# COMPENDIUM OF GOOD PRACTICES IN ADJUDICATING TRAFFICKING IN PERSONS CASES IN ASEAN MEMBER STATES: LESSONS LEARNED AND RESPONSES TO CHALLENGES

Volume 2

Lao PDR, Malaysia, Myanmar, Singapore


**Prepared by**

**COUNCIL OF ASEAN CHIEF JUSTICES**

**Working Group on Judicial Education and Training**

This Compendium of Good Practices in Adjudicating Trafficking in Persons Cases in ASEAN Member States: Lessons Learned and Responses to Challenges (Compendium) has been developed by the Council of ASEAN Chief Justices (CACJ) in partnership with the Australian Government funded ASEAN-Australia Counter Trafficking program (ASEAN-ACT). The views expressed in this Compendium are the authors' alone and are not necessarily the views of the Australian Government

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# MESSAGE FROM INDONESIA

*Welcome Message from Hon. I Gusti Agung Sumanatha, the then Chairman of Civil Chamber, Co-Chair WG-JET CACJ Indonesia, Supreme Court of Indonesia, read at the opening ceremonies of the Multilateral Judicial Knowledge Exchange in Vientiane, Lao on 29 September 2025.*

Honourable Justice Bounkhouang Thavisack, Vice President of the People's Supreme Court of Lao PDR
Honourable Judges and Representatives of ASEAN Judiciaries,
Mr. Sung Ho Hwang, Head of Office, UNODC Programme Office, Lao PDR
Mr. James Morschel, First Secretary – Water, Energy, Climate, Mekong, Australian Embassy in Laos

Ladies and Gentlemen,
Good morning, and warm greetings from the Supreme Court of the Republic of Indonesia.
I speak today on behalf of Justice I Gusti Agung Sumanatha, Chairman of the Civil Chamber of the Indonesian Supreme Court and Co-Chair of the CACJ Working Group on Judicial Education and Training (WG-JET), who unfortunately is unable to attend this important event in person. It is an honour for me to deliver these opening remarks on his behalf.

Allow me first to extend our sincere appreciation to the Judiciary of Lao PDR for hosting this ASEAN Multilateral Judicial Knowledge Exchange, and for your warm hospitality in welcoming delegates from across the region.

We are also deeply grateful for the ongoing partnership and support from ASEAN-ACT and the United Nations Office on Drugs and Crime (UNODC), partners who have walked alongside WG-JET with consistent commitment and expertise throughout this journey.

Although our fellow Co-Chair, Justice (Retired) Rosemarie Carandang of the Philippine Judicial Academy (PHILJA), is also unable to join us in person today, we wish to acknowledge her leadership and the critical role of the Philippine judiciary in shaping the direction of WG-JET's work in recent years.
Colleagues,

This knowledge exchange builds upon a sustained and strategic effort by WG-JET to strengthen the capacity of ASEAN judiciaries in adjudicating trafficking in persons (TIP) cases. We have had intensive discussions on this issue over the past two years, beginning with the judicial knowledge exchange held in Jakarta in 2023, followed by a second exchange in Manila the same year, hosted by the Philippine Supreme Court and PHILJA. These events highlighted the urgent need for deeper understanding and more structured support for victim-sensitive approaches in TIP cases.

In July 2025, WG-JET convened a validation workshop in Bangkok to finalize the Model Professional Development Program for ASEAN Judges in TIP Cases. This important regional tool reflects our shared aspirations: to institutionalize a professional development framework that is regional in scope, victim-centred in principle, and practical in design.

This gathering in Vientiane is therefore not an isolated event, but part of an ongoing continuum of collaboration. It is an opportunity to further refine our approaches, share our country experiences, and build regional convergence on judicial responses to TIP.

We fully recognize that human trafficking is one of the most pressing and complex crimes in the region, often involving transnational networks, vulnerable populations, and deeply traumatic consequences. Our role as judges must extend beyond interpreting the law—we must ensure that the process of justice itself protects, respects, and upholds the dignity of victims. This is what it means to be truly victim-sensitive.

Let me affirm, on behalf of the Indonesian Supreme Court and WG-JET, our strong and unwavering commitment to combat trafficking in persons through judicial leadership, regional cooperation, and sustained training. We are not only here to exchange knowledge—but to reaffirm our shared responsibility to end impunity and deliver justice to survivors.

I encourage us all to use the next three days to ask difficult questions, explore innovative strategies, and above all, listen to each other. In doing so, we strengthen the ASEAN judiciary not only as a network—but as a united front against TIP.

I wish us all a productive and enriching exchange.

Thank you. Wassalamu’alaikum warahmatullahi wabarakatuh. Good morning.

