

Annual Report

2014





Thailand Institute of Justice
Annual Report 2014

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Message from the Chair



Trakul Winitnaiyapak
Chairman of the Board

While 2014 presented a challenging environment in Thailand, the Thailand Institute of Justice (TIJ) continued with its vision to be a leading center of excellence on criminal justice research and to serve members of the justice community within the Association of Southeast Asian Nations (ASEAN) and beyond.

TIJ also plans to serve as a bridge to transport global ideas related to crime prevention and criminal justice into local practice, including enhancing domestic justice reform and to promote a rule-based community. For this reason, TIJ has been working closely with the United Nations Crime Prevention and Criminal Justice Programme Network Institutes (PNI) in the area of crime prevention and criminal justice.

With our sound strategic framework and dedicated human resource, TIJ was able to continue to promote the implementation of the United Nations Rules for the Treatment of Women Prisoners and Non-Custodial Measures for Women Offenders (Bangkok Rules) and promote rule of law within Thailand and the ASEAN region.

In this regard, TIJ hit an important milestone delivering an innovative platform to discuss sustainable development by hosting The Bangkok Dialogue on the Rule of Law: Investing in The Rule of Law, Justice and Security, on 15 November 2013 in Bangkok, Thailand.

As Chair, I look forward to guiding and supporting the management team and dedicated staff for TIJ to become a world renowned research institute in the field of crime prevention and criminal justice.

A handwritten signature in blue ink, appearing to read 'T. Winitnaiyapak', written in a cursive style.

Trakul Winitnaiyapak
Chairman of the Board
Thailand Institute of Justice

Message from Executive Director

TIJ is a public organization established by the Ministry of Justice on 13 June 2011. Our primary objective is to promote the implementation of United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules) as well as other relevant United Nations (UN) standards and norms. TIJ also promotes the rule of law, criminal justice research on vulnerable groups including women and children, and transnational organized crimes.

As we enter our third year as a research institute, we have expanded with many exciting advancements. From organizing high level conferences to promote the rule of law such as *The Bangkok Dialogue*, we have also hosted regional intergovernmental expert group meetings with UNODC and the Government of Thailand including the Asia Pacific Regional Preparatory Meeting for the 13th United Nations Congress on Crime Prevention and Criminal Justice.

In areas of research and capacity building, TIJ collaborated with UN Women's multi-country research on Policing and Prosecution of Sexual Violence in Asia and the Pacific, published a new research on *women in prison and the implementation of the bangkok rules in Thailand*, developed a toolkit on women's access to justice and piloted a research on trafficking in persons in Thailand with UNODC. TIJ also supported UNODC in the development of the technical assistance tools on the United Nations Model Strategies and Practical Measures on the Elimination of Violence against Children in the Field of Crime Prevention and Criminal Justice.

In 2013, TIJ plans to further our research on the Bangkok Rules within Thailand and in the Philippines, expand research on violence against women, rule of law and alternatives to incarceration for drug-related offenders, promote the rule of law and increase our engagement with youth throughout the ASEAN region.

Finally, I would like to express my sincere appreciation to the Government of Thailand for the continuous support, our domestic and international partners including UN agencies and the institutes within the United Nations Crime Prevention and Criminal Justice Programme Network. Most importantly, the guidance from our Board of Directors and the team at TIJ for making all these achievements possible.



Ambassador Adisak Panupong

Executive Director of Thailand Institute of Justice

A handwritten signature in blue ink, appearing to read 'A. Panupong'. The signature is fluid and cursive, with a long horizontal line extending from the end.

Adisak Panupong

Executive Director of Thailand Institute of Justice

The background is a complex, abstract geometric pattern composed of numerous irregular polygons, primarily triangles, in various shades of orange, red, and yellow. The colors transition from darker, more saturated tones at the top to lighter, more vibrant tones at the bottom. The overall effect is a textured, mosaic-like appearance.

About TIJ



About TIJ

In June 2011, the Royal Thai Government established the Thailand Institute of Justice (TIJ) as a public organization guided by the vision that a true community of justice could be realized by firm adherence to human rights principles and respect for the rule of law. TIJ was created to promote excellence in research and capacity-building on crime and justice issues throughout Thailand and the international community.

Building on Thailand's engagement in the United Nations Commission on Crime Prevention and Criminal Justice and the United Nations Congress on Crime Prevention and Criminal Justice, TIJ plans to serve as a bridge to transport global ideas into local practice, including enhancing domestic justice reform and the rule of law.

The vision is for TIJ to foster knowledge creation and exchange through justice research, development initiatives and capacity-building to serve members of the justice community in Thailand, ASEAN and beyond.

Vision, Mission, and Strategy

Vision

Thailand Institute of Justice aims to promote the rule of law and be an internationally recognized research institute on criminal justice

Mission

To promote the rule of law and build trust in the criminal justice system through the development of effective and transparent institutions.

To promote the implementation of the Bangkok Rules and relevant United Nations Standards and Norms at domestic and international levels.

To conduct research and disseminate knowledge related to crime prevention and criminal justice in accordance to the United Nations Standards and Norms as a means to strengthen crime prevention and the criminal justice system in Thailand.

To build a national and international network with the United Nations Crime Prevention and Criminal Justice Programme Network Institutes (PNI), public sector, and civil society with a focus on the ASEAN region.

Strategy

- ▲ Promote the implementation of United Nations Standards and Norms on the treatment of offenders, especially the Bangkok Rules.
- ▲ Research and develop knowledge and statistics on the rule of law, crime prevention and criminal justice.
- ▲ Promote and build capacity on the implementation of the United Nations International Standards and Norms on crime prevention and criminal justice.
- ▲ Develop effective management in accordance with the principles of good governance and to create domestic and international networks.



Women and Children in the Criminal Justice System

TIJ promotes the protection of human rights with a focus on vulnerable populations in particular women and children in contact with the criminal justice system. Programmes include the implementation of the Bangkok Rules with women in prisons, gender and juvenile justice, and violence against women and children.

The Rule of Law

TIJ aims to strengthen the rule of law and the criminal justice system as an integral component to achieve sustainable development. Programmes to strengthen and promote the rule of law will be through research, capacity building and developing the rule of law and criminal justice indicators.

Crime and Justice Statistics

TIJ will develop a publically accessible national database on crime and justice statistics in coordination with relevant authorities in Thailand as a center of excellence for the purpose of research and to guide policies on crime prevention and criminal justice.

Crime and Development

Crime can impede a country's development process and can often be prevented by addressing the root cause with appropriate crime prevention strategies. Through research the root causes and correlation between crime and development can be identified to assist Thailand in the development of crime prevention strategies and build capacity of the criminal justice system to effectively respond to and address different forms of and types of emerging domestic and transnational organized crimes.



Highlights



MAINSTREAMING
THE RULE OF LAW



Post - 2015 Development Agenda and the Rule of Law

The adoption of the Millennium Development Goals (MDGs) in 2000 served as a watershed moment in international efforts to eradicate poverty and foster global development. The optimism surrounding the MDGs has not been without impressive results. The world has witnessed the fastest reduction in poverty in human history with half a billion fewer people living below the international poverty line of US\$1.25 per day. Child death rates have fallen by more than 30 percent, with about three million children saved each year and deaths from illnesses such as malaria have fallen by one quarter. However, despite these successes, world leaders agreed during the UN Rio +20 conference in 2012, that additional goals and targets need to be established in order to move beyond the MDGs to mainstream sustainable development at all levels integrating economic, social and environmental dimensions. An outcome of the UN Rio +20 was the agreement by Member States to initiate a process to develop a new set of sustainable development goals (SDGs) post MDGs. The outcome document, *'The Future We Want'*, highlighted that “good governance and the rule of law are essential for sustainable development, including sustained and inclusive economic growth, social development, environmental protection and the eradication of poverty and hunger”.



While the importance of the rule of law, justice and security were recognized during the deliberations on the MDGs at the Millennium Summit in 2000 it was deemed too difficult to measure thus it was excluded from the MDG framework. Since then, accumulated evidence has countered that assumption, indicating that the rule of law, justice and security can no longer be overlooked if sustainable development is to be achieved. The World Justice Project produces an annual “Rule of Law Index” based on indicators such as limits to government powers, the absence of corruption, order and security, and fundamental rights. UNODC has also published “Accounting for Security and Justice in the Post - 2015 Development Agenda,” on how to set clear goals, targets and indicators that could be key measurements for the rule of law.

