



Terminal Evaluation Report of UNODC R76 Project

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TERMINAL EVALUATION REPORT

Project Number & Title:

FS/LAO/04/R76 Strengthening of the legal and law enforcement institutions to prevent and combat human trafficking

Thematic area:

Anti-Organized Crime/Anti-Human Trafficking

Country:

Lao PDR

Project Implementation Period:

2years: September 2006 – September 2008

1yearand3months: October 2008 - December 2009

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ACRONYMS

AHT	Anti-Human Trafficking Law
ARTIP	Asia Regional Trafficking in Persons Project
ASEAN	Association of South East Asian Nations
ATD	Anti-Trafficking Division
ATU	Anti-Trafficking Unit
Article 134	Article 134 in Penal Code of the Lao PDR
BAB-SEA	Bridges Across Borders, South East Asia
CCA	Common Country Assessment
CLE	Community Legal Education Program
COMMIT	Coordinated Mekong Ministerial Initiative against Trafficking
COP	UNDOC Conference of the Parties
CTG	Core Training Group
GIFT	UN Global Initiative to Fight Human Trafficking
LAPTU	Lao Anti-people Trafficking Unit
LBA	Lao Bar Association
LWU	Lao Women's Union
LYU	Lao Youth Union
MOJ	Ministry of Justice
MOFA	Ministry of Foreign Affairs
MOLSW	Ministry of Labor and Social Welfare
MOF	Ministry of Finance
MOPS	Ministry of Public Security
NPATA	National Plan of Action Against Trafficking in Persons
NUOL	National University of Laos
PP	The Palermo Protocol 2000
R76	Project R76 Strengthening of the legal and law enforcement institutions to prevent and combat human trafficking
SIREN	Strategic Information Response Network
SPA	Sub-Regional Plan of Action
SPO	Supreme Prosecutors Office
TIPP	Protocol Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children
TOC	UN Convention against Transnational Organized Crime
UNIAP	UN Interagency Project on Human Trafficking
UNICEF	United Nations Children's Fund
UNCRC	United Nations Convention on the Rights of the Child
UNESCO	United Nations Educational and Science Organization
UNDAF	United Nations Development Assistance Framework
UNGIFT	United Nations Global Initiative to Fight Human Trafficking
VAP	Vientiane Action Program

EXECUTIVE SUMMARY

Summary table of findings, supporting evidence and recommendations

Findings: identified problems/issues	Supporting evidence/examples	Recommendations
1. The general findings of the Evaluation Team is that a very strong and solid foundation has been laid for the Government anti-trafficking actions.	Strong support has been given by the Vice Minister of Ministry of Justice. Other stakeholders voice similar sentiments, and the Core Training Group is highly motivated.	Extend the R76 Project till all 17 Lao Provinces are covered by the Core Training Group.
2. There is not one human trafficking law in Lao PDR.	The justice system would benefit greatly if TOC and TIPP are reflected in the Lao legal instruments.	UNODC offer the Ministry of Justice support in developing one comprehensive law on Human Trafficking.
3. Knowledge and awareness of trafficking has improved as a result of R76, but it is still low amongst the public, particularly in rural areas.	There are 17 provinces in Lao PDR, 7 have been covered by R76. The remainder need to be covered and then on to districts and villages from where most trafficked persons come.	Extend the project to cover training in anti-trafficking laws and set up a structure where all the districts and villages can be included.
4. Very few traffickers have been prosecuted. Those charged with trafficking are usually convicted of “smuggling of humans” due to lack of trafficking evidence which could be found across the border.	In Pakse five cases were passed from the ATU to the prosecutors. Three were convicted of “smuggling of humans” the other two are still pending.	Strongly increase the efforts to prosecute traffickers.
5. Anti-Trafficking efforts are mainly focused on cross-border trafficking.	Statement from Lao Women’s Union claims that internal trafficking is possibly more prevalent.	R76 project to put more efforts in dealing with internal trafficking.
6. While meeting with the official from the Pakse ATU it became clear that there is room for improvement in the cooperation between the two provinces on either side of Mekong river.	The ATU staff member agreed that cooperation could improve a great deal. When support was needed from the Thai counter-part the request had to go through the central office in Vientiane.	With a possible extension of the R76 project it is strongly suggested that the efforts on bilateral cooperation be made a main output.
7. R76 has been very active in training and awareness-raising, supporting officials to attend meetings, seminars, workshops and conferences relating to human trafficking. R76 has been conscious of the importance of regional and international cooperation activities.	The documentation of these activities needs to be improved and shared with people and institutions both inside and outside UNODC office in Lao PDR.	That UNODC R76 trafficking project develops one single data base where all training and awareness activities data will be available. It can be used as a resource bank for program staff, trainers and resource persons when briefing visitors and dignitaries. The data base should be available on the MOJ and UNODC intranet as a resource also for other country programs.
8. The relationship between the R76 Project and the appointed National Steering Committee is weak.	No documented meetings have taken place.	The UNODC project staff should take on the role in making comments or suggestions to the National Steering Committee.

Introduction to the project

In October 2006 the Ministry of Justice and UNODC jointly signed the “Strengthening of the Legal and Law Enforcement Institutions to Prevent and Combat Trafficking” project document, [hereinafter called R76]. The project was planned for two years but was extended to cover three years and three months ending in December 2009. The project budget of USD 686,000 was jointly provided by the governments of Canada, Norway, Sweden and USA plus an in-kind contribution by the Ministry of Justice of USD 17,402.

The project was in response to an increase of trafficking of humans in Lao PDR. It includes all the known types of trafficking: cross-border, internal and transit. It was also in response to the lack of a Lao trafficking law to prosecute traffickers. The existing way of prosecuting offenders was included in several legal instruments which were seen as weak. In Lao PDR trafficking is closely linked with the existing socio-economic, cultural, and political factors.

Trafficking is a global issue where persons are seeking opportunity to improve their lives. This is true in Laos where more than half the population is below the age of 18, and the labor market cannot possibly absorb the many thousands of young people seeking employment. This makes them vulnerable to exploitation from employers and other people they would normally trust.

The R76 project document listed as its main objective: to enhance the criminal justice mechanisms and law enforcement against trafficking in human beings. This will take place through proposed amendments to the criminal law structures, training for criminal justice practitioners and law enforcement in order to strengthen the country’s capacity to investigate, prosecute and convict traffickers. It also set out the five outputs in order to start the process of counter trafficking of humans.

Output 1: An Assessment report drafted on existing legislation to ascertain the capacity of the Lao Government to implement the Trafficking Protocol and to support the design of required legislative measures.

Output 2: A training program and modifying the existing training manual to prevent, combat and punish human trafficking within the judicial system.

Output 3: Training sessions for law enforcement officials conducted, focusing inter-alia on criminal procedure, law enforcement methods, investigative techniques, exchange of information, international cooperation as well as on means to prosecute traffickers and protect the rights of the victims.

Output 4: International cooperation networks and contacts established with counterpart agencies in neighboring countries to facilitate international cooperation and exchange of information.

Output 5: Increased human trafficking awareness through awareness-raising, capacity building and dissemination at grass root level and among law enforcement and judiciary.

Lao PDR has taken numerous steps to prevent and combat human trafficking. On September 26, 2003, the country acceded to the “United Nations Convention against Transnational Organized Crime” [TOC] and its underlying protocols including the “Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children” [TIPP]. Other human rights conventions and protocols have also been signed. There are now numerous laws and legal dispositions dealing with human trafficking, and an Anti-Trafficking Division with corresponding Units at provincial levels is now operational.

Major findings

The R76 project falls well within the UNODC mandate and it has supported the Lao PDR in identifying gaps in its legal inventory. In addition the major part of the project has been training and awareness-raising for legal sector officials on national and regional levels, and the Lao public.

The foundation for the training of law enforcement officials has been successfully achieved by establishing a Core Training Group (CTG). In order to enhance the knowledge level, the CTG was set up to receive adapted tuition using a variety of training modules and techniques. The program ran between 2007 and 2008. The Core Training Group consists of people selected from the Ministries of Justice, Foreign Affairs, Public Security, the People's Supreme Court, the Prosecutor's Office, Lao Bar Association, and the Faculty of Law and Political Science. At the end of November 2009 the CTG had carried out seven workshops at the provincial level. The topics covered in most of the workshops: Lao Laws on Human Trafficking, the TOC and TIPP, the Importance of Victim Identification and Assistance in Combating Human Trafficking, Special Measures for Child Victims of Human Trafficking, International Cooperation, and Issues Relating to Human trafficking i.e. Money Laundering, Corruption, and Legal Persons. The most important resource document is the "Trainers' Reference Guide on Human Trafficking for the Legal Sector in Lao PDR". The final draft is currently being finalised and will be submitted for approval in December 2009, however, the draft is already in use by the trainers.

In order to inform and sensitize senior officials on human trafficking, several workshops and conferences were held in Lao PDR over the lifespan of the project. They were supported or directly organized by the R76 Project. Selected officials also attended regional and international workshops, and the purpose of those conferences and meetings was not only to gain new knowledge on human trafficking but also to increase international cooperation, to be part of networks and to establish contacts with sister agencies in neighboring countries, and to facilitate international cooperation and exchange of information.

The awareness-raising and advocacy output component was added during 2008, and has been executed well during its short time span. The awareness-raising for the Lao public was presented through posters, billboards, in buses and bus stations, and with the use of tuk-tuk drivers in Vientiane. A special campaign prior to and during the South East Asian Games, SEA Games, to take place in Vientiane in December, was also supported by the R76 Project together with nine other agencies, the Lao National Tourist Authority and the Tourism Police. Anti-trafficking messages were also printed on t-shirts and pamphlets, and screened on National TV.

The sustainability of the project lies in the laws and the legal documents, with the members of the CTG and the increased number of trained officials and staff members. In addition, Mass Organizations, and regional and local organizations such as UNIAP and the Lao Bar Association support the sustainability. Lao PDR has also committed itself to a number of conventions, protocols and treaties, both regional and international.

Lessons Learned

Starting a new project often takes longer than anticipated, especially when the project has a strong educational or awareness-raising component. It also takes time before new knowledge and changed attitudes show in the work place. A middle management trainer or trainee might have a supervisor or peers who do not agree with change. A very strong factor in the success of the training component of the project is the fact that the CTG trainers do not belong to a separate training entity, per se, like a training department or unit, but are drawn from officials from the various legal sectors of the government.

There are reports from the Legal Expert, but there is a lack of documentation of the trainees' opinions of the CTG training. An outside evaluator has no means of reviewing the training sessions. A combined documentation is needed to get a fuller picture. The CTG might benefit from former

victim of trafficking volunteers as resource persons in training and awareness-raising activities. That is likely to put trafficking into a very realistic frame.

It has been pointed out that the project has varied a great deal over time in regards to staffing. This can be seen both as a strength or weakness, but must nevertheless be considered while evaluating the R76 project.

Best practices

The CTG members in their daily work are located in ministries and/or other government institutions which deal with legal issues. The members as a group are coming from different responsibilities and professional education, training and skills which add to the richness in the training. It tests the trainers in their skills in adjusting to people with different backgrounds. Their new knowledge and their enthusiasm will be reflected in their daily tasks and decision-making. For example, a CTG member prosecutor will now know that a trafficked person should be treated as a victim and not a perpetrator.

Recommendations

It is recommended that the project be extended at least until all the 17 provinces are covered with trained staff. The projects should also offer assistance to the Lao PDR Government in the development of one comprehensive law on Human Trafficking and assist in the dissemination of the new law to MOJ staff at national, provincial, and district levels. The extension should also continue to cover training in anti-trafficking laws and set up structure where all the districts and villages are included. This could be covered with the help of regional or provincial training teams which are supported and supervised by MOJ and the existing CTG group.

With an extension of the R76 project it is strongly suggested that the efforts on bilateral cooperation be made a main output, where, for instance, it would be possible for provincial Lao officials to speak directly with provincial Thai officials in solving trafficking cases as part of the increased efforts to prosecute more traffickers. It should also be possible to increase efforts in dealing with internal trafficking, and to include domestic workers in the anti-trafficking activities.

It is important that all training sessions are documented in such a way that the results of the training may in some way be evaluated by non-participants, i.e. MOJ, UNODC, and donors. Training might also benefit from officials' input to the training where for instance prosecutors, judges and the Anti-trafficking Unit police, - officials who daily see the rough face of trafficking share and learn together.

It is suggested that the UNODC Lao trafficking project develops one single data base where all training and awareness activities data will be available: number and names of certified trainers, trainees, number of workshops, awareness and advocacy activities, etc. It can be used to check possible duplications, a resource data base for program staff, trainers and resource persons, and it can be used when briefing visitors and dignitaries. The data base should be available on the MOJ and UNODC intranet as a resource also for other country programs.