# MESSAGE FROM THE PHILIPPINES

*Welcome Message from then Chancellor of the Philippine Judicial Academy and Co-Chair of the WG-JET CACJ Philippines, Justice Rosmari D. Carandang, read at the opening ceremonies of the Multilateral Judicial Knowledge Exchange In Vientiane, Lao on 29 September 2025.*

On behalf of the CACJ Working Group on Judicial Education and Training (WG-JET) and Co-Chair Indonesia, I welcome our esteemed participant judges and court officials from the ASEAN Member States Malaysia, Myanmar, Singapore and Lao PDR to this First Multilateral Judicial Knowledge Exchange on the Victim-Sensitive Adjudication of Trafficking in Persons (TIP) Cases and also express my sincere gratitude to CACJ Lao PDR for graciously hosting this knowledge sharing event here in Vientiane, Lao.

There is great benefit in learning about the uniqueness of our ASEAN neighbors' legal systems and procedures, as well as in discovering the social values and perspectives that we share as a regional people. Finding commonality in our aspirations strengthens our commitment to address regional concerns together.

We are progressing on this WG-JET initiative with the strong collaboration and support of our partners ASEAN – Australia Counter Trafficking (ASEAN-ACT) and United Nations Office on Drugs and Crime (UNODC).

As you may know, WG-JET explored with ASEAN-ACT the proposal for a knowledge exchange on trafficking in persons by conducting the Pilot JKE in 2023 between Co-Chairs Indonesia and the Philippines. The robust exchange among judges led to the development of a Compendium of Good Practices – a compilation of lessons learned and responses to challenges in adjudicating trafficking in persons cases that will serve as a supplemental resource for judges on victim-sensitive and inclusive approach in TIP adjudication.

I encourage you to make the most of your time sharing and learning from one another, bearing in mind that your contributions in the next three days will be for the completion of an ASEAN Compendium of Good Practices, a living document purposed to broaden regional understanding and promote cooperation across ASEAN.

I wish you all an enriching and engaging time in this knowledge exchange on TIP adjudication. May you gain much and help many for the good of ASEAN.

Thank you.

Mabuhay!

# FOREWORD FROM
# LAO PEOPLE'S DEMOCRATIC REPUBLIC

It is a great honor and a significant milestone for the judiciary of the Lao PDR to have actively participated in the development and presentation of this **"Compendium of Good Practices in Adjudicating Trafficking in Persons Cases in ASEAN Member States: Lessons Learned and Responses to Challenges."**

The crime of human trafficking is not only a severe violation of human dignity and fundamental human rights, but it is also a complex transnational threat that is evolving rapidly in the digital age. As a state party to the **ASEAN Convention Against Trafficking in Persons, Especially Women and Children (ACTIP)**, the Lao PDR remains deeply committed to its international obligations. We consistently prioritize the strengthening of our domestic laws and judicial mechanisms to ensure they are rigorous and aligned with regional standards.

This compendium serves as an invaluable legal tool, consolidating real-world experiences, insights, and past judicial practices from the Lao PDR, Malaysia, Myanmar, and Singapore. These resources will assist judges, prosecutors, and law enforcement officers in tackling new challenges when pursuing justice. In particular, it emphasizes the application of a **"Victim-Centric Approach,"** which focuses on protecting the rights and safety of victims, as well as the principle of **"Non-Punishment"** for victims of human trafficking.

On behalf of the judiciary of the Lao PDR, I would like to express my sincere appreciation and gratitude to all the experts, working groups, and ASEAN member states who dedicated their expertise and efforts to creating this compendium. I firmly believe that this document will serve not only as a knowledge resource but also as a strong bridge to enhance capacity building, cross-border legal cooperation, and the strengthening of justice systems to effectively and sustainably eradicate human trafficking from the ASEAN region.

**Khamphay SAYYASOUK**
*Judge, Director General of International Cooperation Department*
*The People's Supreme Court of the Lao PDR*

# FOREWORD FROM MALAYSIA

As the Malaysian representative to the Council of ASEAN Justices Working Group on Judicial Education and Training, I wish to reaffirm Malaysia's strong commitment to advancing judicial capacity-building through sustained regional cooperation.

Judicial education remains a cornerstone in strengthening the independence, competence and integrity of our judiciaries. In Malaysia, we continue to place emphasis on structured and continuous judicial training that is responsive to the evolving demands placed upon judges, including developments in law, procedure, and the broader justice ecosystem. These efforts are complemented by a growing focus on sharing experiences, methodologies and best practices among ASEAN judiciaries.