In July 2012, UN Secretary-General Ban Ki-Moon also established the High-Level Panel of Eminent Persons on the Post-2015 Development Agenda (HLP) to provide recommendations on what goals, targets and indicators should be included in the global development framework beyond 2015. By May 2013, the HLP released its key findings in a report titled, ‘A New Global Partnership: Eradicate Poverty and Transform Economies Through Sustainable Development’. The report highlighted the importance of building peace through effective, open and accountable institutions that deliver the rule of law and ensure access to justice. Ban Ki-Moon also states in the report that “sustainable development cannot be fully realized without respect for human rights and the rule of law”.

Complementing the HLP report, and in line with the outcome document of the Rio+20 conference, the UN General Assembly established the Open Working Group on Sustainable Development Goals (OWG) in January 2013. The OWG is a Member State led process to submit proposals for sustainable development goals to the UN General Assembly. There were 13 sessions held from



“sustainable development cannot be fully realized without respect for human rights and the rule of law”

Ban Ki-Moon
UN Secretary-General



14 March - 18 July in 2014 with a final proposal of 17 goals submitted to the UN General Assembly on 23 July 2014 and adopted at the 68th Session of the UN General Assembly. 17 goals were proposed including one on rule of law under **goal 16: Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels.**



The 10 targets in goal 16 include the following:

- 16.1** significantly reduce all forms of violence and related death rates everywhere
- 16.2** end abuse, exploitation, trafficking and all forms of violence against and torture of children
- 16.3** promote the rule of law at the national and international levels and ensure equal access to justice for all
- 16.4** by 2030 significantly reduce illicit financial and arms flows, strengthen recovery and return of stolen assets, and combat all forms of organized crime
- 16.5** substantially reduce corruption and bribery in all its forms
- 16.6** develop effective, accountable and transparent institutions at all levels
- 16.7** ensure responsive, inclusive, participatory and representative decision-making at all levels
- 16.8** broaden and strengthen the participation of developing countries in the institutions of global governance
- 16.9** by 2030, provide legal identity for all including birth registration
- 16.10** ensure public access to information and protect fundamental freedoms, in accordance with national legislation and international agreements
- 16.a** strengthen relevant national institutions, including through international cooperation, for building capacity at all levels, in particular in developing countries, to prevent violence and combat terrorism and crime
- 16.b** promote and enforce non-discriminatory laws and policies for sustainable development



The Bangkok Dialogue on the Rule of Law

In April 2013 at the 22nd session of the Commission on Crime Prevention and Criminal Justice (CCPCJ), Thailand with contributions by TIJ presented the draft resolution entitled, *'The Rule of Law, Crime Prevention and Criminal Justice in the United Nations Development Agenda Beyond 2015'* and was later approved by the UN General Assembly. The resolution reiterated that "the advancement of the rule of law at the national and international levels is essential for sustained and inclusive economic growth, sustainable development, the eradication of poverty and hunger and the full realization of all human rights and fundamental freedoms, including the right to development, all of which in turn reinforce the rule of law," and further underscores that "the post-2015 development agenda should be guided by respect for and promotion of the rule of law, and that crime prevention and criminal justice have an important role in that regard".

Thus, in the spirit of advancing the rule of law to be included in the SDGs, the *Bangkok Dialogue on the Rule of Law: Investing in the Rule of Law, Justice and Security for the Post-2015 Development Agenda* conference was held in Bangkok on 15 November 2013. The Bangkok Dialogue brought world leaders, United Nations officials, civil society and academics including high-level participation from 11 countries together to discuss ways to integrate the rule of law, justice and security in the Post - 2015 development agenda.

The conference was hosted by the Ministry of Justice Thailand, TIJ, and the Ministry of Foreign Affairs. Discussions during the Bangkok Dialogue reiterated the urgent need for the international community to mainstream the rule of law in the post-2015 development agenda and to fully support the ongoing international efforts to reach this common goal.



"A well-functioning justice system is a necessary variable that ensures the effective delivery of public services and equal access to economic opportunities."

**Her Royal Highness
Princess Bajrakitiyabha Mahidol,**
Ambassador and Permanent Representative of
Thailand to the United Nations Office, at Vienna



"A King loves his people, his people desire happiness, and the source of all happiness is the rule of law."

Tshering Tobgay,
Prime Minister of Bhutan



The Bangkok Dialogue consisted of three sessions on the following topics:

Dialogue with political leaders: The Need for the Rule of Law, Justice and Security in the Post-2015 Development Agenda

Panel Dialogue with academics: The Relationships between the Rule of Law and Sustainable Economic Development

Panel Dialogue with civil society leaders: The Role of Civil Society and the Private Sector in Advancing a New Global Rule of Law Agenda

The participants recognized the importance of integrating the rule of law, justice and security into the Post-2015 United Nations Development Agenda. They welcomed the recognition given to the rule of law, justice and security in the Declaration of the High-Level Meeting of the UN General Assembly on the Rule of Law at the National and International Levels; the report of the High-Level Panel of Eminent Persons on the Post-2015 Development Agenda; and in the report by the Secretary-General of the United Nations *“A life of dignity for all”*.

Several speakers emphasized the importance of these issues to the ASEAN region, especially

with the formation of the ASEAN Economic Community in 2015. They called for further work within this framework and expressed the hope that the ASEAN Community would serve as a model for regional cooperation in the future.

Drawing from the report of the High-Level Panel of Eminent Persons on the Post-2015 Development Agenda, the following five key transformative shifts in relation to rule of law was reinforced at the Bangkok Dialogue:

▲ **Leave no one behind:** the importance of the rule of law, justice and security in ensuring that no person is denied universal human rights and basic economic opportunities.

All speakers emphasized the fundamental role of the rule of law and its interrelationship with universal human rights. The rule of law should be based on human rights and ensures access to justice and equal economic opportunities for all citizens.

▲ **Put sustainable development at the core:** the importance of the rule of law, justice and security in bringing about more social inclusion

Many speakers emphasized that sustainable development has clear economic, social

and environmental dimensions. This is most noticeable when women are excluded. Particular when gender-based violence constrains the rights of all women, both in private places and in public, and limits their contribution to the development of societies. Research in Southeast Asia has shown that those who commit violence against women often have impunity before the law. This encourages further violence and can only be reversed by structural changes in the justice system, designed to ensure that women receive fair and equal treatment.

Access to justice should, therefore, be based on the principle of fairness and equality before the law.

▲ **Transform economies for jobs and inclusive growth:** the importance of the rule of law, justice and security in ensuring diversified economies, with equal opportunities for all, to unleash the dynamism that creates jobs and livelihoods, making it easier for people to invest, start-up a business and to trade.

It was further emphasized that development should be driven not only by government action but also by private investment. This is



underlined by the fact that over 90% of jobs in developing countries are created by private enterprise.

▲ **Build peace and effective, open and accountable institutions for all:** the importance of the rule of law, justice and security in securing freedom from fear, conflict and violence, and ensuring that governments are honest, accountable and responsive to the needs of people.

Conflicts, crises and a poor rule of law negatively impacts countries, and it is only by creating, or re-establishing, a viable justice system and respect for the rule of law, that a renewed round of violence can be prevented.

▲ **Forging a new global partnership:** the importance of the rule of law, justice and security in creating a new spirit of solidarity, cooperation and mutual accountability.

Good governance and effective rule of law were seen to underline the social contract between the individual and the State. Only when laws are inclusive, order and security are maintained, and government institutions are transparent, can there be a solid foundation for peace and prosperity.

Inclusive laws resulting from a democratic and transparent process will enhance their legitimacy among the population and strengthen trust in the government. Together





with an equal enforcement of these laws through an accessible justice sector, these conditions provide citizens with the necessary notion of fairness and security to live their lives in freedom and peace.

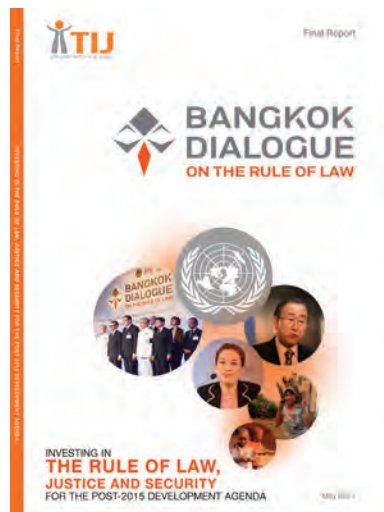
Partnerships should be forged with civil society, indigenous and local communities, traditionally marginalized groups, multilateral institutions, local government, private sector, the academic community, religious organizations, and private philanthropy.

The Way Forward

The Bangkok Dialogue recommended that the 13th United Nations Congress on Crime Prevention and Criminal Justice, to be held in Doha, Qatar in 2015, should continue the debate on the rule of law, in line with its theme to “Integrate crime prevention and criminal justice into the wider UN agenda to address social and economic challenges and to promote the rule of law at the national and international levels, and public participation”.