Conclusions

The "Strengthening of the legal and law enforcement institutions to prevent and combat human trafficking" project has with the help of an external Legal Expert succeeded in training an excellent group of government officials. The CTG members are skilled and dedicated and are waiting for the opportunity to train officials in the remaining provinces. In addition to the CTG the R76 has been involved with and supported a large number of meetings, conferences and workshops in order to bring the anti-trafficking legal message to senior officials on national and provincial levels. There has

been support to national and regional efforts to combat human trafficking especially the COMMIT process and thus Lao PDR officials are starting to seriously network on anti-trafficking issues. Regional organizations, UN and others have been active in the anti-trafficking support activities in Lao PDR.

With all these positive developments there are still issues which need to be addressed when a new project is starting. There is the issue of documentation of the quality of training as one important example. The need to encompass as many aspects of trafficking as possible, i.e. not only focus on cross-border trafficking but look critically and closely at internal trafficking as well as the neglected group of domestic workers exceedingly vulnerable to abuse and human rights violations.

A very decent foundation has been laid creating a space for UNODC Lao PDR and the MOJ to further work in cooperation to strengthen the legal system. TOC and TIPP are becoming known, and so is the relevance of these international instruments to Lao laws. The Lao laws themselves are also becoming known especially amongst key officials at the central level but also to a certain degree at the provincial level.

Implications to the UNODC

As the end result of the R76 project is clearly positive the UNODC should now with the Ministry of Justice as partner build on the foundation laid. Knowledge has been gained and there is change in attitude amongst the Lao officials involved, UNODC should seize the opportunity for a continued support of Lao PDR's anti-trafficking efforts.

1. INTRODUCTION

1.1 Background and Context

Trafficking of humans is a global issue which affects countries on many different levels. It is a serious crime and violation of human rights which affects women, children, boys and girls, and men in Lao PDR. It is estimated that between 200,000 and 450,000 people are trafficked each year within the Greater Mekong Region. This occurs due to the desire of people to seek a better future in a more prosperous region which makes them vulnerable to exploitation from employers and other people they would normally trust. It is closely linked with the existing socio-economic, cultural and political factors in the country. There is a lack of opportunities for an estimated 60,000 young people each year who seek employment. Given the fact that over 50 percent of the Lao population is below the age of 18 years that pressure will continue for quite some years. The availability and access to Thai media, a very long porous border, improved mobility, and an attractive neighbour in Thailand migration seems natural. Lao PDR and Thailand have a MoU on Labour Cooperation; however Lao has not been able to address the demand from Thailand. Only 10 percent of the quota has been filled. All of the above factors further enhance the problem of irregular migration and trafficking.

Lao PDR has taken numerous steps to prevent and combat human trafficking. On September 26, 2003, the country acceded to the United Nations Convention against Transnational Organized Crime (hereafter TOC) and its underlying protocols including the “Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children” (hereafter TIPP). There are now numerous laws and legal dispositions dealing with human trafficking, and an Anti-Trafficking Division with corresponding Units at provincial level is now operational.

On October 10, 2006 the Ministry of Justice and UNODC officially launched the R76 project “Strengthening of the Legal and Law Enforcement Institutions to Prevent and Combat Trafficking” by the joint signing of the project document which was attended by officials from the Ministry of Justice as well as UN and NGO counterparts and the local press. The Ministry of Justice is UNODC’s partner implementing the project. The project was planned for two years but was later extended to cover three years and three months ending in December 2009. The allocation was USD 686,000 plus an in-kind contribution from the Ministry of Justice of USD 17,402.

The project’s aim is to strengthen the capacity of the criminal justice institutions in the Lao PDR, including the judiciary and the government law enforcement bodies to prevent, investigate and prosecute cases of trafficking in human beings and related forms of organized crimes, including the enhancing of international co-operation. The project will assess the implementation of the “Protocol to Prevent, Suppress and Punish Trafficking in Persons, particularly Women and Children”, TIPP, supplementing the United Nations Convention against Transnational Organized Crime, TOC. The project’s main objective is to enhance the criminal justice mechanisms and law enforcement against trafficking in human beings. This will take place through proposed amendments to the criminal law structures, training for criminal justice practitioners and law enforcement officials in order to strengthen the country’s capacity to investigate, prosecute and convict traffickers.

1.2 Purpose and Objective of the Evaluation

The main purpose of this evaluation is to assess the achievement of UNODC project FS/LAO/04/R76, “Strengthening of the legal and law enforcement institutions to prevent and combat trafficking” for the period September 2006 till September 2008 as its stated objective, outcomes and outputs. It also includes the revision of the same project for the extended period till December 2009. The revision added an increased human trafficking awareness amongst the institutions as well as created awareness on the grass root level. It also reached outside the Lao PDR for regional cooperation and the opportunity for officials to attend international conferences.

The project ends December 31, 2009. The evaluation will offer the UNODC information needed for a possible continuation in its present form or with modification and/or amendments.

The main objective for the evaluation is to review and assess the impact of the R76 project based on guidelines and format issued by UNODC. The objective of the evaluation is, further, to examine the mandate, strategies, objectives, relevance, effectiveness, results, impact, sustainability and added value of UNODCs actions.

1.3. Executing Modality/Management Arrangements

Human trafficking is very complex and it reaches into most aspects of UNODC's mandate. Aside from human rights abuse, it reaches into a whole host of areas: prostitution, HIV/AIDS, drugs, transnational crime, corruption and money laundering. It reaches across national borders and effects national socio-economic and cultural concerns. The lack of knowledge and necessary awareness amongst government officials and the public of the rapid increase in human trafficking raised concern amongst UNODC staff. The logical approach for the R76 Project to effectively tackle the lack of knowledge is through training and dialogue and information. In order to coordinate those activities, UNODC established a R76 Project Coordinating office.

An international legal expert trained government officials in TOC and TIPP with the notion to form a Core Training Group, CTG. After the CTG was established, the second training phase started to prepare them to be trainers of legal practitioners on provincial levels.

Thus, with the use of UNODC Lao Country Office, the CTG, UNODC HQ staff, as well as external consultants, staff coming from the main legal institutions within the legal sector and beyond were trained in relevant conventions, protocols, treaties and laws.

UN agencies such as UNIAP, UNICEF and others, as well as regional and international organizations such as ARTIP, BABSEA, supported the R76 effort in reaching out regionally and internationally.

Given the situation in the Greater Mekong Sub-region and Lao PDR, R76 is a highly appropriate project which over time has increasingly raised its effectiveness.

The total project budget of USD 686,000 was funded by the Governments of Canada, USA, Norway, and Sweden. The Ministry of Justice contributed USD 17,402 in-kind.

1.4. Scope of the Evaluation

The main purpose of the evaluation will be to assess the achievement of its stated objective, outcomes and outputs, based on the project design of R76 Project during its three years and three months' lifespan. The evaluation should be carried out before the Project comes to an end. It will seek to determine the relevance, effectiveness, efficiency, sustainability and impact of the project activities, as well as best practices and lessons learned. R76 has five outputs:

Output 1:

An Assessment report drafted on existing legislation to ascertain the capacity of the Lao Government to implement the Trafficking Protocol and to support the design of required legislative measures.

Output 2:

A training program and modifying the existing training manual to prevent, combat and punish human trafficking within the judicial system.

Output 3:

Training sessions for law enforcement officials conducted, focusing inter-alia on criminal procedure, law enforcement methods, investigative techniques, exchange of information, international cooperation as well as on means to prosecute traffickers and protect the rights of the victims.

Output 4:

International cooperation networks and contacts established with counterpart agencies in neighboring countries to facilitate international cooperation and exchange of information.

Output 5:

Increased human trafficking awareness through awareness-raising, capacity building and dissemination at grass root level and among law enforcement and judiciary.

1.5. Methodology

The evaluation is based on qualitative analysis of the combined desk study [secondary data] with the result of the many interviews at both central and provincial levels held over roughly one week. All in all, the process included:

1. Desk study of relevant and available documents, i.e. project documents, legal documents, international protocols and conventions, reports, as well as trafficking related information available on internet.
2. In depth discussions with UNODC Representative and Project staff.
3. Meetings and discussions with Government officials on both central and provincial levels, and discussions with stakeholders, and donors, in Vientiane and in Champasack province.
4. Observed training session, held meetings and interviews with trainers and resource persons during the time when they were involved in a two-day training in Attapeu. This added a fruitful dimension of being present during the training and following the dialogues between the trainers and the trainees.
5. A group interview with workshop participants was held just after the training session when knowledge and concerns were still fresh in their minds. The consultants had the opportunity to in depth query the participants on some issues which lead to enthusiastic inputs.
6. Interviews with past workshop participants at provincial level.
7. Debriefing with stakeholders took place at UNODC's office with some of the more prominent stakeholders present. The consultants there highlighted a few of the more important findings.

1.6. Limitations to the evaluation

Measuring an aware and informed public will require a very different type of assessment than listed in the Terms of Reference for this evaluation. The "public awareness output" [# 5] was added October 2008 when the R76 was extended till the end of 2009. It has not been possible for the evaluation team to assess the extent of public awareness on human trafficking. It requires a very different time frame, and should, to have any value, include voices from the rural Lao, specifically in areas which are under heavy stress of trafficking, like the borders in the north and northwest as well as the villages bordering Mekong River and Thailand.

It is therefore recommended that a public awareness assessment be carried out as part of the suggested, extended project in selected rural and urban areas, but primarily in rural areas with high trafficking prevalence.

The concern for domestic workers was not raised during the span of this evaluation, but we strongly suggest it is given weight because the vulnerability of these, mostly girls and women, is very high, due to the fact they are difficult to approach because the general feelings of respect for the "sanctity

of the home”. The abuse of domestic workers is often in the international news, and the adherence to human rights does not allow us to ignore the fact in Lao PDR.

2. ANALYSIS AND MAJOR FINDINGS

2.1 Overall Performance Assessment

Given the Lao PDR UNODC country office’s mandate, and the situation in Lao PDR and the Mekong region, and the world, the project is very relevant and appropriate. The project has suitably and correctly addressed training and awareness-raising where knowledge of TOC and TIPP enhances the ability to take anti-trafficking actions. The legal concerns are addressed by the Ministry of Justice with the support from UNODC, the training skills are given to the middle-level government officials, and the information and understanding the cruel realities of trafficking is passed on to the general public. The process is reasonably new in Lao PDR, and a perfect penetration on all levels of the Lao society will take time, needs to continue, and even be strengthened. Creating knowledge and awareness is the foundation for action.

Employment opportunities are very limited at a time when an estimated 60,000 young persons annually enter the labor market. It leaves young people with few options. One of the more obvious options is to seek gainful employment close to home, which is Thailand for the population living along the Mekong River, and for those in the north into China. Few Lao tend to migrate to Viet Nam. Thailand and Laos share a great deal of culture and history, there are relatives on either side of the border, and many Lao understand and speak Thai. Lao and Thai people have similar physical features which makes it easy for the migrants to blend into the Thai society. The trafficking from Lao PDR to Thailand is on the rise.

The government of Lao PDR is fully aware of the ‘dark sides’ of trafficking and its breaches of human rights, and has therefore joined hand with UNODC to aggressively address anti-trafficking activities. The government is working on the legal side by reviewing the already existing conventions and protocols or treaties and legal instruments to integrate, more solidly, the TOC and TIPP into its legal body of instruments. R76 is a very important part of this integration through its training and awareness-raising components and the hope for attitudinal changes.

The best way to counter trafficking because of its complexity is with the use of a multi-faceted approach. In partnership with the Ministry of Justice, the R76 Project has targeted the foundation needed to support and strengthen anti-trafficking activities. Working towards better legal instruments, training staff in the already existing acceded treaties, conventions and protocols, entering into regional and international dialogues and partnerships, and creating awareness and advocacy amongst the public is the goal. The knowledge of legal procedures in the Lao public is scarce, which means that after training and awareness-raising the main focus would be to keep the knowledge and interest alive, to allow those new skills and attitudes to be utilized.

The effects of the R76 project training activities have reached the provinces, but other factors play a role since the number of cases successfully prosecuted continues to be very low. A staff member of the Anti-Trafficking Unit in Pakse of Champasack province stated that of five cases in the provincial court tried for trafficking, three were turned down and tried as cross-border “smuggling of human” cases even though the ATU considered that they were trafficking cases, but due to lack of clear trafficking evidence, the charges were reduced. The difficulty in obtaining evidence from Thailand is one factor in this context.