Malaysia stands firmly with our ASEAN brethren in the shared mission to combat the scourge of human trafficking through a victim-sensitive, rights-based judicial approach. Our commitment is embedded within a robust legal framework anchored by the Anti-Trafficking in Persons and Anti-Smuggling of Migrants Act 2007 (ATIPSOM 2007). This framework mandates specialised procedures to protect the vulnerable, including the prioritisation of victim evidence, the use of interim and full Protection Orders to ensure safety, and specific measures for child witnesses as outlined in the Evidence of Child Witness Act 2007.

Our judiciary has undertaken concrete steps to institutionalise these principles. We have established specialised Sessions Courts for Trafficking in Persons cases to ensure expert and consistent adjudication. We employ protective measures such as in-camera proceedings, live video-links, and pre-recorded testimony from Child Interview Centres to shield victims from re-traumatisation. Furthermore, our judges are empowered to order the recovery of unpaid wages and compensation for victims, recognising that justice must encompass restitution.

Capacity-building remains a cornerstone of our efforts. Through institutions like the *Akademi Perundangan Negara* (National Legal Academy) and the Judicial Academy of Malaysia, we continuously train our judicial officers and prosecutors. This includes dedicated courses on ATIPSOM 2007 and victim-sensitive procedures, aligned with the objectives of our National Action Plan on Anti-Trafficking in Persons (NAPTIP 3.0). We recognise, as this Compendium powerfully illustrates, that judges are no longer mere passive interpreters of the law but active guardians of justice and human dignity.

Malaysia looks forward to continuing its active participation in the Working Group's endeavours, and to working closely with fellow ASEAN judiciaries in promoting effective, adaptive and high-quality judicial education for the benefit of our courts and the communities we serve.

**HON. DATO' NORDIN HASSAN**
*Chairman of the Judicial Academy Training Committee*
*Member of the CACJ Working Group on Judicial Education and Training*
*Federal Court of Malaysia*

# FOREWORD FROM MYANMAR

It is a great honour to present this Compendium of Good Practices in Adjudicating Trafficking in Persons Cases in ASEAN Member States. The Compendium represents a critical contribution to the regional jurisprudential response against the transnational crime of trafficking in persons fulfilling a core objective of the **ASEAN** Convention against Trafficking in Persons **(ACTIP)**.

Trafficking in Persons (TIP) cruelly violates human dignity and transcends national borders. Our response, therefore, must be equally unified, sensitive, and sophisticated. This milestone crystallizes the invaluable knowledge and proven strategies of our judiciary across the region, harmonizing disparate experiences into a powerful, accessible legal resource.

For us in Myanmar, we have been actively engaging in strengthening its judicial infrastructure to counter complex border-related crimes, this Compendium is of immediate and profound relevance. It delivers a blueprint for enhancing judicial capacity, promoting practical insights of all legal practitioners, policymakers and facilitating the crucial cross-border legal cooperation necessary to dismantle trafficking networks.

This Compendium also serves as a scholarly and practical synthesis of effective judicial strategies. By formalizing proven methods from jurisdictions across ASEAN, it establishes a high-fidelity reference for the consistent application of domestic and international law. The imperative to adopt a victim-centred approach, ensuring victim protection and non-punishment, is rightly positioned as the ethical and legal standard underpinning all good practices detailed herein.

I heartily commend the expert dedication that has yielded this resource. It is incumbent upon all legal and policy practitioners to integrate these findings, thereby translating regional consensus into tangible, equitable, and effective judicial outcomes. This is a powerful step toward ensuring that justice is both systematic and compassionate throughout the ASEAN region.

**Dr. Ko Ko Naing**<br>
*Justice*<br>
*Supreme Court of the Union*<br>
*Republic of the Union of Myanmar*

# FOREWORD FROM SINGAPORE

Singapore remains firmly committed to access to justice for all, especially for the protection of the vulnerable, including the victims of trafficking, and upholding the rule of law. Therefore, building judicial capacity through judicial education is essential for the fair and effective delivery of justice in trafficking in person ("TIP") cases.

In this regard, the Singapore Judicial College's ("SJC") aim is to build inclusive and engaged communities of lifelong learners and educators, foster curiosity, leverage innovative pedagogical approaches and technology, and empower and equip forward-thinking Learning Judges.

The SJC's primary focus of delivering high equality judicial education aligns with the CACJ Working Group on Judicial Education and Training's ("WG-JET") goal of advancing judicial capacity among the ASEAN Member States to deal with the scourge of TIP by keeping pace with the realities of transnational crime.

On behalf of the SJC, I commend the CACJ WG-JET on its excellent work in the area of TIP by providing practical judicial learning opportunities for ASEAN's Learning Judges through international exchanges and cross-border knowledge sharing. The WG-JET's work in updating its 'Compendium on Good Practices in Adjudicating Trafficking In Persons Cases in ASEAN Member States' is truly meaningful and will provide ASEAN judges with invaluable guidance in dealing with these difficult cases.