It was also suggested that Thailand should work together with other Member States within the context of the regional preparatory meetings for the thirteenth United Nations Crime Congress, utilizing the opportunity to further elaborate on the importance of the rule of law for development.

Finally, the Bangkok Dialogue recommended that the intergovernmental Open Working Group on Sustainable Development should identify ways to mainstream the rule of law, justice and security into the Post-2015 development agenda as part of the ongoing ‘process’ involving Member States. The Bangkok Dialogue on the Rule of Law was highlighted as part of an ongoing ‘process’ involving Member States, taking also into account the inputs from the academic community, civil society and the private sector.





Open Working Group on Sustainable Development Goals

TIJ published The Final Report of “The Bangkok Dialogue on the Rule of Law” and distributed the report at the Open Working Group on Sustainable Development Goals meeting in New York from 3 to 7 February 2014. Following the conference in Bangkok, on 4 February 2014, TIJ hosted a side event at the 8th Session of the Open Working Group on Sustainable Development Goals at the United Nations in New York. The session focused on three important issues: environmental challenges, the promotion of gender equality, in particular women’s empowerment, and conflict prevention in terms of peace building, rule of law and governance in post-conflict settings.



Promoting the Rule of Law

Youth - the Next Generation of Justice Leaders

In June 2014, TIJ initiated the Rule of Law Youth Seminar to promote knowledge on the rule of law and to encourage Thai youth to realize the importance of rule of law in Thai society. Forty-two university students below the age of 21 were selected to participate through the selection of essays submitted on the importance of rule of law in Thai society. The seminar enhanced the overall understanding of rule of law principles and emphasized the importance of rule of law to achieve a peaceful and just society. The seminar also increased the understanding in roles and responsibility of youth to promote the rule of law.

To build upon the Rule of Law Youth Seminar TIJ will continue to engage with Thai youth in 2015 with the launch of the ‘Rule of Law Young Ambassadors’ initiative. The first of these initiatives will be for Thai youth to engage in the Doha Youth Forum. In the lead up to the 13th United Nations Congress on Crime Prevention and Criminal Justice the Government of Doha and the Qatar Foundation is hosting a Youth Forum on crime prevention and criminal



TIJ has a long term goal to increase Rule of Law Young Ambassadors and develop a network within the ASEAN region and beyond.

justice from 7 to 9 April 2015. TIJ will sponsor two Rule of Law Young Ambassadors to represent Thailand. While only two youths will be selected to represent Thai youth at the Doha Youth Forum, TIJ has a long term goal to increase Rule of Law Young Ambassadors and develop a network within the ASEAN region and beyond.

Criminal Justice Indicators

Throughout the year, TIJ organized several brainstorming sessions with social thinkers, social activists, government officials and civil society to facilitate the formation of networks focused on reform with the Reform Now Network to serve as a key focal point for integrating reform agendas and issues related to the justice system.

In the future, TIJ will also continue to engage in several inter-related and exciting projects. As part of its domestic agenda, TIJ plans to develop a set of applicable criminal justice performance indicators for criminal justice stakeholders and the Thai public to measure progress of the criminal justice reform process and build trust in the criminal justice system.

While Thailand is intensifying its efforts to improve various components of its criminal justice system, including criminal justice organizational structure and design, accountability and transparency mechanisms,

professional integrity, independence of and compensation for the judiciary, and due process, it still lacks an effective tool to evaluate its criminal justice performance and measure progress of criminal justice reform efforts. The objective of TIJ's initiative is to develop and make available a comprehensive set of criminal justice performance indicators tailored to the context of Thailand to support criminal justice reform efforts, promote and guide improvement in collection and publication of official data and statistics and to regularize measuring of the criminal justice system. ■





CRIMINAL JUSTICE



THE BANGKOK RULES:

PROMOTING STANDARDS AND NORMS IN CRIMINAL JUSTICE

THE BANGKOK RULES

Women Prisoners

Prison populations are overwhelmingly male with correctional facilities in most countries originally designed and built for male prisoners. Significantly, over the the last few decades there has been a sharp increase in the number of women in prison worldwide. Although smaller in number, the growth rate of women prisoners is rising faster than that of their male counterparts. This is particularly evident in Thailand where over the past 10 years and most significantly over the past five years. Statistics from the Thailand Department of Corrections (DOC) indicates that as of 1 July, 2014, Thailand's total prison population was 262, 722 with 45, 202 females in prison, comprising 17 percent of the total prison population. Globally, the average population of female prisoner is usually between 2-9 percent. Of the 45,202 women prisoners, 33,357 are sentenced. In 2010 there were 22,748, in 2011 there were 24,545 and 26,292 in 2012 sentenced.

The majority of all sentenced prisoners (64 percent) in Thailand have been convicted of drug-related offences. Alarming, 80 percent of female prisoners are convicted of drug-related offences, compared to 70 percent among male prisoners. The remaining 20 percent



of female prisoners are typically convicted of property offence with a very low proportion of violent offences (murder and bodily harm).

DOC reports that the size of Thailand's prison population peaked in 2002, when almost 250,000 prisoners were incarcerated as a consequence of the "war on drugs" policy. Over the following years, between 2003 and 2006, the prison population declined due to royal pardons and the use of alternatives to incarceration. From 2007 onwards the size of Thailand's prison population has been growing again as a result of the reintroduction of a tough policy towards drug offences. Most prisoners incarcerated for drug-related offences also serve long sentences, exacerbating the situation. This has caused particular problems in prison management for women such as inadequate space, inability to care for children accompanying female inmates into prison, inappropriate design of prisons to accommodate women's needs, and lack of gender sensitivity.

While women prisoners still constitute a minority population in the criminal justice system, they are sometimes referred to as "the forgotten people". They are often neglected, compared to their male counterparts, in terms of living conditions, cell allocation, prison design, provision of basic services with attention to personal hygiene and reproductive health needs, and opportunities for rehabilitation and preparation before release. The fact that prisons do not adequately respond to women's specific needs is a cause for concern, including their vulnerability to re-victimization in prison settings.

The Establishment of the Bangkok Rules

Recognizing the prevailing gender gap, HRH Princess Bajrakitiyabha Mahidol initiated the "Enhancing Lives of Female Inmates" project in 2008 with a specific purpose of advancing Thailand's proposal to develop the new supplementary rules to the 1955 Standard

Minimum Rules for the Treatment of Prisoners (SMR) concentrating on women prisoners. As a result of a two year negotiation process, 'The United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders' (the Bangkok Rules) was adopted by the United Nations General Assembly on 21 December 2010. The Government of Thailand, led by HRH Princess Bajrakitiyabha Mahidol, initiated and played a key role in the development, promotion and adoption of the Bangkok Rules.

It is the first international instrument that provides specific and detailed guidelines on responding to the gender specific needs of women in the criminal justice system, as well as to the children of these women. The Bangkok Rules is not intended to give undue attention to the needs of women prisoners over those of men but to create gender equality in treatment.

While women prisoners still constitute a minority population in the criminal justice system, they are sometimes referred to as "the forgotten people".





The Bangkok Rules also represents a significant achievement of the international community in addressing specific needs of women in the criminal justice system. The Rules take into account existing standards and norms such as the SMR, the Tokyo Rules, while incorporating elements of the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child. These Rules are not intended to replace the SMR, but rather to create an internationally accepted point of reference on the treatment of women prisoners for prison authorities worldwide, especially in relation to gender differences and unmet needs of women. With the mainstreaming of gender sensitivity being the underlying principle, the Bangkok Rules are applicable to all categories of women deprived of their liberty, including untried or convicted women, as well as women under non-custodial measures.

The Establishment of the Thailand Institute of Justice (Public Organization)

The establishment of the TIJ by the Government of Thailand in 2011 was prompted by the adoption of the Bangkok Rules where the promotion and implementation are central to TIJ's programme of work.

TIJ promotes and reviews the implementation of the Bangkok Rules in women's prisons in Thailand and ASEAN countries. The assessments aim to identify good practices and challenges in the implementation of the Rules and present recommendations to relevant authorities on how to improve the treatment of women in contact with the criminal justice system.

TIJ also works with UNODC to raise awareness on the Bangkok Rules in Southeast Asia and the Pacific to develop training modules for criminal justice actors and to carry out training programmes.





PROMOTING THE BANGKOK RULES

Promoting Prison Reform

Guidance Document on the Bangkok Rules and the Index of Implementation

The Penal Reform International and TIJ jointly published *the Guidance Document on the United Nations Rules on the Treatment of Women Prisoners and Non-Custodial Measures for Women Offenders (Bangkok Rules)* and the Index of Implementation as a reference document and resource for implementation of the Bangkok Rules with the aim to encourage and inspire practitioners and policymakers to take necessary actions to respond to needs of women offenders.