Through discussions and interviews it has become evident that the reasons for the lack of convicted trafficking cases is mostly due to the lack of evidence of trafficking, which often could be found across the border.

In the Pakse court a man was charged with trafficking of a young woman from Luang Prabang province to work as a prostitute in Pakse. The prosecutor in the case proved it was a trafficking case, and the man was found guilty and sentenced to 15 years in prison. The person appealed the sentence, and while waiting for the appeal process to start, the person was released from jail.

According to development experience elsewhere in Asia and in Africa, road building does not only bring positive changes, it also brings illness, criminality and economic deprivation to the communities they touch. The road building plan should not only be logistically and geographically sound, but it should also survey the future impact on the traditional communities unprepared for the onslaught of trucks and buses and tourists, and the like, which they previously have not dealt with. Knowing this, the MOJ and the Ministries responsible for road planning and construction, must plan for the negative effects on local communities once the alignments have been approved. The huge plan for the Asian Highways which affects Lao PDR with plans for highways East and West, and North and South are examples where the Authorities must be concerned. MOJ, and its trainers, must prepare the communities for the consequences of trafficking, internal and cross-border, prior to the road construction.

UNIAP on its SIREN website states: “the number of trafficked persons from resettled villages [in Lao PDR] is disproportionately high”. Understandably so, since the first few years in a new settlement brings in very little income, the longing for the previous homesteads and perhaps the locations are not as attractive as the places the villagers left behind. This is yet another need for work towards informing communities to lower the number of prospective trafficked persons.

The above mentioned areas in addition to the lack of discussion on internal trafficking needs to be addressed more firmly. These internal areas should, theoretically, be easier to address than the more complex cross-border issues. The Lao Women’s Union (LWU) was positive to hear expressed concern over the existing high rate of internal trafficking. According to LWU internal trafficking seems to be more frequent than cross-border trafficking. LWU has supported the Prosecutor’s office in more than 100 trafficking cases with 80 percent guilty verdicts. This is a good case for cross-departmental knowledge sharing, since it appears that other prosecutors may learn from the LWU’s experience.

LWU’s concern for internal trafficking is a very positive signal. There is also another group of girls and women who run high risks of trafficking and abuse, - the domestic workers. The concern for domestic workers was not raised during the span of this evaluation, but we strongly suggest it is given weight because the vulnerability of these, mostly girls and women, is very high, due to the fact they are difficult to approach because the general feelings of respect for the “sanctity of the home”. The abuse of domestic workers is often in the international news, and the adherence to human rights does not allow us to ignore the fact in Lao PDR.

The national, regional and international cooperation and networking has had high priority for the project and has over the last year improved, possibly by the fact the present coordinator previously worked with UNIAP and already had a decent network established. However, it is clear that the present project office culture is one of “sharing, supporting, and networking”, but it has also been felt that the R76 Project staff feels that there is a need for a genuine increase of regional and international cooperation and knowledge sharing on a variety of trafficking issues.

The R76 Project design is very acceptable, as a starting project. The challenge continues, - a good foundation of training and awareness has been laid and should be built on.

2.2. Attainment of the Project Objective

In order to fully review the accomplishments of the R76 Project, the stated main objective for project FS/LAO/04/R76: “Strengthening of the legal and law enforcement institutions to prevent and combat human trafficking” is:

The project’s main objective is to enhance the criminal justice mechanisms and law enforcement against trafficking in human beings. This will take place through proposed amendments to the criminal law structures, training for criminal justice practitioners and law enforcement in order to strengthen the country’s capacity to investigate, prosecute and convict traffickers.

Note: After project revision and extension of September, 2008 the overall project objective was not altered or amended, however Output # 5 was added, i.e. Increased human awareness through awareness-raising, capacity building and dissemination on grassroots level and among law enforcement and judiciary.

2.2.1. Of the five outputs, the last outputs, i.e. outputs numbers 2, 3, 4, and 5 have been accomplished.

2.2.2. Output 1. as a result of the R76 activities conferences, workshops, senior officials meetings and the work by the CTG, several gaps on the Lao body of laws have been identified. The MOJ has recognized the need for a comprehensive law on human trafficking and a high level committee is presently discussing how to progress. At present there are many offences which deal directly or indirectly with human trafficking, where Article 134 in the Lao Penal Code is perhaps the most prominent one.

2.2.3. Output 2. The “Trainers’ Reference Guide on Human Trafficking for the Legal Sector in Lao PDR” was completed in August 2009.

2.2.4. Output 3. has been successfully achieved by the selection of member of the Core Training Group, CTG. In order to enhance the level of understanding, a CTG was set up to receive adapted tuition using a variety of training modules and techniques. The training program ran between 2007 and 2008. Originally the Core Training Group consisted of twenty-six people selected from the Ministries of Justice, Foreign Affairs, and Public Security, the People’s Supreme Court, the Prosecutor’s Office, Lao Bar Association, and the Faculty of Law and Political Science. After the completion of the training the trainees sat for an exam. All participants passed. This was then followed by a “training of trainers” course.

2.2.5. Output 4. is functioning very well with organizations like UNIAP, COMMIT, and ARTIP and others.

2.2.6. Output 5. has over the last year been developed very rapidly both for the Lao officials and the public, the latest being a strong input before and during the SEA Games in Vientiane.

The objective of the CTG is to educate trainers who in the future will effectively teach other officials about human trafficking and secure the sustainability of the project throughout the Lao PDR. At present there are approximately 11 members of the CTG that are active trainers.

By the end of November, 2009 the CTG has carried out seven workshops at the provincial level in Champasack, Vientiane Province, Xieng Khouang, Huaphan, Bokeo, Xekong and Attapeu.

The following topics have been covered in most of the workshops: Lao Laws on Human Trafficking, the TOC and TIPP, the Importance of Victim Identification and Assistance in Combating Human Trafficking, Special Measures for Child Victims of Human Trafficking, International Cooperation, and Issues Relating to Human trafficking – Money Laundering, Corruption, and Legal Persons.

Participatory training methods have been used in order to stimulate reflection and engagement. Mock trials, case studies are two examples how the training has stimulated the trainees. Also group work and positive feedback has been used to encourage participation of all participants. The participants come from many government institutions, divisions and departments. For example, in Attapeu 19 ministries and institutions [national and provincial] were present. At each workshop approximately 30 participants took part [in Attapeu there were 36 participants].

2.2.5. In order to inform and sensitize senior officials on human trafficking several workshops and conferences were held. They were supported or directly organized by the R76 Project or arranged by other interested parties with participation/support from the R76 Project. Only the headings are listed here. The total list of R76 Project's activities and events is available in Annex # 4.2. National Conferences

“Strengthening of the Legal and Law Enforcement Institutions to Prevent and combat Human Trafficking”. October 11 - 15, 2006, in Vientiane. 150 participants attended the conference

“Strengthening of the Legal and Law Enforcement Institutions to Prevent and combat Human Trafficking”. March 13 - 16, 2007, in Vientiane. 29 participants attended the conference

“Strengthening of the Legal and Law Enforcement Institutions to Prevent and combat Human Trafficking”. April 3 - 6, 2007, in Vientiane. 29 participants attended the conference International Conferences and Events

“Conference of Parties to the Convention on Transnational Organized Crime”. October 9th to 18th, 2006 in Vienna. One delegate from the Ministry of Foreign Affairs.

“Regional Judicial Symposium”. April 26 - 30, in Singapore. The Vice Minister of Justice participated.

“UN.GIFT – A Global Initiative to Fight Human Trafficking, October 2 - 4, 2007 in Bangkok”. The R76 Project supported one civil servant from the MOJ, a member from the CTG, four government officials and one delegate from UNODC Country office.

“COMMIT Inter-Ministerial Meeting and Senior Officials Meeting, December 5 - 12, 2007, in Beijing”. Two Lao government officials attended these meetings.

“UN.GIFT – A Global Initiative to Fight Human Trafficking, February 13 - 15, 2008 in Vienna.”

The first ever global forum to fight human trafficking took place in Vienna 2008. It brought together 1200 experts, legislators, law enforcement teams, business leaders, NGO representatives and trafficking victims from 116 countries. One official from the Lao Deputy General Prosecutor attended the forum.

“ASEAN Workshop on International Legal Cooperation in Trafficking in Persons Cases” in late November 2009. in Bangkok, Thailand. Three CTG members participated together with the Legal Consultant.

“Coordinated Mekong Ministerial Initiative Against Trafficking [COMMIT] process.”

R76 Project has directly supported Lao PDR and the COMMIT process in the following way:

Training and Capacity building; Legal Frameworks, Law Enforcement, and Justice; Victim Identification, Protection, Recovery and Reintegration; and Preventive measures.

The project also provided technical assistance and cooperated with UNIAP, and the COMMIT Secretariat and other key stakeholders involved.

“The Development of the Lao National Plan of Action on Human Trafficking [NPA]”

During 2007 UNODC provided government participants with key information on the general legal aspects, of the TOC and TIPP at two consultative workshops held by UNIAP.

2.2.6. Awareness-raising and advocacy, - the objective added during 2008, has been executed well during its short time span.

The more easily assessed activities in awareness-raising and advocacy is clearly the work carried out by the CTG. For the Lao public, it was presented through: posters, billboards, in buses and bus stations and with the use of Tuk-Tuk drivers. Further, anti-trafficking messages were printed on t-shirts and pamphlets, and DVDs were screened on National TV. At the time of the SEA Games held in Vientiane in December 2009, UNDOC and other stakeholders are using the opportunity to inform the large crowd anticipated to attend about child protection and trafficking. This campaign has also involved assisting the Laos National Tourist Authority in setting up their hotline, and training police and hotline staff on the issues of child protection and human trafficking.

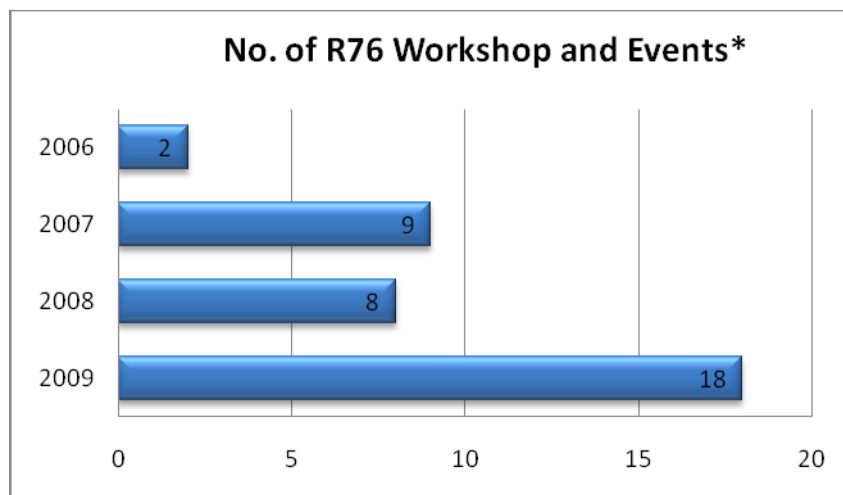
It should be noted that the many training opportunities and workshops also function as powerful advocacy and awareness-creating venues.

2.3. Achievements and results

All together, the total amount of persons benefiting from the R76 activities is over 1250. Regrettably some participant numbers are not available.

When dealing with a government bureaucracy it is expected that there will be delays. To coordinate between several ministries and institutions there will be times when staff has other priorities which cannot be changed. Over a three year period to expect a 100 percent adherence to a set plan is not realistic. There have been delays for meetings and training workshops, but they have been carried out.

In addition to the information given above, item 2.2.4. and the annex # 4.2. here is a simple summary of the workshops and events which were either organized or supported by the R76 Project. The project also supported government staff to attend regional and international conferences.



*) These workshops were either organized or supported by the R76 Project, and/or the project supported government staff attended

The trainings and workshops above relates to the Output numbers 2, 3, 4, and 5 were supported by R76 allocated budget.

The following list of workshops and events may be grouped based on topics.

a. Awareness Raising and Capacity Building

“Awareness –raising and capacity-building workshop at provincial levels”.

“Senior Officials Meeting”. December 4 - 5, 2008, in Thalad.

“Community Legal Education Program, June to December, 2008, and a second in 2009”.

“Awareness-Raising on Human Trafficking to the General Public”

b. Capacity Building of legal and law enforcement officials.

“Establishment of the Core Training Group (CTG)”

c. Conferences

“Strengthening of the Legal and Law Enforcement Institutions to Prevent and Combat Human Trafficking”. October 11 - 15, 2006, in Vientiane.