At the SJC, we look forward to working with our ASEAN counterparts in sharing our experiences and judicial education expertise to develop training programs that equip our Learning Judges to deal confidently and effectively with TIP cases and other challenging areas of transnational law.

**PROF. NATALIE SKEAD**
*Dean*
*Singapore Judicial College*

# ACKNOWLEDGEMENTS

This second set of the Compendium was developed by the Council of ASEAN Chief Justices (CACJ) Lao People's Democratic Republic (PDR), Malaysia, Myanmar, and Singapore with the leadership of Indonesia and the Philippines, in their capacity as the Co-Chairs of the CACJ Working Group – Judicial Education and Training (WG-JET), supported by the ASEAN-Australia Counter Trafficking program (ASEAN-ACT) and the United Nations Office on Drugs and Crime (UNODC). This Compendium aims to document the sharing of knowledge of judges from Lao PDR, Malaysia, Myanmar, and Singapore, in adjudicating TIP cases during their participation at the judicial knowledge exchange (JKE) held on 29 September to 1 October 2025 in Vientiane, Lao PDR.

CACJ extends its sincere appreciation to Hon. I Gusti Agung Sumanatha**,** Chairman of the Civil Chamber, Supreme Court of Indonesia, and Hon. Justice Rosmari D. Carandang, Chancellor of the Philippine Judicial Academy (PHILJA), Supreme Court of the Philippines for their outstanding leadership and steadfast commitment, which have been instrumental in the successful implementation of the 2025 Judicial Knowledge Exchange.

CACJ wishes to extend appreciation to all the distinguished participants from Lao PDR, Malaysia, Myanmar, and Singapore listed in Annex 3 of this Compendium for their expertise and dedication throughout the pre-JKE and JKE activities. Their sharing of challenges, good practices, lessons learned and responses to the challenges have further enriched this Compendium.

Completion of this Compendium was also made possible by the expertise of the technical working group (TWG), led by Hon. Samsyul Maarif, of the Supreme Court of Indonesia and Hon. Edgardo Delos Santos (Ret.), PHILJA Acting Chancellor and composed of members from the CACJ WG-JET, judicial institutes/academies, and the Supreme Courts of Indonesia, the Philippines, Lao PDR, Malaysia, Myanmar, Singapore, and the ASEAN-ACT, as listed in Annex 4.

We are grateful for the generous support of the Australian Government through the ASEAN-ACT team's invaluable technical inputs in completing the Compendium, especially Atty. Darlene Pajarito, Atty. Andy Jose, Ms. Nurul Qoiriah, and Ms. Felicia Clarissa.

Finally, we recognise the support of the UNODC for their strong contribution in the delivery of the second set of the Compendium.

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# INTRODUCTION

The ASEAN Convention Against Trafficking in Persons, Especially Women and Children (ACTIP) was signed on 21 November 2015, had entered into force on 8 March 2017, and achieved universal ratification among ASEAN Member States in 2020. This milestone necessitated sustained collaboration and coordination to strengthen the regional justice response to TIP, particularly through capacity building for law enforcement, prosecutors, and judges, as mandated by the ACTIP, ASEAN Plan of Action Against Trafficking in Persons, Especially Women and Children (APA) and ASEAN Multi-Sectoral Work Plan Against Trafficking in Persons 2023-2028 (Bohol Work Plan 2.0).

Recognising this, the CACJ acknowledged the proposal from ASEAN-ACT for a pilot project on judicial knowledge exchange. Specifically, in the 10th CACJ Meeting in Kuala Lumpur, Malaysia, the Council declared:

> *"THE ACKNOWLEDGEMENT of the approach by the ASEAN-Australia Counter Trafficking (ASEAN–ACT) with the intention to support the implementation of a Judicial Education and Training program according to the priority of the Work Plan 2020 – 2025, and THE AGREEMENT for the Working Group on Judicial Education and Training to explore the suitability according to the Working Group's priority and to submit its recommendations to the CACJ for approval prior to implementation. (Paragraph 14, Kuala Lumpur Declaration)."*

In accordance with this declaration, the CACJ WG-JET Co-Chairs Indonesia and the Philippines conducted the Pilot Judicial Knowledge Exchange (JKE) in 2023 focused on sharing of good practices and challenges in adjudicating TIP cases, particularly in applying victim-centred approaches, normalising the use of ASEAN mechanisms for information exchange and capacity-building in implementing the ACTIP across ASEAN Member States. The insights and experiences shared during the Pilot JKE served as the foundational contribution to the development of a regional Compendium of lessons learned and good practices.