The Guidance Document explains how the Rules should be implemented. It draws on good prison management practices, technical papers and guidance developed by United Nations bodies and other international organizations. It consists of eleven chapters which compiles

the Rules by thematic sections such as non-custodial measures, non-discrimination of women prisoners, hygiene and healthcare and allocates responsibility to the key players including policymakers, legislators and practitioners. The Guidance Document has been translated into Arabic, English, Russian and Thai and distributed internationally to key actors in the criminal justice system such as correctional officers, probation officers, policemen, prosecutors and judges.

The Index of Implementation is a collection of practical checklists that can assess how effectively criminal justice agencies implement the Bangkok Rules in their field of responsibility and identify needs for legal, policy or practical change. The Index consists of nine chapters and each chapter is addressed to different key actors such as policymakers, legislators, prison authorities, and probation agencies. The use of the Index can result in the identification of not only gaps, but also examples of good practices which can be shared with criminal justice actors globally.



Building Networks for Cooperation

“Women in Prison: The Bangkok Rules and Beyond” IPPF colloquium 2014

TIJ in cooperation with the International Penal and Penitentiary Foundation (IPPF) hosted a colloquium on “*Women in Prison: The Bangkok Rules and Beyond*” at the Shangri-La Hotel in Bangkok from 3 to 6 March 2014. The colloquium provided an informal forum to share and exchange information among international experts and practitioners on the treatment of women prisoners including achievements and gaps, as well as inputs from international organizations and experts on criminal justice and prison reform.

The colloquium was attended by researchers and practitioners from several European countries as well as regional experts from the Philippines, Japan and Thailand. At the centre of the discussions were the Bangkok Rules. It was agreed that the Bangkok Rules should be seen as encouragement for keeping women out of prison due to the negative impact that imprisonment can have on women and their families. The meeting also discussed various issues related to the treatment of women prisoners including an overview of the global population of women prisoners and gender-sensitive prison architecture. Experts also had an opportunity to present on the current situation, good practices and challenges in their countries.

In addition to the meeting, TIJ organized a visit to the Central Correctional Institute for Women in Bangkok for all participants to learn about Thai prisons and how the Bangkok Rules are being put into practice.

Research

Assessment Tool on the Implementation of the Bangkok Rules in Thailand

TIJ in cooperation with the Department of Corrections of Thailand has developed an



assessment tool containing a set of indicators to assess compliance and gaps in implementing the Bangkok Rules in Thai prisons and correctional institutions.

The tool is originally based on the Index of Implementation of the Bangkok Rules developed by Penal Reform International. Through consultation with Thai national stakeholders, some adjustments have been made to ensure that the tool fits with Thailand's legal and practical frameworks as well as cultural context outside the sphere of the criminal justice system.

The assessment tool consists of nine dimensions:

- 1) Prison policy
- 2) Admission and registration
- 3) Hygiene and health care
- 4) Safety and security
- 5) Contact with the outside world

- 6) Classification and prison regime
- 7) Special categories of offenders
- 8) Pregnant women offenders and
- 9) Pre-release programme.

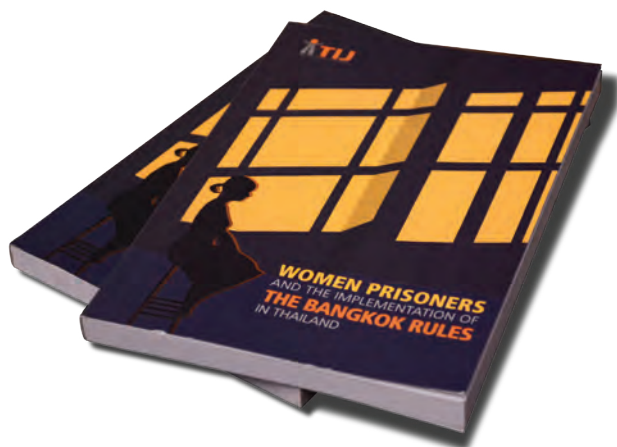
TIJ pilot tested the tool in 18 prisons nationwide and is currently finalizing the tool to be systematically used by the Department of Corrections as one of the key performance indicators of female prison administration.

Research on Women Prisoners and the Implementation of the Bangkok Rules

In 2013, TIJ conducted a research on Women Prisoners and the Implementation of the Bangkok Rules in Thailand with the objectives to understand the background and characteristics of incarcerated women and to learn what progress the country has made in implementing the Bangkok Rules after its adoption by the UN General Assembly in 2010.



The research team visited six prisons in Thailand, and conducted a survey with over 500 female inmates and interviewed correctional staff. The survey focused on women's characteristics, education, contact with children and family, their offence, and their specific needs. The findings reflected reasons women commit crimes, their background and the effects that imprisonment has on them and their family. Another part of the research focused on progress and challenges in implementing the Bangkok Rules. The findings reflected a number of good practices in Thailand including the treatment of pregnant women, women with children and educational programmes for women in prison. Key challenges such as prison overcrowding and shortage of resources were also highlighted.



This research publication is the first of TIJ's Bangkok Rules research series. Currently, TIJ is preparing to conduct a similar study in collaboration with authorities in the Philippines to increase understanding about female inmates, the implementation of the Bangkok Rules in the Philippines and to broaden knowledge on women prisoners in the region.

Promoting the Bangkok Rules Where It Does Not Exist

To reduce the number of women offenders in the criminal justice system and promote alternatives to imprisonment, TIJ has developed a strategic plan on non-custodial measures to be used as a guideline for criminal justice agencies in Thailand.

As an initial step, TIJ engaged key actors and stakeholders including judges, prosecutors, probation officers, law enforcement, ex-offenders and human rights advocates on their views and to receive inputs. A consultation workshop with Thai stakeholders was also organized to discuss key challenges and recommendations for a practical way forward.

Currently, the draft strategic plan has been developed and is under expert review. The draft strategic plan consists of four main strategies and relevant actions. The four strategies are:

- 1) Diversion of women offenders from the criminal justice system
- 2) Application of alternatives to detention for women offenders
- 3) Appropriate treatment for women offenders in the criminal justice system
- 4) Prevention of women from offending.

The final strategic plan will be published and disseminated to criminal justice agencies and related organizations within 2015.





The Bangkok Rules documentary “Putting the Bangkok Rules into Practice”

The Bangkok Rules documentary was produced to raise awareness and demonstrate innovative and practical examples of the Bangkok Rules’ application around the world. The documentary was filmed in Argentina, Austria, Brazil, Thailand, and Serbia.

The documentary illustrates various aspects of the Bangkok Rules from admission to release and rules applicable to special categories of women such as pregnant and child-rearing mothers, or foreign nationals. The purpose is to assist policy makers, legislators, practitioners

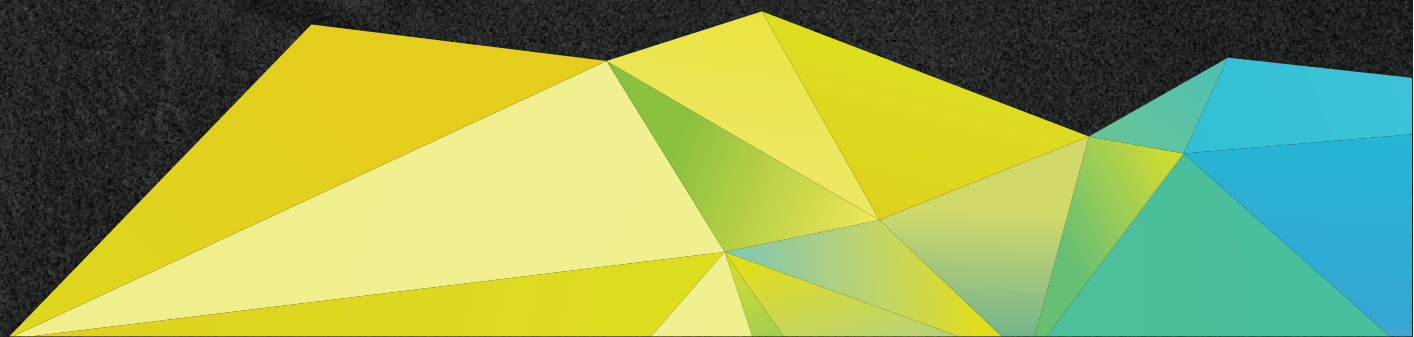
and other relevant actors to implement the rules in a way that is consistent with international standards and good practices through the use of media as an interactive tool.