“Strengthening of the Legal and Law Enforcement Institutions to Prevent and combat Human Trafficking”. March 13 - 16, 2007, in Vientiane. 29 participants attended the conference

“Strengthening of the Legal and Law Enforcement Institutions to Prevent and combat Human Trafficking”. April 3 - 6, 2007, in Vientiane. 29 participants attended the conference

“Shadow Markets, Crime and Its Risks to Development”. November 18 - 21, 2008, in Vientiane.

d. Training Materials

Development of Training Materials on Human Trafficking for the Lao Legal Sector.

Translation and Dissemination of the Convention Transnational Organized Crime, TOC, and the Trafficking in Persons Protocol, TIPP.

The completion of “Trainers’ Reference Guide on Human Trafficking for the Legal Sector in Lao PDR”, August 2009.

e. Information sharing

“Working Group on Human Trafficking”

“Cooperation and Joint Activities.”

f. International Conferences and Events

“Conference of Parties to the Convention on Transnational Organized Crime”. October 9 - 18, 2006 in Vienna.

“Regional Judicial Symposium”. April 26 - 30, 2007 in Singapore.

“UN.GIFT – A Global Initiative to Fight Human Trafficking, October 2 - 4, 2007 in Bangkok”.

“COMMIT Inter-Ministerial Meeting and Senior Officials Meeting, December 5 - 12, 2007, in Beijing”.

“UN.GIFT – A Global Initiative to Fight Human Trafficking, February 13 - 15, 2008 in Vienna.”

“Coordinated Mekong Ministerial Initiative Against Trafficking [COMMIT] process.”

“International Cooperation” [two different workshops]

g. Support to National and Regional Efforts to Prevent and Combat Human Trafficking

“UNODC HQ and UNODC Lao PDR Country office mission successfully accomplished an evaluation using UNODC National Criminal Justice assessment toolkit.”

“The Development of the Lao National Plan of Action on Human Trafficking [NPA]”

The project also provided technical assistance and cooperated with the UN Inter-Agency Project on Human Trafficking in the Greater Mekong Sub-region [UNIAP], the COMMIT Secretariat and other key stakeholders involved.

2.4. Implementation

The implementation of R76 Project had several “phases”. It started with the identification of needs followed by the introduction of the need for a serious anti-trafficking focus on awareness, learning and dissemination skills, followed by implementation of those new skills and attitudes in the provinces. Initially three provinces were targeted however seven have been covered to date. At the end of the evaluation, ten provinces are awaiting access to new knowledge, skills and awareness.

- Based on request from the Ministry of Justice, the Project idea is presented as a project proposal to the UNODC HQ and to donors.
- Donor funding secured.
- Project started with a primary introduction of the two very important legal documents the Convention TOC, and the Protocol TIPP, informing [and reminding] the concerned officials that Lao PDR had acceded to TOC and its underlying protocol on September 26, 2003.
- UNODC HQ and UNODC Lao PDR Country office mission successfully accomplished an evaluation using UNODC National Criminal Justice assessment toolkit.
- In order to bring the knowledge and skills out to the public a group of 26 officials from concerned ministries were selected and the training started, resulting in the formation of the Core Training Group.
- The CTG is also introduced to the teaching methods used by BABSEA and taught by the Community Legal Education Group by the Faculty of Law and Political Science at the National University of Laos.
- The CTG starts its activities by bringing TOC and TIPP out to the provinces together with other necessary skills needed to bring traffickers to court.
- Up till November 2009, seven provinces out of seventeen have received training, encouragement, and technical support from the CTG members.

During the above process a number of activities were instigated with the help of or through the R76 Project office. These were workshops, meetings, advocacy activities, national, regional and international meetings and conferences as mentioned elsewhere in the report.

The process and activities were continually monitored by the R76 staff through traditional monitoring means: meetings, discussions, site visits, and reports as regulated by the Head Office in Vienna.

2.5. Institutional and Management Arrangements

2.5.1. The appropriateness of overall institutional and management arrangements, and how these have impacted the implementation and delivery of the project. Given the complexity of human trafficking the UNODC made the wise decision to establish a specific coordinating unit for human trafficking, i.e. R76.

2.5.2. Coordination and collaboration arrangements with partners and other stakeholders.

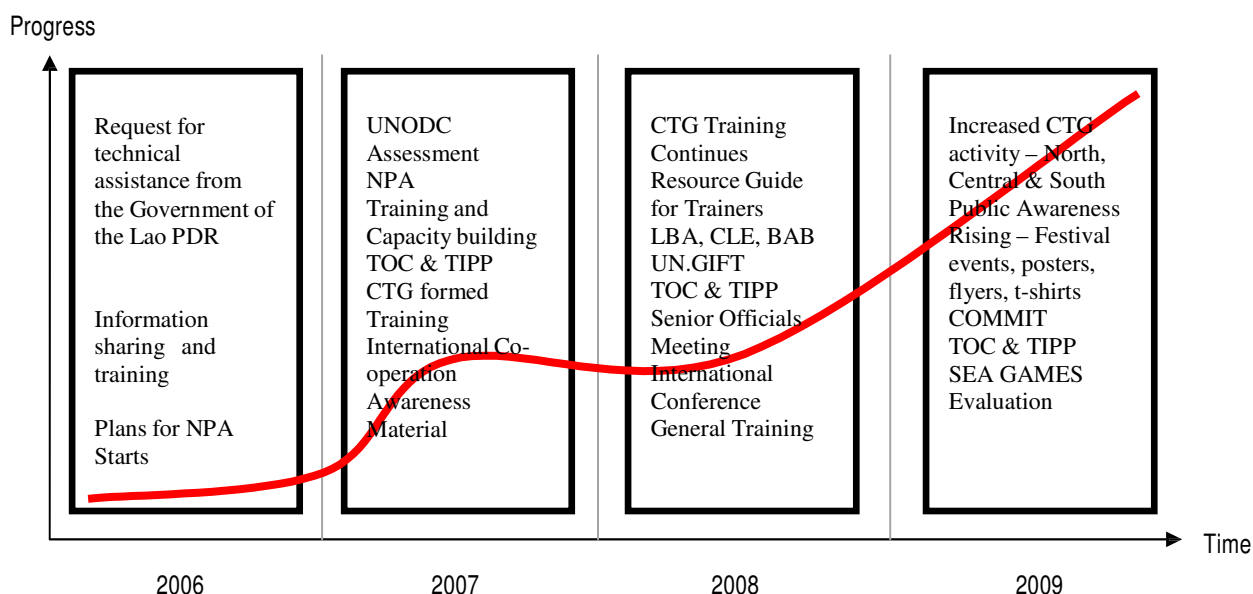
Based on the interviews with the present Project Coordinator the project has made as a special point to network and coordinate with other agencies working in the sector of human trafficking.

The project office has regular contacts with, UNIAP, UNICEF, ILO, AFESIP, AusAID, ARTIP, and national institutions and mass organizations, all dealing with trafficking issues. While most of these agencies and organizations deal with trafficking and its many facets, ARTIP as an organization focuses particularly on front line officers' awareness of trafficking. One can also see efforts in including organizations which are on the "fringe" of human trafficking, like Friends International which works with street children in Lao PDR and Cambodia.

With statements from several stakeholder partners like UNIAP, NUOL Faculty of Law and Political Science, and ARTIP and others, it is clear that R76 Project staff is very active in coordinating and networking. It worth to note here, that the UNODC R76 project office has been very active in an awareness campaign targeting the many visitors for the upcoming SEA Games. This means a strong support to the Tourist Police which will be very active during the Games and beyond.

2.5.3. As a whole the relationship between UNODC office in Laos PDR, its Head quarters in Vienna, the Ministry of Justice and other prominent stakeholders have created a relationship which functions well and has with increasing speed started to disseminate anti-trafficking training and awareness-creating activities.

Yearly Progress Based on Activities Implemented by
UNODC R76 Project and Ministry of Justice



3. OUTCOMES, IMPACTS AND SUSTAINABILITY

3.1. Outcomes

Based on the main objective of the project “to enhance the criminal justice mechanism and law enforcement against trafficking in human beings” and the five outputs, one may state the outcomes in the following ways.

3.1.1. Through the R76 activities of conferences, workshops, senior officials meetings, and the work by the CTG, several gaps on the Lao legal instruments have been identified. The MOJ has recognized the need for a comprehensive law on human trafficking and a high level committee is presently discussing how to progress. There are a number of laws that deal directly or indirectly with human trafficking. Article 134 in the Lao Penal Code is perhaps the most prominent one. There are international conventions, treaties, protocols already ratified by the Lao Government, which demand to be reflected in a new comprehensive Lao human trafficking law. A list of the most important ones is found in the Annex # 4.1.

3.1.2. The draft of the “Trainers’ Reference Guide on Human Trafficking for the Legal Sector in Lao PDR” was completed in August 2009. Numerous other training materials were also completed, including several Power Point presentations that have been circulated.

3.1.3. The foundation for the training of law enforcement officials has been successfully achieved by establishment of a Core Training Group. In order to enhance the level of knowledge the CTG was set up to receive adapted tuition using a variety of training modules and techniques. The training program ran between 2007 and 2008. Originally the Core Training Group consisted of twenty-six people selected from the Ministries of Justice, Foreign Affairs, Public Security, the People’s Supreme Court, the Prosecutor’s Office, Lao Bar Association, and the Faculty of Law and Political Science. After the completion of the training the trainees sat for an exam. All participants passed. The examination was then followed by a “training of trainers” course. The objective of the CTG is to educate trainers who in the future will effectively teach other officials about human trafficking and secure the sustainability of the project throughout the Lao PDR. At present there are approximately 11 members of the CTG that are active trainers. By the end of November, 2009 the CTG has carried out seven workshops at the provincial level. The topics covered in most of the workshops: Lao Laws on Human Trafficking, the TOC and TIPP, the Importance of Victim Identification and Assistance in Combating Human Trafficking, Special Measures for Child Victims of Human Trafficking, International Cooperation, and Issues Relating to Human trafficking – Money Laundering, Corruption, and Legal Persons. Participatory training methods have been used in order to stimulate reflection and engagement.

Other technical training sessions conducted for law enforcement officials focused on more topics: criminal procedure, law enforcement methods, investigative techniques, exchange of information, international cooperation as well as on means to prosecute traffickers and protect the rights of the victims.

In order to inform and sensitize senior officials on human trafficking several workshops and conferences were held. They were supported or directly organized by the R76 Project, or arranged by other interested parties.

The total list of R76 Project’s activities and events is available in the Annex 4.3.

3.1.4. Over the last three years R76 has supported a number of officials to attend conferences and workshops in the South-East Asia Region, Asia and Europe including the first global UNODC trafficking conference in Vienna.

The purpose of those conferences and meetings was not only to gain new and fresh knowledge on human trafficking but also to increase international cooperation, to be part of networks and establish contacts with sister agencies in neighboring countries, and to facilitate international cooperation and exchange of information.

The list of regional and international conferences and meetings are found in the Annex 4.3.

3.1.5. The public awareness-raising and advocacy output component added during 2008 has been executed well during its short time span.

The more easily assessed activities in awareness-raising and advocacy is clearly the work carried out by the CTG. For the Lao public it was presented through: posters, billboards, in buses and bus stations and with the use of Tuk-Tuk drivers in Vientiane. Further, anti-trafficking messages printed on t-shirts and pamphlets and DVD were screened on National TV. The public's awareness is more difficult to assess, and the evaluation team suggests that R76 arrange for an assessment to be made.

At the time of the SEA Games held in Vientiane in December 2009, UNDOC and other stakeholders are using the opportunity to inform the large crowd anticipated to attend about child protection and trafficking. This campaign has also involved assisting the Lao National Tourist Authority in setting up a hotline and training police and hotline staff on the issues of child protection and human trafficking.

3.2. Impacts

At the beginning of the project implementation in late 2006, the project organized a National Conference on Strengthening of the legal and law enforcement institutions to prevent and combat human trafficking. One hundred and fifty participants representing prosecutors, judges, civil servants, senior government officials, judiciary and concerned law enforcement from central and provincial level, attended the conference. This conference contributed to raising awareness and understanding about prevention and combating human trafficking in Lao PDR. It also helped improve understanding the criminal justice response in Lao PDR.

The second hand data collected confirmed that the project improved knowledge gained during the various workshops and training courses for a wide range of government agency officials and project partners. The project recommended the Ministry of Justice to set up a Core Training Group which was composed of staff from concerned ministries i.e. Ministry of Foreign Affairs, Lao Bar Association, People's Supreme Court, etc. The intention of CTG was to provide training about the legal aspects of human trafficking in all 17 provinces and promote sustainability of the project. From this strategic entry point and the activities analyzed under item 2. [Analysis and Findings] the following impacts can be seen as made by the project:

There have been substantial changes in attitude and thinking within the CTG itself over the project period. For instance, the issues of non-criminalization of victims became a key message in the lesson delivery of the CTG. Several CTG trainers took steps towards becoming effective trainers who can both prepare and deliver lessons on specific topics in relation to human trafficking.