During the 11th CACJ Meeting in Mactan, Cebu, the Council acknowledged the implementation of the Pilot JKE and declared:

"THE AGREEMENT for the Working Group on Judicial Education and Training to (i) Expand the judicial knowledge exchanges on Trafficking in Persons ("TIP") among ASEAN Judiciaries by using the Framework for a Judicial Knowledge Exchange on TIP Adjudication in ASEAN, and (ii) Complete the Compendium of Good Practices in Adjudicating TIP Cases in ASEAN Member States: Lessons Learned and Response to Challenges with knowledge exchanges with other ASEAN Judiciaries."

Pursuant to the foregoing declaration, the rest of the ASEAN Member States were organized into two Multilateral JKEs. The first one – JKE 2025, brought together in Vientiane, Lao PDR on September 29 to October 1, 2025 participating ASEAN Member States Lao PDR, Malaysia, Myanmar and Singapore. The sharing of knowledge and experience in the JKE 2025 that further enriched the Compendium of Good Practices is now captured in this Volume Two.

The Compendium provides practical, experience-based insights and serves as a supplemental resource to strengthen a victim-centred approach in TIP cases. It seeks to broaden the understanding of judges and stakeholders by bridging legal principles with practice-oriented guidance, while also encouraging innovation and the adoption of context-responsive strategies. Ultimately, it supports the continuous enhancement of judicial competence, consistency, and sensitivity in addressing TIP cases across the ASEAN region.

# DEFINITION

## A. Lao People's Democratic Republic

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| **Lao PDR Anti-TIP Law** | : | Law on Anti-Trafficking in Persons (2015) |
| **Child** | : | Any person below the age of 18 (Article 4 of Lao PDR Anti-TIP Law). |
| **Organized crime** | : | Crimes committed by a group or groups of more than three persons organized within a period of time and who planned to commit major offences or crimes (Article 19 of Penal Code, No. 26/NA, 2017). |
| **Slavery** | : | The status of a person who does not have his or her fundamental human rights as a result of being under the dominance and control of a person exploiting him/her (Article 4 of Lao PDR Anti-TIP Law). |
| **Trafficking in persons** | : | Recruitment, abduction, movement, transportation or transfer, harbouring or receipt of persons, by means of persuasion, recommending, deception, payment or giving benefit, inducement, incitement or abuse of power, the use of threat or other forms of coercion, debt bondage, concealed child adoption, concealed engagement, concealed marriage, pregnancy for other, forced bagging, producing, showing and publishing pornographic materials or by other forms for the labour exploitation, sexual exploitation, slavery, prostitution, involuntary prostitution, removal of organs for purpose of trade and other forms of unlawful conducts contradicting to the national fine culture and traditions or for other purposes to gain benefits (Article 2 of Lao PDR Anti-TIP Law). |
| **Victim** | : | Any natural person who has directly suffered in his or her physical or mental health, dignity, freedoms or his/her property resulting from all forms of trafficking in persons (Article 4 of Lao PDR Anti-TIP Law). |

## B. Malaysia

Section 2 of the Anti-Trafficking in Persons and Anti-Smuggling of Migrants Act 2007 (Act 670) interprets follows:

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| **Trafficked person** | : | "Trafficked person" means any person who is the victim or object of an act of trafficking in persons. |
| **Trafficking in persons** | : | "Trafficking in persons" means all actions of recruiting, conveying, transferring, acquiring, maintaining, harbouring, providing or receiving, a person, for the purpose of exploitation, by the following means:<br>(a) threat or use of force or other forms of coercion;<br>(b) abduction;<br>(c) fraud;<br>(d) deception;<br>(e) abuse of power;<br>(f) abuse of the position of vulnerability of a person to an act of trafficking in persons; or<br>(g) the giving or receiving of payments or benefits to obtain the consent of a person having control over the trafficked person. |
| **Exploitation** | : | "**Exploitation**" includes all forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude, any illegal activity or the removal of human organs. |
| **Child** | : | "**Child**" means a person who is under the age of eighteen years.[1]<br>Section 2 of Child Act 2001 [Act 611] also interpreted "child" as follows- (a) means a person under the age of eighteen years; and (b) in relation to criminal proceedings, means a person who has attained the age of criminal responsibility as prescribed in section 82 of the Penal Code [Act 574];<br>And Section 1A of the Children and Young Persons (Employment) Act 1966 [Act 350], further decreases the age threshold of a child as a person under the age of fifteen years. |
| **Child witness** | | "**Child witness**" means a person under the age of eighteen years who is called or proposed to be called to give evidence in any proceedings but does not include a child charged with any offence.[2] Please refer to section 2 of the Evidence of Child Witness Act 2007 [Act 676]. |

[1] Section 2 of Child Act 2001 [Act 611] also interpreted "child" as follows- (a) means a person under the age of eighteen years; and (b) in relation to criminal proceedings, means a person who has attained the age of criminal responsibility as prescribed in section 82 of the Penal Code [Act 574];
And Section 1A of the Children and Young Persons (Employment) Act 1966 [Act 350], further decreases the age threshold of a child as a person under the age of fifteen years.