The Bangkok Rules documentary was first presented by HRH Princess Bajrakitiyabha Mahidol, Ambassador and Permanent Representative of the Kingdom of Thailand to the United Nations Office at Vienna during the UN General Assembly in New York in 2013. Later the film was showcased and disseminated to participants at a side event during the 23rd session of the Commission on Crime Prevention and Criminal Justice (CCPCJ) in Vienna, Austria. ■



VULNERABLE GROUPS

WOMEN & CHILDREN





Violence against Women

It is vital to mainstream gender-specific dimensions into the criminal justice system. The failure to protect women, both in public and private settings, can result in a loss of economic productivity of an entire generation. This can essentially hamper national and international efforts to achieve sustainable development.

In the UN General Assembly adopted Declaration on the Elimination of Violence against Women, violence against women is defined as, “any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life”

Violence against women is also complex and diverse in its manifestations. Its elimination requires a comprehensive and systematic response by States, the UN and all stakeholders. Strong institutional mechanisms are required at national and international level to ensure action, coordination, monitoring and accountability according to the 2006 Study of the Secretary-General on Ending Violence Against Women



Deeply rooted in gender inequality and the discrimination that women and girls face in nearly all aspects of their lives, violence affects women and girls regardless of culture, social class, education, income and ethnicity.

The key international instrument used to guide this approach is the Convention on the Elimination of Discrimination against Women (CEDAW). This instrument was adopted by the United Nations General Assembly in 1979 to provide a comprehensive framework on States' responsibility to protect women's rights. It was the first international treaty to address the fundamental rights of women in politics, health-care, education, economics, employment, law, property, marriage and family relations filling a major gap in international human rights law.

Often described as an international bill of rights for women, the Convention urges that, *'the full and complete development of a country, the welfare of the world and the cause of peace require the maximum participation of women on equal terms with men in all fields.'*

The Beijing Declaration and Platform for Action Adopted by the Fourth World Conference on Women in 1995 is another key international legal instrument. According to the Beijing Declaration, violence against women violates, impairs or nullifies women of their human rights and fundamental freedom. The crime manifests itself in various forms, namely domestic violence, rape, sexual abuse, sexual exploitation, trafficking, and pornography.

Deeply rooted in gender inequality and the discrimination that women and girls face in nearly all aspects of their lives, violence affects women and girls regardless of culture, social class, education, income and ethnicity. It causes millions of women and girls worldwide to be deprived of their childhood, education, health, personal safety and economic advancement particularly when women are dependent as income earners for their families.

UN Women recently reported through their

global review in 2013 that 35 per cent of women worldwide have experienced violence, with some countries showing as high as 70 percent of sexual and gender-based violence. In Asia and the Pacific, more than 40 percent of women and girls are affected by intimate partner and non-intimate partner violence. While these numbers are alarming, sadly most cases of violence against women also go unreported and subsequently not punished.

UN Women Multi-Country Study

In Asia and the Pacific, as in the rest of the world, violence against women and girls remains the most pervasive violation of human rights. In December 2013 UN Women invited TIJ to collaborate as part of their National Research Team (NRT) to conduct the Thailand country section of the UN Women multi-country study on "Policing and Prosecution of Sexual Violence in Asia and the Pacific".

The multi-country study reviews and examines the policing and prosecution of sexual violence cases in India, Thailand, and Vietnam. The focus of the study is on 'attritions' where cases are dropped at any given point from the criminal justice process, both prior to entering as well as during the criminal justice procedures. The study also seeks to understand attrition in reported rape cases within the countries of study. In doing so, a victim-focused approach was adopted along with a gender-sensitive lens to delve into the causes and consequences of attrition and its impact on female victims.

Key findings include that access to justice also often remains limited to women due to a number of factors including structural impediments, lack of resources in implementation of existing laws, limited knowledge dissemination, insufficient

and uncoordinated support mechanisms, and to even more intricate factors, namely socio-cultural settings of the country.

Even when women do get access to the justice system, they have to encounter a series of hindrances and obstacles within the system. This is particularly true in cases related to sexual violence which are highly sensitive and emotionally arduous for the victims.

The study identified the following challenges women victims frequently face when in contact with the criminal justice system:

- ▲ Lack of gender sensitivity
- ▲ Time delays within the justice system
- ▲ Limits in the Criminal Law
- ▲ Lack of coordination and organization within the justice system
- ▲ Women's lack of legal knowledge and rights
- ▲ Lack of resources
- ▲ Gender bias

The study also stressed the need to address the obstacles that undermine women's access to justice and the implementation of laws against VAW. By not addressing the most pressing issues it is not possible to build a strong foundation to facilitate and guide future legal reform, policy and recommendations to strengthen institutional capacity and accountability.

Study of Formal Responses to Sexual Violence in Thailand

Despite ongoing efforts, incidents of violence against women in Thailand is on the rise. According to statistics from the One-Stop Crisis Center (OSCC) in 2007, there were 19,067 women and children who contacted the center to report and seek assistance for sexual abuse (approximately 52 persons per day) and by 2013 the number had risen to 31,866 (approximately 87 persons per day). While the number of victims contacting the call center increases yearly, still a high proportion of victims who do not seek further assistance, report the violence, or press criminal charges. According to police data, in 2013 there were only 3,273 reported cases of violence against women.

TIJ carried out a research to review and identify existing formal responses available for victims of sexual violence in Thailand as additional research to the UN Women multi-country study



on “Policing and Prosecution of Sexual Violence in Asia and the Pacific.”

The purpose of this research is to examine programmes and interventions by government and non-government organization’s approach to tackle the issues of sexual violence in Thailand. The research focuses on the examination of prevalent mechanisms available for providing assistance to victims of sexual violence, including domestic violence related sexual assault or abusive conducts. The study also reviews the OSCC, established more than a decade ago under the leadership of the Public Health Ministry. SWOT (Strength-Weakness-Opportunities-Threats) analysis of the system is extensively discussed in the report in order to develop a range of policy recommendations. As a result of the research, a practical tool on how to seek appropriate and adequate legal aid and counselling was also developed to assist victims of sexual violence in Thailand.

Toolbox on Women’s Access to Justice

TIJ launched in January 2014, a research project aimed at developing a practical tool to assist victims of sexual violence on how to seek assistance including legal aid and counselling. The aim of this project is to create and to provide knowledge on women’s access to justice in Thailand. The Toolbox on Women’s Access to Justice contains useful information that helps improve assistance and empowers female victims of violence to better understand Thailand’s criminal justice system regarding their legal rights and access to justice to help them make more informed decisions. This includes key important information such as the rights of the victims, role of the front-liners responding to sexual assault, channels victim can seek assistance, tips and suggestions on how women should deal with potential sexual assault threats, and steps victims should take once the assault occurs.



The information is presented in a non-mainstream approach. Unlike the traditional textbook, this toolkit, termed as a ‘toolbox’, contains several items including the handbook for practitioners and front-liners, in which the practical and useful information will be laid out together with infographics and data visualizations; leaflets to be handed out to the public, women in particular, posters for the purpose of promoting the Ending Violence Against Women campaign.

Developing UN Standards and Norms on Violence against Women

One of the TIJ’s priority is to promote and implement UN standards and Norms on violence against women and girls who are often the most vulnerable groups in society and highly prone to be victims of violence and crime.

TIJ has successfully contributed to the development of UN Standards and Norms on violence against women and girls by supporting the promotion and implementation of the United Nations updated Model Strategies and Practical Measure on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice (VAW model

strategies) and its Handbook on Effective Prosecution Responses to Violence against Women and Girls. The VAW Model Strategies, which was originally adopted by the UN General Assembly in 1997, was revised and updated by an intergovernmental expert group convened in Bangkok in March 2009, before the final approval by the UN General Assembly in December 2010. This updated VAW Model Strategies provides a comprehensive policy framework to assist countries in developing responses and carrying out actions to eliminate violence against women and to promote equality between men and women within the criminal justice system.

In addition, drawing upon the recommendations and guidance contained in the updated VAW Model Strategies, the UNODC, in cooperation with the TIJ, also drafted the *Handbook on Effective Prosecution Responses to Violence against Women and Girls*. The goal of the handbook is to protect victims while holding perpetrators accountable for their actions and communicate a strong message to the community that violence against women and girls should not be tolerated. Unfortunately, many victims do not come forward to report their victimization because they are afraid of the harsh treatment by the criminal justice system from either gender bias or distrust in the legal system. The handbook is also a practical tool to assist prosecutors on how to protect women and to serve their community with impartiality and fairness in cases involving violence against women and girls.

*The UNODC,
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and communicate a strong message
to the community that
violence against women and
girls should not be tolerated.*

Gender-Related Killing of Women and Girls

The Government of Thailand, UNODC and TIJ will organize an open-ended intergovernmental expert group meeting on gender-related killing of women and girls from 11 to 13 November, 2014 in Bangkok, Thailand as a follow-up to the UN General Assembly adopted resolution 68/191, entitled “*Taking action against gender-related killing of women and girls*.” The open-ended intergovernmental expert group meeting will be convened to discuss ways and means to more effectively prevent, investigate, prosecute and punish gender-related killing of women and girls. ■





Violence against Children

Why Violence against Children is an Important Issue to be Addressed

Children represent the most vulnerable sector of our society as they are often defenseless and unable to recognize, react and report acts of violence committed against them.