During the last three years the discussion on human trafficking has left an impact on several levels, from ministerial to provincial and to some extent in the districts and villages.

The example that discussions have been held with senior officials in the MOJ and other legal institutions on identifying gaps in laws relating to human trafficking have had an impact. When the

evaluation team asked the Vice Minister of Justice if he thought the project should be extended, he gave it a strong endorsement.

The fact that Lao officials have attended seminars, meetings and workshops outside their own country have also impacted both on regional and international levels. The officials have contributed and commented, asked questions and been involved in group works. This has also had a reverberating effect. When regional and international staff from other institutions or agencies working in trafficking of humans see and hear that Lao PDR is active, they are encouraged and will share information and ideas and offer suggestions.

3.3. Sustainability

The sustainability of the project lies in the laws and the legal documents, with the members of the CTG and the increasing number of trained officials and staff members. In addition, Mass Organizations, LWU and LYU, and regional and local organizations such UNIAP and the Lao Bar Association will support the sustainability. Lao PDR has also committed itself to a number conventions, protocols and treaties, both regional and international.

3.3.1. The strategic move of selecting the Core Training Group members from the government ministries and institutions which already work with legal issues, - and some directly with trafficking, resulted in the following:

- a. Most staff members in the CTG volunteered and were highly motivated and will most likely continue if allowed;
- b. The CTG trainees come from different sections of the legal system, i.e. police, prosecutors, and courts and from MOJ in general. With a wider network and with the possibility of cross-departmental discussion, sustainability is supported;
- c. This results in a “cross-fertilization” of ideas and a widening of the professional horizons. It results in increased mutual support, stronger networking and communication between the various legal branches of the Lao Government;
- d. Because the change in attitudes it also allows the staff in decision-making positions, to have even more influence on issues relating to trafficking.

3.3.2. In regards to the trainers having taken ownership of their objectives to train provincial staff, the answer is clearly “yes”. Judged by the interviews with the three trainers in Attapeu the knowledge they expressed, the enthusiasm of going to other provinces, suggestions that the training needs to reach districts and villages, and the happiness with the role as trainer, is very encouraging. Considering that the training responsibility is added to their regular job and that they are still motivated, it is even more encouraging.

3.3.3. The “Trainers’ Reference Guide on Human Trafficking for the Legal Sector in Lao PDR” of August 2009, is very likely to be available to more staff than the CTG members. The staff members of the National University of Laos, Faculty of Law and Political Science have supported and trained the CTG members. The reference guide will hopefully also end up in the law libraries in the different law schools in the republic.

3.3.4. Other training methods, for instance mock trials, use of case studies, role plays, etc. are likely to find their way outside the trainers’ office and to legal institutions. A good example will be the DVD “TRAFFIC: An MTV Special” used during most of the training sessions on provincial levels.

3.3.5. The provinces that have been covered so far are: Champasack, Huaphan, Xieng Khouang, Bokeo, Attapeu, Xekong, and Vientiane Province. In addition to the number of different provinces covered the trainees represent an array of different ministries and institutions directly or indirectly relating to the legal sector. For instance, at the training in Attapeu which the evaluation team attended there were no less than 19 ministries [on national and provincial levels] and institutions represented, including the Supreme Court. The more institutions involved the greater the chance for sustainability.

3.3.6. It is slightly more difficult to predict the sustainability from the attendants of some of the bigger conferences and meetings which have been held outside Lao PDR. The sustainability will depend a great deal on how much the Lao State demands from the participants in regards to circulating reports and sharing ideas and trends of what they have learned.

4. LESSONS LEARNED AND BEST PRACTICES

4.1. Lessons Learned

4.1.1. Starting a new project often takes longer than anticipated, especially when the project has a strong educational or awareness component. In the case of R76 Project, the future trainers needed to be selected and trained, they needed time to fully internalize all the new material they had been exposed to, and they needed time to hone their training skills.

4.1.2. It also takes time before new knowledge and changed attitudes show in the work place. A trainer in a middle management staff position might have a supervisor or peers who do not always agree with change.

4.1.3. A very strong factor in the success of the training component of the project is the fact that the trainers in CTG do not belong to a separate training entity, per se, like a training department or unit, but are drawn from officials from the various legal sectors of the Government of Lao PDR. They all carry a regular work load and in addition manage to train a great number of other officials.

4.1.4. The CTG trainers might benefit from access to a former victim volunteer who would put trafficking into a very realistic frame, and increase the understanding of the urgency of anti-trafficking laws.

4.1.5. There are several good reports relating to the training from the Legal Expert, but there is a lack of documentation of the trainees' opinions of the CTG training. An outside evaluator has no means of reviewing the comprehensive results of a particular training session. A combined documentation of the trainings would offer a fuller picture.

4.1.6. It has been pointed out that the project has varied a great deal over time in regards to staffing. This can be seen both as a strength or weakness, but must nevertheless be considered while evaluating the R76 project.

4.2. Best Practices

4.2.1. The CTG members in their daily work are located in ministries and/or other government institutions which deal with legal issues. Their new knowledge and their enthusiasm will be reflected in their daily tasks and decision-making. For example, a CTG member prosecutor will now know that a trafficked person should be treated as a victim and not a perpetrator.

4.2.2. The fact that the CTG training members have a group of trainees coming from different responsibilities and professional education, training and skills adds to the richness in the training. It tests the trainers in their skills in adjusting to people with different backgrounds. It also benefits the trainees in broadening their network.

4.2.3. The Community Legal Education, CLE, project at the National University of Laos (NUOL) offers an excellent example of to present complex legal issues to a rural population. Some CEL's communication methods have been shared with the CTG.

4.3. Constraints

4.3.1. According to one of the CTG trainers, the evaluation of the individual sessions was discussed amongst the trainers and it was decided a verbal and "face-to-face" evaluation would suffice. This makes the evaluation of the outcome of different training sessions impossible, since it is only

available to the trainers and not to any outside person. It also means that the lessons learnt on what topics were more difficult or easier to train or what topic might require more training time than others were not documented in writing.

4.3.2. The lack of available training evaluation data might jeopardize the future revision of the Trainers' Reference Guide, for example the amount of time needed on a particular topic. Culturally, certain issues might take longer time to comprehend.

4.3.3. Several police officers and prosecutors interviewed stated lack of funds to better do their duties, in particular towards the investigation of trafficking cases, resulted in the cases being prosecuted as human smuggling cases rather than trafficking cases. They also cited lack of time and staff, i.e. heavy workload which infringed on quality.

4.3.4. The Lao PDR infrastructure is still being improved and provinces in the very north and southeast require extended transport time not only for trainers but in particular for participants.

5. RECOMMENDATIONS

5.1. Issues resolved during the evaluation

There were numerous issues discussed during the evaluation process. Most of those were clarifications of culture and habits relating to organizational working traditions.

5.2. Actions/decisions recommended

Policy

5.2.1. It is recommended that the project be extended at least until all the 17 provinces are covered with trained staff.

5.2.2. Suggest that UNODC offers assistance to the Lao PDR Government in the development of a comprehensive law on Human Trafficking and continue to assist in its dissemination to staff at national, provincial, and district levels.

5.2.3. Strongly increase the efforts to prosecute traffickers.

5.2.4. That the project puts considerable more efforts in dealing with internal trafficking.

5.2.5. There is a need to include the domestic workers in the anti-trafficking activities.

Administration

5.2.6. With a possible extension of the project R76 it is strongly suggested that the efforts on bilateral cooperation be a made a main output. Where, as an example, it will be possible for provincial Lao officials to have the right to speak directly with provincial Thai officials in order to solve trafficking cases.

5.2.7. That UNODC trafficking project develops one single data base where all training and awareness activities data will be available: number and names of certified trainers, number of workshops, staff trained in trafficking, awareness and advocacy activities, etc., so that UNODC staff, in Lao PDR as elsewhere, very quickly can access activities and accomplishment at a single source. It can be used to check possible duplications, a resource bank for program staff, trainers and resource persons, and it can be used when briefing visitors and dignitaries. The resource data base should be available to MOJ officials and on the UNODC intranet as a resource also for other country programs.

5.2.8. The R76 project staff should make comments and suggestions to the National Steering Committee. There seem to be no records of meetings between the Project Staff and the Committee.

Training

5.2.9. Extend the project to cover training in anti-trafficking laws and set up as a structure where all the districts and villages may be included.

5.2.10. The 5.2.9. may be covered with the help of Lao regional or provincial training teams which are supported and supervised by MOJ and the existing CTG members.

5.2.11. Hold a workshop where all Anti-Trafficking Units officials get the opportunity to brainstorm on how to better work and develop new ideas which they will then present to their supervisors.

5.2.12. Elsewhere in similar projects there are likely to be individual trafficked victims who are willing and able to be resource persons in training and awareness activities.

5.2.13. It is suggested that CTG re-visit provinces after six months to a year with a follow-up training.

Project

5.2.14. That all training sessions are documented in such a way that the results of the training may in some way be evaluated by non-participants, i.e. MOJ, UNODC, donors, and outside evaluators.

5.2.15. It is recommended that UNODC encourage organizations with trafficking mandate to make a public awareness assessment. The assessment could be carried out as part of the suggested extended project in selected rural and urban areas, but primarily in rural areas with high trafficking prevalence.

5.2.16. The project should ascertain that all project documents are updated at a time of change of project coordinator in order to have a smooth transition.

5.2.17. In order to minimize delays, an adequate number of staff and a suitable legal advisor should be available from its beginning.

5.2.18. If the decision is made to move training, now carried out by CTG, to the districts and villages, there will be a need to locate a coordinating "unit" i.e. a person or an office, who will support that level of training. It will be important that that unit offers a high degree of support, because training district officials will be different than training provincial staff. And training people in the village will require yet another set of different training material, communication skills, attitudes, and tolerance.

5.2.19. The project needs to develop and follow for UNODC accepted monitoring tools, where the data base, recommended below, is an integral part.

6. OVERALL CONCLUSIONS

The "Strengthening of the legal and law enforcement institutions to prevent and combat human trafficking" project has with the help of an external Legal Expert succeeded in training an excellent group of government officials. The CTG members are skilled and dedicated and are waiting for the opportunity to train officials in the remaining 10 provinces. In addition to the CTG the R76 has been involved with and supported a large number of meetings, conferences and workshop in order to bring the anti-trafficking legal message to very senior and senior officials on national and provincial levels. There has been support to national and regional efforts to combat human trafficking especially the COMMIT process and thus Lao PDR officials are starting to seriously network on anti-trafficking issues. Regional organizations, UN and others have been active in the anti-trafficking support activities in Lao PDR.

With all these positive developments there are still issues which need to be addressed when a possible new project, based on the lessons learned from the R76 Project, is starting. There is the issue of documentation of training evaluations as one important example. The need to encompass as many aspects of trafficking as possible, i.e. not only focus on cross-border trafficking but look critically and closely at internal, domestic trafficking as well as the neglected group of domestic workers exceedingly vulnerable to abuse and human rights violations.

There is also a need to widen the search for Lao PDR resources, allow staff involved in trafficking to contribute creatively in countering trafficking. An example would be for the prosecutors and judges

and the police belonging to the Anti-trafficking Units, - officials who daily see the rough face of trafficking to share and learn together.

A very decent foundation has been laid. The International instruments, TOC and TIPP, are becoming known of their relevance to Lao laws. The Lao laws themselves are also becoming known especially amongst key officials at the central level but also to a certain degree at the provincial level. It is therefore the evaluation team's recommendation that the anti-trafficking activities started by UNODC's R76 Project continue in a slightly modified and preferably enlarged form.

Annexes

1. Terms of reference
2. Organizations and places visited and persons met
3. Summary assessment questionnaire
4. Relevant Materials
 - 4.1. Lao PDR Laws and Treaties Related to Trafficking
 - 4.2. Article # 3 of TIPP
 - 4.3. UNODC R76 Activities Sept. 2006 – Dec. 2009

TERMINAL PROJECT EVALUATION TERMS OF REFERENCE

Project Title:	Strengthening of the Legal and Law Enforcement Institutions to Prevent and Combat Human Trafficking
Project Number:	FS/LAO/04/R76
Project Implementation Period:	Sept 2006 – Dec 2009
UNODC Total Budget:	\$686,000

1. BACKGROUND INFORMATION

The problem of trafficking in human beings in Lao PDR needs to be understood in its socio-economic and political context. Despite being situated in a fast developing region with a rapidly growing economy, the country still has relatively low economic indicators. Approximately 60,000 young people try to enter the labour force each year, but employment opportunities are very limited. Thus, many opt to migrate illegally for shorter or longer periods. Coupled with a weak legal framework, limited law enforcement, border control and corruption, there are ample opportunities for traffickers to operate and exploit vulnerable groups of people particularly young migrant women and children. It also leaves the country exposed to other forms of transnational organised crime such as money laundering, trafficking in drugs and precursors, and environmental crimes impeding the country's future prospects of reaching its development and human security goals.