[2] Section 2 of Evidence of Child Witness Act 2007, Act 676.

**Court** : *"**Court**" means Sessions Court;* Section 63 of the Subordinate Courts Act 1948 [Act 92] provides that a Sessions Court shall have jurisdiction to try all offences other than offences punishable with death.

**Protection Order** : "**Protection Order**" means an order made by a Magistrate for the care and protection of a trafficked person under paragraph 51(3)(a).

**Smuggled migrant** : "**Smuggled migrant**" means a person who is the object of the act of smuggling of migrants, regardless of whether that person participated in the act of smuggling of migrants.

**Receiving country** : "**Receiving country**" means a country into which a trafficked person or a smuggled migrant is brought as part of an act of trafficking in persons or smuggling of migrants, as the case may be.

**Transit untry** : "**Transit country**" means a country from which, or into or through which, a trafficked person or a smuggled migrant, as the case may be, is brought or travels through by land, sea or air or temporarily remains in as part of an act of trafficking in persons or smuggling of migrants.

**Council** : "**Council**" means the Council for Anti-Trafficking in Persons and Anti-Smuggling of Migrants (MAPO) established under section 6.

**Minister** : "**Minister**" means the Minister charged with the responsibility for internal security.

## C. Myanmar

**Myanmar Anti-TIP Law** : The Prevention and Suppression of Trafficking in Persons Law (State Administration Council Law No. 41/ 2022) (16 June 2022).

**State** : The Republic of the Union of Myanmar.

**Adoption fraud** : Adopting a child by persuasion of the child or his/ her parents or guardians with intent to sell or compel the child to work or to abuse or remove any body organs of the child.

**Child** : Any person who has not attained the age of 18 years.

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| **Community-based Trafficking in Persons Screening and Identification Team** | : | Teams for identification of trafficking in persons formed under this Law, based on the relevant wards and village tracts in townships. |
| **Debt bondage** | : | The pledge of a debtor's labour or services as a repayment or security for a debt without clearly stating duration and nature of services, or without reasonably defining wages for services to set-off the debt. |
| **Forced begging** | : | Forcing a person to beg for money, through physical or psychological pressure and threat. |
| **Forced prostitution** | : | Doing Any act, or scheming against, employing, or forcing any person to have sexual intercourse or to engage in any sexual activity for money, property or any other benefits or any other consideration. |
| **Forced labour or service** | : | Compelling any other persons to work or provide service by means of physical restraint, causing injuries or threat or confiscating his/ her passport, other travel documents or other important papers, without his/ her consent or paying decent wages. |
| **Forced marriage** | : | A marriage in which a person is married against his or her will or a marriage by fraud or coercion or threat or a marriage to any person by giving money or property or any other benefits to his or her parents or guardians or family or relatives or friends. |
| **Other forms of sexual exploitation** | : | Sexual touching, indecent exposure, (presentation of live sex show), or making sexual gestures, or publication of pornography or display of obscene photographs, making and showing pornographic movies, or showing them through modern technological means for the purpose of arousing sexual desire. |
| **Slavery or servitude** | : | Employing any other person as a slave without the consent of that person and considering him/ her as a human being by controlling him/ her in order that he/ she cannot escape or change the job. |
| **Surrogate pregnancy** | : | Causing a woman to get pregnant for someone else by threat or fraud, or getting pregnant for someone else by her own consent in order to commit an offence of trafficking in persons. |

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| **Trafficking in Persons** | : | Recruitment, transportation, transfer, sale, purchase, lending, hiring, harbouring or receipt of a person by any of the following means for the purpose of exploitation with or without his/ her consent<br>(i) threat, use of force or other forms of coercion;<br>(ii) abduction;<br>(iii) fraud;<br>(iv) deception;<br>(v) abuse of power or authority;<br>(vi) abuse of a position of vulnerability;<br>(vii) giving or receiving money, property or any other benefits to obtain the consent of a person having control over or influence on him/ her. |
| **Victim** | : | Any person who has been identified and determined as a victim under this Law or any person against whom the offence of trafficking in persons has been committed. |

