน
วันธรรมดา
เช้าเที่ยง
เที่ยวชุมชน
Nan

Research Project no. 123/64; COA#168/2564; RES_64_288_60_014
The Asian Research Center for Migration (ARCM)
At the Institute of Asian Studies, Chulalongkorn University, Thailand.