Lao PDR has taken numerous steps to prevent and combat human trafficking. On September 26, 2003, the country acceded to the United Nations Convention against Transnational Organized Crime (hereafter TOC) and its underlying protocols including the "Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children" (hereafter TIPPP). There are now numerous laws and legal dispositions dealing with human trafficking, and an Anti-Trafficking Division with corresponding Units at provincial level is now operational.

Apart from the actual framework, legislative work is slow and necessary expertise about laws and judicial processes amongst legal and law enforcement officials is also limited. Moreover, there is lacking awareness about the phenomenon as part of organised crime as well as processes, modus operandi and networks involved in the activity, and the threat it represents. There is no practice of information-sharing within or among different agencies, law enforcement and judiciary. Generally prosecution and incrimination are often informal and not clearly based. Therefore, the responses to trafficking have been insufficient and misconceptions persist. Prosecution rates for human trafficking remains low, although it is difficult to assess

the veracity and reliability of the number of investigations, arrests and convictions that can be obtained from the Lao criminal justice system.

These are the issues that the R76 Project has aimed to address through strengthening the capacity of the criminal justice institutions, including the judiciary, and the government law enforcement bodies to prevent, investigate and prosecute cases of trafficking in human beings and related forms of organised crimes. More specifically, this has been done mainly through training for criminal justice practitioners and law enforcement officers in order to strengthen the country's capacity to investigate, prosecute and convict traffickers and to help the country implement the TIPP.

The terminal project evaluation should now be carried out as the R76 Project will end in December 2009. The Project was initiated in September 2006 and was to be implemented over a period of two years. In September 2008 the revision of the Project was accepted and it was extended for another one year and three months. The main reasons for the project revision were the following:

- Supplementary funding from Norway and G/TIP;
- Delays in the implementation of the project activities;
- Additional project activities;
- Higher project costs.

Objectives

Crime prevention objective: To reduce the number of trafficked persons in and from Lao PDR.

Immediate objective: The capacity of the legal and law enforcement institutions has been strengthened to prevent and combat human trafficking in the Lao PDR.

Outputs	Activities	Indicators
1. An assessment report drafted on existing legislation to ascertain the capacity of the Lao Government to implement the Trafficking Protocol and to support the design of required legislative measures	1.1. Develop assessment plan	Assessment plan developed
	1.2. Translate relevant international instruments related to human trafficking	TIPP translated in to Lao Language
	1.3. Draft a desk review	Drafted desk review available
	1.4. Carry out a gap analysis on the existing legislation	Gaps between the existing legislation and TIPP identified
	1.5. Draft a report including recommendations to the Government of Lao PDR to implement the Trafficking Protocol	Drafted report available and translated and distributed to concerned parties
	1.6. Conduct a workshop to review the reports drafted under the project and make recommendations for follow-up	Workshop conducted and amendments to Penal Code and Penal Procedure considered
	1.7. Finalise the report and distribute to stakeholders	Report finalised and distributed to stakeholders
2. Training programme and modify the existing training manual to prevent, combat and punish human trafficking within the judicial system	2.1. Conduct a workshop on training need	Workshop conducted same comments as above. These are NOT indicators
	2.2. Develop training curricula	Use of the developed material and tools in national training courses

	2.3. Modify training material and tools	Training courses conducted
	2.4. Translate training tools and materials	Translated training tools available
	2.5. Carry out a training seminar	Training seminar carried out
	2.6. Modify training material, if required	Availability of training programme and modified material and tools
	2.7. Print/produce training material	Availability of training programme and modified material and tools
3. Training sessions for law enforcement officials conducted, focusing inter- alia on criminal procedure, law enforcement methods and investigative techniques, exchange of information, international cooperation as well as on means to prosecute traffickers and protect the rights of the victims	3.1. Carry out a minimum of 5 training sessions for law enforcement officials	National training courses conducted
	3.2. Conduct a one-week training course in Vientiane	Idem
	3.3. Conduct a one-week training course in the North	Idem
	3.4. Conduct a one-week training course in the South	Idem
	3.5. Conduct two master trainers' sessions (one week/session) in the North and South	Idem Monitoring reports Evaluation of the training
4. International cooperation networks and contacts established with counterpart agencies in neighbouring countries to facilitate international cooperation and exchange of information	4.1. Carry out a study tour to one of the most significant destination and transit countries from Lao PDR	Study tour carried out Monitoring reports available
	4.2. Organise two international co-operation meetings with significant destination or transit countries regarding the trafficking in human beings from Lao PDR	International meetings carried out Mission reports Before and after meeting questionnaires
	4.3. Conference in Lao PDR for the judiciary, law enforcement and government officials from the region to enhance international cooperation	Conference carried out Conference report prepared and distributed
	4.4. Conference for international agencies, NGOs, embassies and other parties from the region to share lessons learned and work on new solutions	Conference carried out Conference report prepared and distributed
	4.5. Attendance of relevant government authorities at international organised crime and human trafficking conferences.	Conference attendance Mission report prepared and distributed
5. Increased human trafficking awareness through awareness raising, capacity building and dissemination at grassroots level and among law enforcement and judiciary	5.1. Capacity building, dissemination and awareness raising through Community Legal Education	Missions to communities carried out Mission report
	5.2. Awareness raising material for law enforcement and judiciary	Material produced
	5.3. Awareness raising material for dissemination at grassroots level	Idem

2. PURPOSE OF THE EVALUATION

This terminal project evaluation is stated requirement in the project document:

“An external evaluation will be carried out at the end of the project. A provision for the evaluation has been made in the budget, in budget line 21-00.”

The main purpose of the evaluation will be to assess the achievement of its stated objectives, outcomes and outputs, as per the project design of R76 Project during its three years and three months’ lifespan. The evaluation should be carried out before the Project comes to an end. It will seek to determine the relevance, effectiveness, efficiency, sustainability and impact of the project activities, as well as best practices and lessons learned.

The evaluation will be carried out by an International Consultant ideally with experience in evaluating projects on human trafficking in the region, as well as a National Consultant. The main stakeholders in the evaluation will be the Ministry of Justice (government counterpart), the Core Training Group trainers and their corresponding institutions in the Lao criminal justice system, provincial counterparts and the R76 Project of the UNODC Lao Country Office. They will all be involved in the evaluation through interviews and consultations. The evaluation manager will be the current R76 Project Coordinator.

3. EVALUATION SCOPE

The evaluation will assess the implementation of the R76 Project on “Strengthening of the Legal and Law Enforcement Institutions to Prevent and Combat Human Trafficking” during the period September 2006 – November 2009. The geographical area to be covered by the evaluation will be Lao PDR, i.e. national, with a particular focus on central level in Vientiane Capital.

The evaluation will bear in mind the limitations identified in the project design and possible variances and/or barriers and constraints inherent in the Project’s implementation environment.

Key questions to be answered by the evaluation are the following:

Relevance:

- To what extent is the Project aligned with the policies and strategies of the partner country, UNODC and other UN organisations?
- Is the Project the appropriate solution to the problems it is intended to address?
- What is the value of the Project in relation to other priority needs and efforts made to solve it?

Effectiveness:

- Has the Project achieved its objectives and results (objectives, outcomes and outputs)? If not, has some progress been made towards their achievement?
- What are the reasons for the achievement or non-achievement of the Project objectives?

- To what extent is the progress made so far the result of the Project rather than of external factors?

Efficiency:

- Has the budget been allocated and spent as planned?
- Is the Project delivering on time?
- Could more have been achieved with the same input? Could the same have been achieved with less input?
- What measures have been taken during planning and implementation to ensure that resources are efficiently used?
- To what extent is the organisational structure of UNODC, the managerial support provided to the Project, and the coordination mechanisms used by UNODC supporting the Project?

Impact:

- What difference has the Project made to beneficiaries?

Sustainability:

- To what extent will the benefits generated through the Project be sustained after the end of donor funding?
- Have the beneficiaries taken ownership of the objectives to be achieved by the Project? Are they committed to continue working towards these objectives once the Project has ended?
- Is their engagement likely to continue, be scaled up, replicated or institutionalized after external funding ceases?

Lessons learned and best practices:

- What lessons can be learned from the Project implementation in order to improve performance, results and effectiveness in the future?
- What best practices emerged from the Project implementation? Can the realistically be replicated?

4. EVALUATION METHODS

The evaluation will be carried out through a desk review of project documents and reports, such as work plans, assessments, mission reports, training materials, presentations, correspondence, data from other organisations etc. Interviews will be arranged with identified stakeholders at central level in Vientiane, including government counterpart and agencies involved, UNODC, UN and international agencies. A site visit will be arranged to meet with and interview with relevant government counterparts.

The draft travel itinerary will be included along with the evaluation TOR. These will be finalised together with the consultants. Detailed interview notes and summaries should be drafted. A translator well-familiar with the Project will be asked to assist with the necessary translation during the evaluation. The consultants will need to respect and ensure the right of the interviewees to not provide confidential data, any other sensitive information or not to respond to a particular question or query.

5. EVALUATION TEAM COMPOSITION

The evaluation team will be composed of the following persons: an International and National Consultant and will be assisted by a translator. The evaluation process will be guided by the R76 Project Coordinator and the government counterpart. The International Consultant will be the team leader, who will be supported by the National Consultant. The UNODC R76 Project staff (Project Coordinator and Project Assistant) will facilitate all aspects of the evaluation.

The International Consultant will ideally have the following qualifications, skills and experience:

- In-depth experience in evaluation techniques and drafting evaluation reports.
- A graduate degree in law or law enforcement, or a related discipline, and strong analytical skills;
- Demonstrated project/programme evaluation experience;
- Experience in evaluating human trafficking projects and programmes;
- At least five years' experience in human trafficking and/or migration-related issues preferably from South-East Asia and Lao PDR in particular;
- Demonstrated ability to work independently, but also as part of a team, and to meet deadlines;
- Fluency in English and excellent communication and report writing skills.

The National Consultant will ideally have the following qualifications, skills and experience:

- In-depth experience in evaluation techniques and drafting evaluation reports;
- A graduate degree in law or law enforcement, or a related discipline, and strong analytical skills;
- Demonstrated project/programme evaluation experience;
- Experience in evaluating human trafficking projects and programmes;
- At least three years' experience in human trafficking and/or migration-related issues preferably from South-East Asia and Lao PDR in particular;
- Demonstrated ability to work independently, but also as part of a team, and to meet deadlines;
- Working knowledge in English and excellent communication and report writing skills.

The consultants must be independent and impartial, and with no connections to the design, formulation or implementation of the Project or any of its results. See "Annex 1: UNODC Standard Format and Guidelines for Project Evaluation Reports" for further information.

Roles and responsibilities:

1. International Consultant (in collaboration with the National Consultant and R76 Project Coordinator):
 - a. Develop the methodology of the evaluation, which may include interview questions and questionnaires;

- b. Share methodology with project stakeholders and incorporate suggestions
 - c. Conduct evaluation including, inter alia, interviews and interview minutes/summaries;
 - d. Draft the report and share it with project stakeholders – incorporate comments
 - e. Finalise evaluation report.
2. National Consultant (in collaboration with the International Consultant and R76 Project Coordinator):
- a. Assist in the development the assessment methodology/ies and questionnaires to be used in the data collection in the evaluation;
 - b. Provide assistance in the preparation for the interviews and discussions with the key stakeholders of the project, as well as in the actual implementation of these activities;
 - c. Collect, compile and analyse the information on the project and the feedback from the interviewees;
 - d. Assist in the preparation and presentation of initial findings upon the completion of the data gathering, interviews and field mission;
 - e. Provide input and assistance in the development of the draft evaluation report and a final report within the stipulated time frame taking into consideration feedback and comments from key stakeholders.
3. R76 Project staff:
- a. Liaise and set up interviews with relevant counterparts and stakeholders;
 - b. Facilitate and arrange the logistics, i.e. travel, accommodation etc. involved;
 - c. Be responsible for the financial aspects and budgeting of the evaluation;
 - d. Participate in the evaluation team and in the evaluation itself;
 - e. Assist in editing of the report and presentation to the relevant stakeholders.
4. Government counterpart:
- a. Help facilitate meetings and interviews with government agencies and individuals both centrally and locally;
 - b. Participate in the evaluation team and in the evaluation itself.
5. Project stakeholders:
- a. Be available for interviews and comments;
 - b. Provide input to the evaluation report.