## D. Singapore

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| **Singapore Anti-TIP Law** | : | Prevention of Human Trafficking Act 2014, 2020 revised edition, as defined under Sections 2 and 3 below. |
| **Child** | : | "Child" means an individual below 18 years of age.[3]<br>**Under Children and Young Persons Act 1993,** "Child" means a person who is below 14 years of age.<br>"Young person" means a person who is 14 years of age or older but below 18 years of age (Section 2).<br>**Penal Code 1871**<br>Nothing is an offence which is done by a child below 10 years of age.<br>Nothing is an offence which is done by a child of or above 10 years and below 12, who has not attained sufficient maturity of understanding to judge the nature and consequence of his conduct on that occasion (Sections 82 and 83).<br>**Civil Law Act 1909**<br>A contract entered into by a minor who has attained the age of 18 years shall have effect as if he were of full age (Section 35).<br>**Women's Charter 1961**<br>An application for maintenance can only be made by a child who has attained the age of 21 years (Section 69). |

[3] Prevention of Human Trafficking Act 2014, Section 2.

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| **Abduct** | In relation to an individual, means to compel by force, or induce by any deceitful means, the individual to go from any place.[4] |
| **Coercion** | In relation to an individual, means the use of force or threat, whether violent or otherwise, against the individual or another individual, including<br>(a) any threat of harm to or physical restraint of the individual or the other individual;<br>(b) (b) any scheme, plan or pattern intended to cause the individual to believe that the failure to perform an act would result in serious harm to or physical restraint of the individual or the other individual; or<br>(c) any abuse or threat related to the legal status of the individual or the other individual.[5] |
| **Debt bondage** | A status or condition arising from —<br>(a) the pledging by a debtor of the personal services of the debtor or an individual under the debtor's control, as security for a debt; and<br>(b) the reasonable value of such services not being applied towards the discharge of the debt, or the length or nature of such services not being limited or defined, respectively.[6] |
| **Minister** | The Minister charged with the responsibility for home affairs.[7] |
| **Practice similar to slavery** | Debt bondage, serfdom or any servile form of marriage.[8] |
| **Prostitution** | The offering of an individual's body for hire, whether for money or in kind, for the purpose of sexual penetration.[9] |
| **Serfdom** | Condition or status of a tenant who is, by law, custom or agreement, bound to live and labour on land belonging to another person and to render any determinate service to that other person, whether for reward or not, and is not free to change that condition or status.[10] |
| **Servile form of marriage** | Any institution or practice in which — |

4 Singapore, Prevention of Human Trafficking Act 2014, 2020 revised edition, Section 2.

5 Id.

6 Id.

7 Id.

8 Id.

9 Id.

10 Id.

(a) a woman or female child, without the right to refuse, is promised or given in marriage on payment of a consideration in money or in kind to her parent, guardian, family or any other person or group of persons;

(b) the husband of a woman or female child, or his family or clan, has the right to transfer her to another person, whether for value received or otherwise; or

(c) a woman or female child on the death of her husband is liable to be inherited by another person.[11]

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| **Servitude** | In relation to an individual, means any condition or obligation, not authorised by any written law, to work or render services from which the individual cannot escape or which the individual is not free to change.[12] |
| **Sexual exploitation** | In relation to an individual, means the involving of the individual in prostitution, sexual servitude or the provision of any other form of sexual service, including the commission of any obscene or indecent act by the individual or the use of the individual in any audio or visual recording or representation of such act.[13] |
| **Trafficked victim** | An individual against whom an offence under section 3 of Singapore Anti-TIP Law is committed, and includes an alleged victim of the offence.[14] |

11 Id.

12 Id.

13 Id.

14 Id.

# REGULATORY OVERVIEW


1. Lao PDR, Malaysia, Myanmar, and Singapore have ratified the United Nations Convention against Transnational Organized Crime (UNTOC), Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (Palermo Protocol), and the ACTIP.[15]

2. The definition of TIP under ACTIP and under each respective anti-trafficking in persons law of Lao PDR, Malaysia, Myanmar, and Singapore are as follows:

**ACTIP**

Recruitment, transportation, transfer, harbouring or receipt of persons, by means of 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 the 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 others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery of practices similar to slavery, servitude or the removal of organs.[16]

**Lao PDR Anti-TIP Law**

Recruitment, abduction, movement, transportation or transfer, harbouring or receipt of persons, by means of persuasion, recommending, deception, payment or giving benefit, inducement, incitement or abuse of power, the use of threat or other forms of coercion, debt bondage, concealed child adoption, concealed engagement, concealed marriage, pregnancy for other, forced bagging, producing, showing and publishing pornographic materials or by other forms for the labour exploitation, sexual exploitation, slavery, prostitution, involuntary prostitution, removal of organs for purpose of trade and other forms of unlawful conducts contradicting to the national fine culture and traditions or for other purposes to gain benefits.[17]

**Malaysia Anti-TIP Law**

All actions of recruiting, conveying, transferring, acquiring, maintaining, harbouring, providing or receiving, a person, for the purpose of exploitation, by the following means:

(a) threat or use of force or other forms of coercion;

(b) abduction;

(c) fraud;

(d) deception;

(e) abuse of power;

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[15] ACTIP, Preamble, para. 3.