Children may be exposed to several forms of violence, crime and abuse of power in a wide range of settings. Physical and psychological violence, sexual abuse and exploitation, neglect and abandonment, labor exploitation and slavery, human trafficking and international abduction, and the involvement in criminal activities, armed violence, and conflicts, are very real issues millions of children are exposed to worldwide. In most cases, child offenders are also victims of violence themselves and they may face the risk to suffer secondary victimization within the criminal justice system when degrading treatments and corporal punishments are imposed. Child victimization is a cross-cultural and cross-social class issue that effects children in every region of the world.

Over the last few years, there has been an increase in attention towards the need to protect children from violence globally. From this we have seen significant legislative and policy reforms, as well as progress in the field of research and awareness raising. Nonetheless, such progress has been fragmented and insufficient



to make a real breakthrough. UNICEF estimates that every year between 500 million and 1.5 billion children experience violence and crime worldwide, with many of them being exposed simultaneously to multiple threats. UNICEF also reported that across South-East Asia vast numbers of children continue to experience grave violations of their rights and safety. Sexual abuse, exploitation, child trafficking, violent discipline, child labor, witnessing parental violence, unlawful detention and various forms of abuse and neglect within the institutions represent the most common threats for children in the Asia region.

UNICEF estimates that every year between 500 million and 1.5 billion children experience violence and crime worldwide, with many of them being exposed simultaneously to multiple threats.

Much of the violence perpetrated against children worldwide remains frequently invisible, unrecorded, unpunished, and sometimes it is even condoned by traditional practices and endorsed by national law. In many countries comprehensive child protection systems, adequate research and data collection is still lacking. As we move into the 25th year since the adoption of the Convention on the Rights of the Child, much work still needs to be done to ensure the application of its Article 19, which establishes the principle that all children have the right to be protected from violence, abuse, and exploitation.

driver for change. Therefore, TIJ advocates for (i) the development of inter-agency child protection and crime prevention systems in order to protect children from all forms of violence, (ii) the establishment of adequate legal frameworks and criminal justice systems able to effectively criminalize, investigate, and prosecute incidents of violence against children, (iii) the full respect of human rights in the administration of justice with a view to avoid secondary victimization of children in contact with the justice system as victims, witnesses or offenders.

Against this backdrop, TIJ is convinced that the best interest of the child should be of primary consideration in every setting and that the criminal justice system can represent a key

Since its inception, TIJ has placed the protection of vulnerable groups in contact with the justice system, especially women and children, at the core of its mission, expanding significantly its activities in the field of justice for children





over the last year. In particular, TIJ has been supporting the development and the implementation of the United Nations Standards and Norms in the Field of Crime Prevention and Criminal Justice through research, capacity building, and international cooperation.

TIJ's contribution to the United Nations Model Strategies and Practical Measures on the Elimination of Violence against Children in the Field of Crime Prevention and Criminal Justice

Recognizing the pressing need to address violence against children, TIJ and the Government of Thailand guided by the leadership of HRH Princess Bajrakitiyabha Mahidol supported UNODC to develop and promote a new set of United Nations Standards and Norms titled 'United Nations Model Strategies and Practical Measures on the Elimination of Violence against Children in the Field of Crime Prevention and Criminal Justice' (VAC Model Strategies).

TIJ organized an Intergovernmental Expert Group Meeting to develop a set of VAC Model Strategies, hosted by the Government of Thailand in Bangkok from 18 to 21 February 2014, attended by experts from 27 countries and several UN agencies and NGOs.

TIJ also substantially contributed to the extensive negotiations that led to the approval of the resolution containing the VAC Model Strategies by the Commission on Crime Prevention and Criminal Justice, held in Vienna in May 2014, with 42 co-sponsoring Member States supporting the text originally presented by Thailand and Austria. Subsequently, in July 2014, the Economic and Social Council endorsed this same resolution and recommended it for adoption by the UN General Assembly at the end of 2014.

Future Implementation Plans

Development of Training Tools on the VAC Model Strategies

With a view to promote the implementation of the VAC Model Strategies to the furthest extent possible, TIJ supported UNODC to develop two technical assistance tools for practitioners in the criminal justice system in order to facilitate the understanding of the VAC Model Strategies and provide general guidance for their implementation.

The Introduction Booklet on the VAC Model Strategies – A New Tool for Policymakers,

Criminal Justice Officials and Practitioners to the VAC Model Strategies, explains the purpose, goals and the VAC Model Strategies which can be used to systematically review the current policy, legislative and institutional frameworks in place, to identify gaps in existing systems, procedures and practices, as well as to plan for the implementation of measures to address these gaps.

The other tool is a Checklist, an instrument designed for national self-assessment to assist the agencies responsible for the implementation of the VAC Model Strategies in reviewing their current capacity to prevent and respond to violence against children and in planning for the implementation of the relevant strategies. The Checklist includes 17 sections presented in tabular form, with a short introduction to each of the VAC Model Strategies, a set of questions that users are invited to answer, and comments for each question providing reference to the relevant section of the VAC Model Strategies and to other international standards and instruments.

Regional Training Workshop on Responding to Violence against Children in Contact with the Justice System

TIJ will engage in the dissemination of these tools to assist in strengthening the capacity of criminal justice systems to prevent and respond to violence against children worldwide. TIJ is working with UNODC and UNICEF to pilot test the two tools at a training workshop to be held in Bangkok from 3 to 5 November 2014 bringing together around 100 practitioners within the criminal justice system including police officers, prosecutors, judges, and social workers from 16 countries in East Asia and the Pacific. Eleven trainers from UNODC and UNICEF offices and from the University of the Fraser Valley will be involved in carrying out the training.

The first segment of the training will focus on the pilot test of the Training Tools on the VAC Model Strategies developed by UNODC and

The VAC Model Strategies set a new benchmark for action in preventing and responding to violence against children in the field of crime prevention and criminal justice.

TIJ in order to provide participants with basic guidelines to put the VAC Model Strategies into practice and to promote the use of the related national self-assessment mechanisms. The second segment will aim to strengthen the technical capacities of all criminal justice actors towards ensuring adequate treatment and protection of child victims and witnesses of crime at all stages of the criminal justice process, with a focus on victims of child sexual exploitation.

TIJ's support to the UNODC-UNICEF Global Programme on Violence against Children

TIJ is planning to further cooperate with UNODC and UNICEF in the framework of their new Global Programme on Violence against Children, by supporting its promotion at the international level and facilitating its implementation. On 6 October 2014, TIJ will actively participate at an international event in Vienna, chaired by HRH Princess Bajrakitiyabha Mahidol, to launch the Global Programme, whose main objective is to disseminate and promote the implementation of the VAC Model Strategies through awareness raising and prevention, research and data collection, capacity building, empowerment of children and families, and coordination among relevant stakeholders. ■





Human Trafficking

Human trafficking is a global phenomenon that exploits vulnerable populations into forced and bonded labour, the sex industry and organ trafficking. The International Labour Organisation (ILO) estimates there are 20.9 million victims globally involving as many as 11.4 million women and girls. ILO also estimates there are 19 million victims exploited by private individuals and enterprises with 4.5 million forced into sexual exploitation. These illegal profits from forced labour generates annual incomes of US\$ 150 billion. And according to UNODC's 2012 Global Report on Trafficking in Persons, globally there are 136 nationalities being trafficked in 118 countries. The links to transnational organized crime, corruption and high profits pose many challenges to end human trafficking. Internationally, countries need to strengthen prevention and protection of victims, mechanisms to detect victims, improvements and enforcement of the criminal justice system, and effective migration and labour policies.

Human Trafficking in Thailand

In Thailand, the situation is particularly complex because it is an origin, destination and transit country with the majority of victims originating from Thailand's neighbouring countries; Myanmar, Laos and Cambodia. There are also in lesser numbers cases from Vietnam, Uzbekistan, China and Bangladesh. While there are many



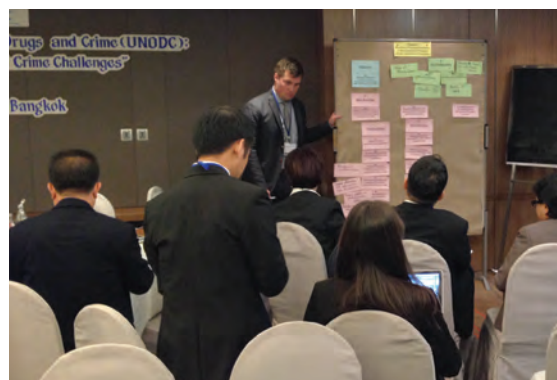
Thai victims, the most vulnerable populations are foreign migrants, ethnic minorities, and stateless persons. Their common vulnerability stems from poverty, lack of opportunity, limited education and awareness. Most at risk sectors for both migrant workers and Thai nationals is often associated with forced labour in the fishing industry, factory work, agriculture, domestic services, the sex industry, and begging.