6. PLANNING AND IMPLEMENTATION ARRANGEMENTS

The UNODC R76 Project will provide administrative and other support as necessary to enable the evaluation to take place. The bulk of the work will take place in Vientiane and the UNODC R76 Project Office will provide office space and internet access for the consultants. The Project will also provide transport and translation support in order to carry out the work both in Vientiane Capital and in the

province(s). The final details will be discussed and finalised together with the consultants upon or prior to their arrival.

In addition, the consultants may request other meetings or other approaches provided the relevant stakeholders are available and this can be accommodated within the stipulated timeframe.

All drafts and final report(s) with applicable annexes and attachments will be submitted in both hard copy and digital formats (soft copy) in English. The soft copies may either be submitted via email or on a CD in Microsoft Word format. The expected evaluation outputs include the following:

- A draft report written according to UNODC evaluation reporting requirements following the country mission in accordance with the agree-upon timeframe;
- A final report to UNODC R76 Project following the receipt of the comments from the stakeholders and UNODC within the deadline.

Annex 3 provides an overview of the draft timeframe for the interviews, travels and deliverables.

7. PAYMENT

The consultants will be issued consultancy contracts and paid in accordance with United Nations rules and procedures.

A lump-sum will be paid in three installments:

- The first payment will be made upon signature of the contract (travel expenses plus 75 per cent of the daily subsistence allowance);
- The second payment (50 percent of the consultancy fee and 25 per cent of the daily subsistence allowance) will be made upon receipt of the draft report by the UNODC Lao PDR Country Office (Evaluation Manager);
- The third and final payment (50 per cent of the consultancy fee, i.e. the remainder of the fee) will be made only after completion of the respective tasks and receipt of the final report and its clearance by UNODC.

Annex 1: UNODC Standard Format and Guidelines for Project Evaluation Reports

Annex 2: Evaluation Assessment Questionnaire

Annex 3: Draft travel plan and list of interviewees

Terminal Project Evaluation
R76 Project: Strengthening of the Legal and Law Enforcement Institutions to Prevent and Combat Human Trafficking

Timeframe and Tentative Agenda			
Dates and time	Working days	Tasks	Location
Prior to arrival	3	Desk review of project documents	Home-based
Mon 09.11	—	Arrival in Vientiane	Vientiane
Tue 10.11	1	Meetings with UNODC and stakeholders	Vientiane - Attapeu
9:00		Meeting with Mr. Oyvind Høyen, R76 Project Coordinator	UNODC
11:00		Meeting with Mr. Leik Boonewaatt, UNODC Representative to Lao PDR	UNODC
12:00		Lunch	
13:30		Asia Regional Trafficking in Persons Project (ARTIP): Mr. Sythala Pathammavong, Country Project Coordinator	ARTIP
15:00		US Embassy: Mr. Thomas E. Daley, Chief, Political/Economic Section	US Embassy
Wed 11.11	1	Travel and Awareness-raising and capacity-building workshop by R76 Project	Vientiane - Attapeu
Morning		Travel to Attapeu Province (by air to Pakse and car to Attapeu)	Vientiane - Attapeu
Afternoon		Interviews with government counterpart (Ministry of Justice: Mr. Somboun Vongphachanh, Deputy Director of Judicial Administrative System), trainers and participants	Attapeu
Thu 12.11	1	Travel and interviews with stakeholders	Attapeu - Pakse
Morning		Interviews with government counterpart (Ministry of Justice: Mr. Somboun Vongphachanh, Deputy Director of Judicial Administrative System), trainers and participants	Attapeu
Afternoon		Travel to Pakse	Attapeu - Pakse
Fri 13.11	1	Travel and meetings with stakeholders	Pakse - Vientiane
Morning		Interviews with stakeholders at provincial level	Pakse
Afternoon		Travel to Vientiane	Pakse - Vientiane
Sat 14.11	—		Vientiane
Sun 15.11	—		Vientiane
Mon 16.11	1	Meetings with national stakeholders	Vientiane
9:00		National University of Laos (NUOL): Mr. Phoneseng Khounthavydougchai, Faculty of Law and Political Science, Teacher and Core Training Group trainer, and Mr. Viengvilay Theingchanhxay, Associate Professor and Deputy Dean, Faculty of Law and Political Science	NUOL

10:00		National University of Laos (NUOL): Mr. Sharan Doowa, Teaching Adviser, Faculty of Law and Political Science, Community Legal Education Programme (and students TBC)	NUOL
11:00		Ministry of Public Security (MOPS): Mr. Khampane Saygnavong, Technical Staff, Anti-Trafficking Division	MOPS
12:00		Lunch	
		Meetings with international stakeholders:	
13:30		UN Inter-Agency Project on Human Trafficking in the Greater Mekong Sub-region: Dr. Xoukiet Panyanouvong, National Project Coordinator	UNIAP
15:00		Friends International: Mr. Mark Turgesen, International Coordinator, ChildSafe Network	Friends International
Tue 17.11	1	Meetings with various counterparts	Vientiane
		Meetings with government counterpart:	
9:00		Ministry of Justice: H.E. Mr. Ket Kiettisack, Vice Minister	MOJ
		Meeting with national stakeholders:	
10:00		Prosecutor's Office: Mr. Vilavong Phomkong, Director of Division of Investigation	Prosecutor's Office
10:30		Lao Bar Association: Ms. Vannaly Phounsavath, Project Manager, and Ms. Thippavanh Souphathone, Lawyer	LBA
11:15		Ministry of Foreign Affairs: Mr. Aksonsavanh Sihabandith, Technical Officer, Law Division	MOFA
12:00		Lunch	
		Meetings with national and international stakeholders on victims assistance and protection:	
13:30		AFESIP: Dr. Didier Bertrand, Laos Director	AFESIP
15:00		Lao Women's Union: Ms. Thoummaly Vongphachan, Director General of Counselling and Protection Centre for Women and Children	LWU
17:00		Dr. Jayampathy Wickramaratne, Legal Expert for UNODC (telephone call)	
Wed 18.11	1		
9:00		Debriefing with UNODC	UNODC
14:00		Project stakeholder debriefing meeting	UNODC
Thu 19.11 - Tue 24.11	4	Preparation and submission of draft report	Vientiane
Wed 25.11 - Fri 04.12	—	Sharing of draft report with project stakeholders	
Mon 07.12 - Wed 09.12	3	Finalisation and submission of report	Home-based

Annex 3.1

**National, Regional and International Laws, Agreements, Conventions, Protocols Treaties
and Standards directly and indirectly relating to Trafficking of Person(s) in the Lao
People's Democratic Republic**

National

- Penal Code, including Article 134 on Human Trafficking
- Decree of the President of the Lao People's Democratic Republic On the Promulgation of the Amended Law on Criminal Procedure (14, June 2004)
- Decree of the President of the Lao People's Democratic Republic On the Promulgation of the Law on Development and Protection of Women (15, November 2004)
- National Plan of Action against Commercial and Sexual Exploitation against Children, Lao PDR (2006)
- Decree of the President of the Lao People's Democratic Republic on the Promulgation of the Amended Labor Law (16, January 2007)
- Decree of the President of the Lao People's Democratic Republic On the Promulgation of the Law on Protection on the Rights and Interest of Children (16, January 2007)

Regional

- Treaty on Extradition Between The Lao People's Democratic Republic and Kingdom of Thailand (1999)
- Treaty Between The Lao People's Democratic Republic and The Kingdom of Cambodia on Extradition (1999)
- Treaty Between The Lao People's Democratic Republic and The People's Republic of China on Extradition (2002)
- MOU between Lao PDR and Thailand on Employment Cooperation (18 October 2002)
- MOU Between the Government of the Lao People's Democratic Republic and Government of the Kingdom of Thailand to Combat Trafficking in Persons, Especially Women and Children (13, July 2005)
- COMMIT MOU on Cooperation against Trafficking in Persons in the Greater Mekong Sub-region (2005)

International

- Universal Declaration of Human rights (1948)
- Supplementary Convention on the Abolition of Slavery, The Slave Trade, and Institutions and Practices Similar to Slavery (1957)
- International Covenant on Civil and Political Rights (1976)
- International Covenant on Economic, Social and Cultural Rights (1976)
- Convention on the Elimination of All Forms of Discrimination against Women (1981)
- United Nations Convention on the Rights of the Child (1990)
- United Nations Convention on against Transnational Organized Crime (2003)
- "Palermo Protocols"
 - Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (2003)
 - Protocol against the Smuggling of Migrants by Land, Sea and Air
- ILO Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor of 1999 (2000)
- Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (2002)

Article # 3 of TIP

- (a) “Trafficking in persons” shall mean the recruitment, transportation, transfer, harboring or receipt of persons by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of giving or receiving of payments or benefits to achieve the consent of a person having control over another person for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or the removal of organs;
- (b) The consent of a victim of trafficking in persons to the intended exploitation set forth in (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used;
- (c) The recruitment, transportation, transfer, harboring or receipt of a child for the purpose of exploitation shall be considered “trafficking in persons” even if this does not involve any of the means set forth in subparagraph (a) of the article;
- (d) “Child” shall mean any person under eighteen years of age.

Overview of Workshops and Events - R76 Project*

*These workshops were either organised or supported by the R76 Project, and/or the project supported government staff to attend

Year/Month	Title	Organised by	Target Group	Topics	Participants
11 - 15 Nov 2006	National Conference: Strengthening of the Legal and Law Enforcement Institutions to Prevent and Combat Human Trafficking	R76 Project	Legal sector institutions, including from the provinces.	Human trafficking, a global challenge (UNODC)	150
				What is human trafficking? What are the differences between human trafficking, illegal migration and migrant smuggling? (UNODC)	
				The human trafficking and migrant situation in the region (ILO)	
				UN Inter-Agency Project (UNIAP) on human trafficking in the GMS and review of the COMMIT process (UNIAP)	
				Overview from 3 provinces in the Lao PDR (Provincial authorities)	
				Center for children and women (AFESIP)	
				Child trafficking in the Lao PDR (UNICEF)	
				Presentation (ARTIP)	
				International legal response to human trafficking. The TIPP and TOC (Transnational Organised Crime Convention) (UNODC)	
				Presentation of the project R76 Strengthening of the legal and law enforcement institutions to prevent and combat human trafficking (UNODC)	
				The requirements of the Trafficking in Persons Protocol (TIPP) and the Lao legislation (UNODC)	
				Presentation (Ministry of Labour and Social Welfare)	
				The role of the Public Prosecutor on preventing and combating human trafficking (Supreme Prosecutors Office)	
				Psychological consequences and impact of trafficking (AFESIP)	
				Victim repatriation and possible compensation (UNODC)	
The benefits of a new criminal legislation and criminal procedure (UNODC)					
Trafficking in children and women prevention strategies on human trafficking in the Lao PDR (ILO-TICW)					
Practical exercises and recommendations (UNODC)					

9-18 Oct 2006	Conference of Parties to the Convention on Transnational Organised Crime	UN (Vienna)	State parties	The Lao delegate from the Ministry of Foreign Affairs underlined the importance of the TOC and its underlying protocols and stressed the need to enhance understanding of these legal instruments among party states. Lao PDR requested technical assistance to enable the implementation of the TOC and its protocols. The participation at this conference allowed R76 to gain a better understanding of the problems and challenges to implement the Trafficking in Persons Protocol in the Lao PDR. The R76 Project supported the participation of the Lao delegation.	NA
13-16 Mar 2007	Strengthening of the Legal and Law Enforcement Institutions to Prevent and Combat Human Trafficking	R76 Project	Central level legal and law enforcement officials	Multilateral Conventions, The United Nations Convention against Transnational Organised Crime (TOC), the Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children (TIPP), and International Law	29
				U.N Convention against Transnational Organised Crime (TOC)- an Overview	29
				The difference between Human Trafficking and Smuggling of Migrants	
				Protocol to Prevent, Suppress and Punish Trafficking in Persons (TIPP) Trafficking in Persons Protocol and Lao Legislation	
3-6 April 2007	Strengthening of the Legal and Law Enforcement Institutions to Prevent and Combat Human Trafficking	R76 Project	Central level legal and law enforcement officials	Multilateral Conventions, The United Nations Convention against Transnational Organised Crime (TOC), the Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children (TIPP), and International Law	25
				U.N Convention against Transnational Organised Crime (TOC)- an Overview	
				The difference between Human Trafficking and Smuggling of Migrants	
				Protocol to Prevent, Suppress and Punish Trafficking in Persons (TIPP) Trafficking in Persons Protocol and Lao Legislation	
Case studies					
9-May-07	Meeting on Human Trafficking	CLE	Students at the Faculty of Law and Political Science	Mr. Richard Phillipart, Legal Expert with UNODC, gave a presentation on 'Human Trafficking as a Global Challenge'.	

