



Lao Women's Union

The Center for Counselling and Protection of Women and Children

By:

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Centre for Counselling and Protection for Women and Children

Central Lao Women's Union in Lao PDR

1. The main responsible of the Center for Counselling and Protection of Women and Children



Provide legal advice, free counseling on psychological and physical for women and children who are suffering from family and social problem.

Receiving the case reporting about trafficking of women and children, and domestic violence.

Receiving the claims, petition of women and children, who are suffering from family and social problem.

Provide necessary assistance including safe shelters, legal assistance, health service, education and short-term vocation training, reintegration to family and society as well as rehabilitation to women and children who are victim of trafficking, victim of domestic violence and sexual abuse.

Representative to protect the rights and benefits of women and children in proceedings.

Provide training, disseminate the constitution, laws and international treaties related to rights and benefits of women and children as well as implement the activities to combat all forms of violence to women.

For victim assistance, according to Article 44 of Law on Anti-Trafficking in Person, Lao Women's Union Responsible for

- ✓ The provision of temporary safe shelter, physical rehabilitation, basic care service.
- ✓ The provision of short-term vocational training.
- ✓ The provision of counselling, legal advice, protection the legitimate rights and benefits of victim of trafficking.
- ✓ The provision in preparing the victim for legal proceedings including representing the victim in legal proceedings.
- ✓ The provision in reintegration to family and society within its responsibilities.



Law dissemination activities



2. Victim assistance through “one stop service”. Does the Center play a role in assisting victims of trafficking in accessing civil damages/compensation?

- ✓ On behalf of the protection of legitimate rights and benefits of women and children who are victims of trafficking, people who are suffering from violate the rights including acting as legal representative with free of charge and receiving the claims, consideration to address to issues and/or mediation the issues related legitimate rights and benefits of women and children, the Center is able undertaking its responsibility on victim assistance in accessing to civil damage/compensation in accordance to article 64 and 46 of Law on Anti-Trafficking in Persons, particularly, claiming for civil damages/compensation is one criteria of victim assistant for victim of trafficking.

3. Basic steps in claiming the compensation/compensation for victims of trafficking

- * Law on Criminal Procedure (2017), the injured person or representative shall have the rights to make a request for compensation resulting from the criminal offenses. In the case that complainant does not realize existing rights, the prosecution organization shall explain to them on how to request/claim compensation.
- * Request for compensation could be made oral or written.
- * In the case that the request is made orally, the request should be record comprehensively and thoroughly.

3. Basic steps in claiming the compensation/compensation for victims of trafficking (continue)

* Article 36 request for civil compensation (compensation) of Law on Anti-Trafficking in Persons stated that: “The victim or civil plaintiff have the right to claim for civil compensation during the criminal proceedings.”



Legal Assistant for victims of trafficking, the Center is undertaking as below:

- **Being a legal representative in legal proceedings as well as request for civil compensation/compensation for victims.**
- **Coordinate with justice agencies as well as concerned agencies to provide the counseling and victim assistance in legal proceedings.**
- **Preparing the victims for legal proceedings.**
- **In the case that the victim doesn't know/don't understand Lao language, it should have an interpreter including translation of all legal documents as needed.**



There are two ways to request for compensation for victims:

- ❖ Mediate with accused person at village level
- ❖ File request for compensation to the court.



Legal Assistance (Preparing the victims for court proceedings in Thailand)

4. Is there any change for victims to receive civil compensation if policy or procedure has been changed due to the response to pandemic?

No amended the law. Thus, the request for civil compensation/compensation follows the existing law.



5. Do you have a successful case to be shared? What are the factors that cause victims to receive civil compensation?

- * Provision of counseling, legal advice and procedure on legal proceedings.**
- * Interview the victim to get full and detailed information about the incident that occurred to the victim, this will be the fundamental to request for compensation or civil compensation for the victims.**
- * Proactive and ownership of concerned organizations, who are responsible for victim protection and assistance, especially legal assistance to request for compensation or civil compensation for victims and allow victims to exercise his/her rights in accordance with the laws.**
- * Provision of facilitation victim in accessing a request for compensation or civil compensation.**
- * Coordination and engagement of multi-sectoral in legal assistance is a key to ensure that requests for compensation or civil compensation are successful.**

6. Challenges to request for compensation

- * The legal proceedings are taking a long time and have too many processes. Thus, requests for compensation or civil compensation are difficult, especially if the case occurred in foreign country, where some cases are already court-decided. However, following up on victims, some of them have already left home.
- * Filing the document for compensation or civil compensation including procedures to receive compensation or civil compensation in the cases that occurred in foreign country are difficult.
- * Implementation of court decisions, especially the compensation or civil compensation, are difficult because the perpetrators or prisoners do not have property.

7. Recommendation to improve the procedure to request for civil compensation

- * Increase the coordination between the concerned organization who are working in the areas of anti-human trafficking, both prosecution and protection organization nationally and internationally. This could be able to protect the rights and benefits of victims of trafficking.
- * Increase the awareness of protection the rights and benefits of victim of trafficking, especially request for compensation/civil compensation both nationally and internationally for concerned organizations who are working in the areas of anti-human trafficking to ensure that victims of trafficking are receive compensation/civil compensation in according with the laws and in the time manner.



Thank you!