While the Government of Thailand acknowledges human trafficking is a very complex issue from prevention, detection, and persecution angles and have tried to address the crime, yet according to the US Government, Thailand still faces many shortfalls to significantly address the issue. As of July 2014, The US Government released their Trafficking in Person's Report (TIPs) ranking Thailand as a Tier

3 country because the government does not fully comply with the minimum standards and is not making significant efforts to do so.

Prior to the release of the TIPs report, on 25 June 2014, the new interim government, The National Council for Peace and Order (NCPO) announced the urgency to end human trafficking as a national priority. General Prayuth Chan-ocha, appointed a 26 person subcommittee to coordinate and handle issues related to migrant workers and human trafficking. The subcommittee comprises of military and government officials including Chiefs of Staff from the Army, Navy and Air force, Director-Generals from Department of Labour, Fisheries, Social Development and Welfare, Department of Special Investigations, Police, and Immigration, to name a few.

Human trafficking is a global phenomenon that manifests in the form of sex trafficking, bonded labor, and organ trafficking.



Building Capacity within the Criminal Justice System

TIJ supports bilateral and interagency coordination, data collection and research on human trafficking. In 2014 TIJ organized bilateral and interagency meetings to improve the investigation and prosecution of cases and the collection of data on victims and offenders to assist in the preparation of the Thailand national report on human trafficking. Data is further used by the Government of Thailand to analyze trends and guide criminal justice policy to effectively combat human trafficking in Thailand.

To effectively combat human trafficking also requires international cooperation with victim's country of origin. TIJ partnered with the Royal Thai Police during 5 to 7 August 2013 in Phuket, Thailand through a bilateral meeting with Myanmar police to discuss ways to improve coordination on investigation and protection for victims.

TIJ also partnered with Thailand's Department of Special Investigation (DSI) to host a bilateral meeting with Lao People's Democratic Republic from 18 to 20 August 2014 in Pattaya, Thailand on ways to improve coordination amongst law enforcement and prosecution with a focus to protect women and children as victims of human trafficking.

TIJ has also engaged the Thai judiciary through a partnership with UNODC to support the participation of Thai judges to attend the International Seminar for Judges on "The Critical Role of the Judiciary in Combating Trafficking in Human Beings" in Israel from 27 to 28 October 2014.

Research

In 2014, TIJ launched the 'Trafficking in Persons Data Collection Pilot Study' with UNODC to collect evidence-based research on the current situation of trafficking in persons in Thailand. The research was carried out as the first pilot study to collect qualitative research through in-depth interviews with experts ranging from law enforcement, prosecutors, judges, social workers, border control officers, and with the Anti-money Laundering Office in Bangkok and Samut Sakhon provinces where trafficking in persons is prevalent. The outcome of the research is to provide knowledge on the current trafficking in persons' situation to assist the Government of Thailand to develop and enhance effective responses to end human trafficking. ■



Preparations for the 13th Crime Congress



The United Nations Congress on Crime Prevention and Criminal Justice (Crime Congress) brings together governments, intergovernmental and non-governmental organizations, policy-makers, criminal justice experts and scholars to exchange, discuss and seek practical solutions to issues related to crime prevention and criminal justice. The first Crime Congress was held in Switzerland in 1955 and continues to be held every five years by UNODC and Member States.

Thailand Hosted the 11th Crime Congress

In 1995, the 11th Crime Congress was held in Bangkok on effective measures to combat transnational organized crime, international cooperation against terrorism and links between terrorism and other criminal activities. The 11th Crime Congress was hosted by Thailand through the Ministry of Justice and Office of the Attorney General. Subsequently the 12th Crime Congress was hosted by Brazil with the upcoming 13th Crime Congress to be held in Qatar, Doha from the 12 to 19 April 2015.

Qatar to Host the 13th Crime Congress

The 13th Crime Congress will focus on Integrating crime prevention and criminal justice into the wider United Nations agenda to address social and economic challenges and to promote the rule of law at national and international levels, and public participation. Discussions will also explore the links between security, justice and the rule of law and potential paths for its integration into the Post-2015 Development Agenda.

Bilateral Consultations

Following the success in hosting the 11th Crime Congress, The Government of Thailand and TIJ through the request of the Government of Qatar held several consultations including hosting a workshop in Phuket from 18 to 21 January 2014. The purpose of the workshop was to assist the Government of Qatar in their preparations for the 13th Crime Congress by providing guidance on the substantive matters, recommendations on the drafting process for the Doha Declaration and sharing best practices and lessons learned from organizing the 11th Crime Congress.



Asia-Pacific Regional Preparatory Meeting

As a lead up to the Crime Congress, four regional consultative meetings were organized by UNODC. Thailand hosted with UNODC the first of the four regional preparatory meetings on behalf of the Asia-Pacific region from 22 to 24 January 2014 and from 3 to 5 February 2014. Qatar hosted the regional meeting for West Asia, Costa Rica hosted the Latin America regional meeting from 9 to 12 February 2014 and Ethiopia hosted the Africa regional meeting from 9 to 11 April 2014. The purpose of the meetings were to identify main challenges in implementing criminal justice policies within the broad rule of law efforts to achieve sustainable development and to identify practical and viable recommendations for drafting *the 13th Crime Congress' Doha Declaration*.

The Asia Pacific Regional Preparatory Meeting was hosted by UNODC in partnership with TIJ. The meeting was attended by representatives from Australia, China, France, Indonesia, Japan, Lao People's Democratic Republic, Malaysia, Russian Federation, Samoa, Thailand, Tuvalu and Vanuatu with representatives from Qatar as observers. The meeting was opened by HRH Princess Bajrakitiyabha Mahidol who highlighted the political relevance and role of the Crime Congress in shaping new policies and strategies to address evolving crimes and the development of new international standards and norms in the field of crime prevention and criminal justice. Participants also stressed the close interconnection between the rule of law and development and emphasized how the rule of law is crucial and essential for the promotion of peace, security, development and the protection of human rights.

Government Expert Meeting on the Preparations for the 13th Crime Congress

As a follow-up to the Regional Preparatory Meetings, the Government of Qatar hosted a government expert group meeting on the preparations for 13th Crime Congress in Doha from the 27 to 29 September 2014. The expert group meeting was attended by representatives from 41 Member States, UNODC, and the secretariat of the Congress. HRH Princess Bajrakitiyabha Mahidol led the Thai delegation comprising of representatives from TIJ, Office of the Attorney General, Ministry of Foreign Affairs, and Ministry of Justice.

The purpose of the meeting was to bring together experts from the regional group meetings and members of the Bureau to the Crime Congress to engage in substantive preparations for the 13th Crime Congress. The objective was to also facilitate discussions on the contribution that the 13th Crime Congress could make to the deliberations on the post-2015 development agenda and to gather views on the way forward for the substantive preparation to draft the Doha declaration.

Many Member States expressed that the 13th





Crime Congress could provide an opportunity for Member States, civil society, and academia to not only discuss challenges and priorities in crime prevention and criminal justice, but to also highlight the links between crime prevention and criminal justice, the rule of law, human rights and sustainable development. Thailand and TIJ fully supported the importance of the rule of law to achieve sustainable development and also emphasized the need to highlight women and child justice, treatment of offenders and their rehabilitation, crime prevention and regional interagency and international cooperation in the Doha declaration.

The Doha declaration will be drafted in Vienna during inter-sessional meetings confirmed for 6 to 7 and 24 to 25 November 2014, and 15 to 16 December 2014 with dates in January and February to be confirmed. Ministry of Foreign Affairs, Office of Attorney General and TIJ representatives will participate in the negotiations.

TIJ at the 13th Crime Congress

HRH Princess Bajrakitiyabha is invited as a keynote speaker and Dr. Kittipong Kittayarak is invited as panelist by the United Nations Asia and the Far East Institute for the Prevention of Crime and the Treatment of Offenders (UNAFEI) and Raoul Wallenberg Institute of Human Rights and Humanitarian Law, for Workshop 1 on **the Role of the United Nations standards and norms in crime prevention and criminal justice in support of effective, fair, humane, and accountable criminal justice systems: experiences and lessons learned in meeting the unique needs of women and children, in particular the treatment and social integration of offenders**. In preparation for the Workshop 1, TIJ also attended the UNAFEI hosted meeting in Tokyo, Japan from 11 to 13 June 2014 with PNIs to prepare for Workshop 1 and build upon our network of cooperation with PNIs.