26-29 June 2007	Workshop for Core Training Group	R76 Project	Central level legal and law enforcement officials	Multilateral Conventions, The United Nations Convention against Transnational Organised Crime (TOC), the Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children (TIPP), and International Law	22
				U.N. Convention against Transnational Organised Crime (TOC)- an Overview	
				Human Trafficking -A Global Challenge	
				Protocol to Prevent, Suppress and Punish Trafficking in Persons (TIPP) Trafficking in Persons Protocol and Lao Legislation	
				Case studies and role plays	
19-20 June 2007	Monitoring & Evaluation Workshop of the National Plan of Action on Human Trafficking	UNIAP and Lao Government	Lao Government	How to develop an M&E framework for the National Plan of Action. UNODC Lao PDR actively participated in the workshop and also used the event to apprise stakeholders on the role of the UNODC regarding human trafficking and assistance that is available to Lao PDR as a State Party to the Protocol on Human Trafficking.	30-40
2-4 Oct 2007	UN.GIFT	UNODC (BKK)		UNODC project R76 supported one civil servant from the Ministry of Justice, member of the R76 Core Training Group, to attend the workshop. In addition four Lao government officials and one delegate from the UNODC Laos Country Office also attended the event.	NA
26-29 Nov 2007	Workshop for Core Training Group	R76 Project	Central level legal and law enforcement officials	Overview of UN.Gift	26
				Theoretical aspects of the offence of human trafficking, law enforcement and prosecution	
				Practical aspects of the offence of human trafficking	
				Intensive case studies training	
7-Dec-07	Anti-Child Trafficking Day	LYU and international organisations	Children and youth	UNODC Representative, Mr. Leik Boonwaat, gave a speech on behalf of the UN.	Several hundred
17- 19 Dec 2007	Workshop for Core Training Group	R76 Project	Central level legal and law enforcement officials	Identification and Confiscation of Proceeds of Crime	22
				Extradition	
				Mutual Legal Assistance	
				Mock Trials	
Feb-08	GIFT (Vienna)	UNODC (Vienna)	Representatives from 116 countries	One project staff and the Lao Deputy General Prosecutor of the Lao Office of the Supreme People's Prosecutor attended the UN.Gift forum at UNODC headquarters.	NA

19-Jun-08	Clinical Legal Education	SIDA	Students at the Faculty of Law and Political Science	CLE, human trafficking, UNODC and LBA	30-40
22-25 July 08	Workshop for Core Training Group	R76 Project	Central level legal and law enforcement officials	Review of topics discussed in 2007	28
				Presentations from 3 trainees about their profession in relation to human trafficking	
				Law enforcement and prosecution	
				The role of the judge, the prosecutor and the lawyer	
				Law dissemination	
Group work, case studies and mock trial					
12- 15 Aug 2008	Workshop for Core Training Group	R76 Project	Central level legal and law enforcement officials	Victim identification and non-criminalization of victims of trafficking (UNODC)	23
				Interviewing victims (UNODC)	
				The role of AFESIP in helping victims (AFESIP)	
				The legal process for victims (AFESIP)	
				Witness protection (UNODC)	
				Immigration status of victims and their repatriation and resettlement (IOM)	
				Repatriation of victims: obligations of States and return procedures	
				Protection of returnee and refugee victims of trafficking	
				Victim protection and assistance: access to information and legal assistance (UNODC)	
				Assistance to victims (LWU)	
Rehabilitation of victims (LWU)					
Child protection during a human trafficking investigation (UNICEF)					
				Study of formal and informal recruitment practices of Lao workers migrating to Thailand (ILO)	
				Responsive Migration Policy and Practice (ILO)	
				Specialized assistance and support to child victims of human trafficking in the criminal justice process (ECPAT)	
				Awareness Raising Measures to prevent human trafficking and tackle the demand for victims of sexual exploitation (ECPAT)	

28- 31 Oct 2008	Workshop for Core Training Group	R76 Project	Central level legal and law enforcement officials	UNODC and its role in human trafficking prevention and UN. GIFT (UNODC) The development, implementation and success of a UNODC human trafficking project in Vietnam (former R96 Project Coordinator, Interpol, in Vietnam) The importance of identifying and treating trafficked persons as victims of crime in the Lao criminal justice process (Faculty of Law and Political Science) Lao legislation on human trafficking (UNODC) The UN TOC Convention and its Protocols (The Trafficking in Persons, Smuggling of Migrants and Fire Arms Protocols) (UNODC)	26
18-21 Nov 2008	Shadow Markets - Crime and its Risks to Development	UNODC and MOFA	High level international, regional and national officials and experts	Transnational organised crime including human trafficking	300-400
3-Dec-08	Certificate Awarding Ceremony Anti-Human Trafficking Core Training Group	R76 Project	Central level legal and law enforcement officials	Certificates handed out.	21 received certificate/8 received merit/31 participants at the Awarding Ceremony
4-5 Dec 2008	Senior Officials Meeting	R76 Project	Senior officials	An overview of the Transnational Organised Crime Convention (TOC) The Trafficking In Persons Protocol and Lao Legislation Victims of Human Trafficking International Cooperation in Combating Organised Crime Identification of Victims of Human Trafficking and Its Relevance to Combating Human Trafficking Discussion: Issues relevant to human trafficking	20

						Discussion: Strengthening the Law Legal and Administrative Framework to Effectively Combat Human Trafficking	
16 - 20 Feb 2009	Training of Trainers	R76 Project	Central level legal and law enforcement officials	R76 Project	Teaching methodologies	19	
2 - 6 March 2009	Training of Trainers	R76 Project	Central level legal and law enforcement officials	R76 Project	Mock trials	20	
22-May-09	Lesson Plan Development Workshop	R76 Project	Central level legal and law enforcement officials	R76 Project	The Ministry of Justice and the R76 Project organised a one-day workshop for the CTG to consolidate their lesson plans for the upcoming workshops.	9	
2 - 4 June 2009	Awareness-raising on Human Trafficking for Legal and Law Enforcement Officials (Champasack)	R76 Project	Provincial level legal and law enforcement officials	R76 Project	Human Trafficking Definition and Lao Laws Introduction to the United Nations Transnational Organised Crime Convention and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children The Importance of Victim Identification and Victim Assistance in Combating Human Trafficking Special Measures Relating to Child Victims of Human Trafficking International Cooperation to Prevent and Combat Human Trafficking Issue Relating to Human Trafficking – Money Laundering, Corruption, Legal Persons Case studies	28	
11 - 12 June 2009	Awareness-raising on Human Trafficking for Legal and Law Enforcement Officials (Vientiane Province)	R76 Project	Provincial level legal and law enforcement officials	R76 Project	Human Trafficking Definition and Lao Laws "Traffic": documentary on human trafficking in South-East Asia Introduction to the United Nations Transnational Organised Crime The Importance of Victim Identification and Victim Assistance in Combating Special Measures Relating to Child Victims of Human Trafficking Case studies	32	
	Awareness-raising on		Central and		Human Trafficking Definition and Lao Laws		

11 - 12 Aug 2009	Human Trafficking for Legal and Law Enforcement Officials (Xieng Khouang)	R76 Project	provincial level legal and law enforcement officials	The Importance of Victim Identification and Victim Assistance in Combating Human Trafficking Special Measures RelatinQ to Child Victims of Human TraffickinQ Case studies	34
13- 14 Aug 2009	Awareness-raising on Human Trafficking for Legal and Law Enforcement Officials (Houaphan)	R76 Project	Central and provincial level legal and law enforcement officials	Human Trafficking Definition and Lao Laws The Importance of Victim Identification and Victim Assistance in Combating Human Trafficking Special Measures Relating to Child Victims of Human Trafficking Case studies	33
12- 14 Aug 2009	Case Analysis Workshop (Savannakhet)	UNIAP and Lao Government	Central and provincial level legal and law enforcement officials	The R76 Project supported the participation of three CTG trainers to participate in this workshop.	42
20-Aug-09	Lesson Plan Development Workshop II	R76 Project	Central level legal and law enforcement officials	The Ministry of Justice and the R76 Project organised a one-day workshop for the CTG to further consolidate the lesson plans for the workshop in Bokeo and ahead.	10
11 Sept 2009	Workshop on the Development of the Trainer's Reference Guide on Human Trafficking for the Legal Sector in Lao PDR	R76 Project	Central level legal and law enforcement officials	The purpose of this workshop was to review and discuss the draft Manual with the Core Training Group trainers.	12
16- 17 Sept 2009	Awareness-raising on Human Trafficking for Legal and Law Enforcement Officials (Bokeo)	R76 Project	Provincial level legal and law enforcement officials	Human Trafficking Definition and Lao Laws 'Traffic': documentary on human trafficking in South-East Asia Introduction to the United Nations Transnational Organised Crime Convention and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children The Importance of Victim Identification and Victim Assistance in Combating Human Trafficking	30

11 - 12 Aug 2009	Human Trafficking for Legal and Law Enforcement Officials (Xieng Khouang)	R76 Project	provincial level legal and law enforcement officials	The Importance of Victim Identification and Victim Assistance in Combating Human Trafficking Special Measures Relating to Child Victims of Human Trafficking Case studies	34
13- 14 Aug 2009	Awareness-raising on Human Trafficking for Legal and Law Enforcement Officials (Houaphan)	R76 Project	Central and provincial level legal and law enforcement officials	Human Trafficking Definition and Lao Laws The Importance of Victim Identification and Victim Assistance in Combating Human Trafficking Special Measures Relating to Child Victims of Human Trafficking Case studies	33
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				Special Measures RelatinQ to Child Victims of Human TraffickinQ International Cooperation to Prevent and Combat Human TraffickinQ Issue Relating to Human Trafficking- Money Laundering, Corruption, Legal Persons Case studies	
16-Oct-09	Workshop for CLE on Human Trafficking	CLE and UNODC	Students at the Faculty of Law and Political Science	The UNODC R76 Project Coordinator gave a presentation on human trafficking and the responses to the crime in Lao PDR and in the region	20
19-Oct-09	Tripartite Meetig on R76	R76 Project	R76 stakeholders and donors	The Ministry of Justice and UNODC organised a Tripartite Meeting on the R76 Project to provide an overview of the project, its achievements and possible work ahead.	
23-Oct-09	Senior Officials Meeting	R76 Project	Senior officials	Lao Legislation on Human Trafficking and the Trafficking in Persons Protocol Identification of Victims of Human Trafficking and Its Relevance to CombatinQ Human Trafficking Victim Protection and Assistance International Cooperation in Combating Human Trafficking and Organised Crime Case studies	40
09-10 Nov 2009	Awareness-raising on Human Trafficking for Legal and Law Enforcement Officials (Xekong)	R76 Project	Provincial level legal and law enforcement officials	Human Trafficking Definition and Lao Laws Traffic: documentary on human trafficking in South-East Asia Introduction to the United Nations Transnational Organised Crime Convention and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children The Importance of Victim Identification and Victim Assistance in Combating Human Trafficking Special Measures Relating to Child Victims of Human Trafficking Case studies	30

11 - 12 Nov 2009	Awareness-raising on Human Trafficking for Legal and Law Enforcement Officials (Attapeu)	R76 Project	Provincial level legal and law enforcement officials	Human Trafficking Definition and Lao Laws	35
				Traffic: documentary on human trafficking in South-East Asia	
				Introduction to the United Nations Transnational Organised Crime Convention and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children	
				The Importance of Victim Identification and Victim Assistance in Combating Human Trafficking	
				Special Measures Relating to Child Victims of Human Trafficking	
Case studies					
19-Nov-09	Workshop on Human Trafficking for the Lao National Radio	Lao National Radio, UNIAP, Plan International and UNODC	Lao National Radio programme producers and DJs	The R76 Project Coordinator gave a brief presentation on interventions within prosecution of human trafficking and UNODC's work in this field.	25
23-25 Nov 2009	ASEAN Workshop on International Legal Cooperation in Trafficking in Persons Cases	ASEAN, UNODC and ARTIP	ASEAN member countries	Extradition, Seizure of Assets, Mutual Legal Assistance etc. The R76 Project supports translation to the Lao delegation consisting of three officials from the Lao Government, who are also CTG trainers.	30-40