During the 13th Crime Congress TIJ will also host an ancillary meeting on improving the quality of statistics on crime prevention and criminal justice and join as expert panelists and moderators for ancillaries on criminal justice indicators and sharing TIJ's research on women in prison and implementing the Bangkok Rules. ■





Organizational Structure

Organizational Structure



BOARD OF DIRECTORS

CHAIRMAN

of the board



Chaikasem Nitisiri
APRIL 2012 – JUNE 2013



Kittipong Kittayarak
JUNE 2013 – JULY 2014



Trakul Winitnaiyapak
JULY 2014 – PRESENT

MEMBERS

of the Board



Laxanachantorn Laohaphan



Patama Leeswadtrakul



Royol Chitradon



Vitaya Suriyawong



Surasak Likasitwatanakul

Ex-officio member of the board

Attorney-General



Jullasigha Wasantasingha
JANUARY 2012 – SEPTEMBER 2013



Athapol Yaisawang
OCTOBER 2013 – JUNE 2014



Trakul Winitnaiyapak
JUNE 2014 - PRESENT

Secretary-General of the Office of the Judiciary



Wirat Chinwinigkul
OCTOBER 2009 - SEPTEMBER 2013



Pattarasak Vannasaeng
OCTOBER 2013- PRESENT

Permanent Secretary, Ministry of Foreign Affairs



Sihasak Phuangketkeow
JANUARY 2012 - PRESENT

Permanent Secretary, Ministry of Justice



Kittipong Kittayarak
JANUARY 2012 - PRESENT



Advisors

to the Board



Kanchanaratt Leevirojana
OCTOBER 2012 – PRESENT



Thosaporn Sirisumphand
OCTOBER 2012 – PRESENT



Wisit Wisitsora-at
DECEMBER 2013 – PRESENT

Executive Director

Thailand Institute
of Justice



Adisak Panupong
OCTOBER 2012 - PRESENT

Deputy Executive Director

Thailand Institute
of Justice



Nathee Chisawang
DECEMBER 2012 - PRESENT

Directors

EXPO

Office of External Relations
and Coordination



Vongthep Authakaivalvatee
SEPTEMBER 2012 - MAY 2014



Phiset Sa-ardyen
JULY 2014 - PRESENT

OM

Office of Management



Tharuetawan Vanapat
SEPTEMBER 2013- APR 2014



Wallop Nakbua
APRIL 2014- PRESENT

Justice Adviser

SPP

Special Programme on
Enhancing the Rule of Law
at the Domestic Level



Vipon Kititnasorchai
NOVEMBER 2013 - PRESENT





Financial Report

Thailand Institute of Justice (Public Organization)
Statement of Financial Position
As of 30 September 2014

Unit : Baht

| | 2014 | 2013 |
|------------------------------------|-----------------------|-----------------------|
| Assets | | |
| Current Assets | | |
| Cash and Cash Equivalents | 156,537,283.99 | 281,644,743.98 |
| Accrued Revenue | 0.00 | 393,353.44 |
| Deposit Accounts | 0.00 | 1,270,684.80 |
| Short-Term Account Receivables | 14,972,347.02 | 15,099,556.39 |
| Inventories | 284,578.71 | 416,542.44 |
| Other Current Assets | 0.00 | 0.00 |
| Total current assets | 171,794,209.72 | 298,824,881.05 |
| Non – Current Assets | | |
| Land, Building and Equipment (Net) | 75,754,287.67 | 11,558,756.24 |
| Intangible Assets (Net) | 74,299.70 | 46,657.86 |
| Total Non – Current Assets | 75,828,587.37 | 11,605,414.10 |
| Total Assets | 247,622,797.09 | 310,430,295.15 |

*Note: The financial statements for the year 2013 has been audited by the Office of the Auditor-General .
The financial statements for the year 2014 is in the process of being audited by the Office of the Auditor-General.*



Thailand Institute of Justice (Public Organization)
Statement of Financial Position
As of 30 September 2014

Unit : Baht

| | 2014 | 2013 |
|----------------------------------|-----------------------|-----------------------|
| Liabilities | | |
| Current Liabilities | | |
| Short-Term Account Payables | 306,390.81 | 1,192,527.82 |
| Accrued Expenses | 0.00 | 113,501.35 |
| Other Deposit Accounts | 256,254.17 | 78,633.43 |
| Other Marginal Deposits | 497,132.80 | 377,079.00 |
| Other Current Liabilities | 0.00 | 0.00 |
| Total Current Liabilities | 1,059,777.78 | 1,761,741.60 |
| Total Liabilities | 1,059,777.78 | 1,761,741.60 |
| Net Assets | 246,563,019.31 | 308,668,553.55 |
| Net Assets/Equity | | |
| Initial Fund | 98,962,500.00 | 98,962,500.00 |
| Accumulated Gain Brought Forward | 147,600,519.31 | 209,706,053.55 |
| Total Net Assets/Equity | 246,563,019.31 | 308,668,553.55 |

*Note: The financial statements for the year 2013 has been audited by the Office of the Auditor-General .
The financial statements for the year 2014 is in the process of being audited by the Office of the Auditor-General.*

Thailand Institute of Justice (Public Organization)
Statement of Operations
As of 30 September 2014

Unit : Baht

| | 2014 | 2013 |
|--|------------------------|-----------------------|
| Revenues from Operation | | |
| Revenues | | |
| Governmental Budget Appropriation | 109,087,500.00 | 274,824,699.23 |
| Other Revenues/Grants | 2,642,783.66 | 1,289,276.24 |
| Total Revenues/Government Grants | 111,730,283.66 | 276,113,975.47 |
| Expenses from Operation | | |
| Personal Expenses | 9,880,930.00 | 8,124,572.00 |
| Other Compensation | 11,660,310.00 | 0.00 |
| Training Expenses | 0.00 | 8,546,764.81 |
| Travelling Expenses (On duty) | 0.00 | 4,904,212.22 |
| General Expenses | 134,223,409.90 | 0.00 |
| Supply Expenses | 1,095,970.13 | 0.00 |
| Supply and General Expenses | 0.00 | 18,712,510.70 |
| Utilities Expenses | 1,590,704.99 | 670,656.38 |
| Depreciation and Amortization | 8,393,492.88 | 979,928.80 |
| Appropriated Expenses | 6,991,000.00 | 24,469,282.91 |
| Other Expenses | 0.00 | 0.00 |
| Total Expense from Operation | 173,835,817.90 | 66,407,927.82 |
| Revenues over Expenses before Financial Costs Deduction | (62,105,534.24) | 209,706,047.65 |
| Finance Costs | | |
| Revenues over Expenses | (62,105,534.24) | 209,706,047.65 |

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Thailand Institute of Justice (Public Organization)

Statement of Cash Flow

As of 30 September 2014

| | <i>Unit : Baht</i> | |
|---|------------------------|------------------------|
| | 2014 | 2013 |
| Source of Cash from Operating Activities | | |
| Governmental Budget Appropriation/Initial Funds | 0.00 | 98,962,500.00 |
| Net Revenues over Expenses | (62,252,543.24) | 209,706,047.65 |
| Adjustment for Net Revenues over Expenses to Cash | | |
| Depreciation and Amortization | 7,413,564.08 | 979,928.80 |
| Other Deposits | 177,620.74 | 78,633.43 |
| Other Marginal Deposits | 120,053.80 | 377,079.00 |
| Short-Term Accounts Payables | (886,137.01) | 1,192,527.82 |
| Accrued Expenses | (113,501.35) | 113,501.35 |
| Deposit Account Receivable | 1,270,684.80 | (1,270,684.80) |
| Short-Term Account Receivable | 274,209.37 | (15,099,556.39) |
| Inventories and Supplies | 131,963.73 | (416,542.44) |
| Accrued Income | 393,353.44 | (393,353.44) |
| Net Cash Provided from Operating Activities | (53,470,722.64) | 294,230,080.98 |
| Source of Cash from Investing Activities | | |
| Fixed Assets purchased | (71,636,737.35) | (12,585,342.90) |
| Net Cash used for Investing Activities | (71,636,737.35) | (12,585,342.90) |
| Net Increase in Cash and Cash Equivalents Increase (Decrease) | (125,107,459.99) | 281,644,738.08 |
| Cash and Cash Equivalents Balance at the Beginning of Period | 281,644,738.08 | 5.91 |
| Cash and Cash Equivalents Balance at the End of Period | 156,537,283.99 | 281,644,743.99 |

*Note: The financial statements for the year 2013 has been audited by the Office of the Auditor-General .
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Contributors

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