[16] ASEAN, ASEAN Convention Against Trafficking in Person, Article 2(a).

[17] Lao PDR, Law on Anti-Trafficking in Persons (2015), Article 2.

(f) abuse of the position of vulnerability of a person to an act of trafficking in persons; or

(g) the giving or receiving of payments or benefits to obtain the consent of a person having control over the trafficked person.[18]

**Myanmar Anti-TIP Law**

Recruitment, transportation, transfer, sale, purchase, lending, hiring, harbouring or receipt of a person by any of the following means for the purpose of exploitation with or without his/ her consent:

(a) threat, use of force or other forms of coercion;

(b) abduction;

(c) fraud;

(d) deception;

(e) abuse of power or authority;

(f) abuse of a position of vulnerability;

(g) giving or receiving money, property or any other benefits to obtain the consent of a person having control over or influence on him/ her.

Exception: The recruitment, transportation, transfer, sale, purchase, lending, hiring, harbouring or receipt of a child for exploitation shall be considered as trafficking in persons whether any of the means set forth in subsection (b) is used.[19]

**Singapore Anti-TIP Law**

Any person who recruits, transports, transfers, harbours or receives an individual (other than a child) by means of —

(a) the threat or use of force, or any other form of coercion;

(b) abduction;

(c) fraud or deception;

(d) the abuse of power;

(e) the abuse of the position of vulnerability of the individual; or

(f) the giving to, or the receipt by, another person having control over that individual of any money or other benefit to secure that other person's consent,

for the purpose of the exploitation (whether in Singapore or elsewhere) of the individual shall be guilty of an offence.

Any person who recruits, transports, transfers, harbours or receives a child for the purpose of the exploitation (whether in Singapore or elsewhere) of the child shall be guilty of an offence.

In determining whether an offence has been committed under this section, the following is irrelevant:

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18 Malaysia, Anti-Trafficking in Persons and Anti-Smuggling of Migrants Act 2007 (Act 670), Section 2.

19 Myanmar, The Prevention and Suppression of Trafficking in Persons Law (State Administration Council Law No. 41/ 2022) (16 June 2022), Section 3(b).

(a) in the case where the alleged victim of the offence is a child, whether the child, or the child's parent or guardian, consented to the actual or intended exploitation;

(b) in any other case, whether the alleged victim of the offence consented to the actual or intended exploitation.

It does not matter whether the act of trafficking in persons described in that subsection is done partly in and partly outside Singapore provided that the act, if done wholly in Singapore, would constitute an offence under that subsection.[20]

3. ACTIP, Anti-TIP laws of Lao PDR, Malaysia, Myanmar, and Singapore define **exploitation** as:

| | |
|---|---|
| **ACTIP** | At a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery of practices similar to slavery, servitude or the removal of organs.[21] |
| **Lao PDR** | Labour exploitation shall mean forced labour, excessive workload or overtime working without remuneration or with inadequate remuneration as agreed.<br><br>Sexual exploitation shall mean forcing another person into sexual slavery, prostitution, pornography activities or to provide other forms of sexual services.[22] |
| **Malaysia** | Includes all forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude, any illegal activity or the removal of human organs.[23] |
| **Myanmar** | Exploitation includes forced prostitution or other forms of sexual exploitation, forced labour or service, slavery or servitude or, debt-bondage, forced marriage, forced begging, surrogate pregnancy, adoption fraud for any benefit, the removal and sale of organs from the body or abuse of organs of any other persons in any other ways, and direct or indirect receipt of or agreement to receipt of money, property or any other benefits from any of the aforesaid exploitation.[24] |
| **Singapore** | Sexual exploitation, forced labour, slavery or any practice similar to slavery, servitude or the removal of an organ.[25] |

4. Further details of ACTIP and the Anti-TIP laws of Lao PDR, Malaysia, Myanmar, and Singapore are attached as **ANNEX 1**.

[20] Singapore, Prevention of Human Trafficking Act 2014, 2020 revised edition, Section 3.

[21] ASEAN, ASEAN Convention Against Trafficking in Person, Article 2 (a).

[22] Lao PDR, Law on Anti-Trafficking in Persons (2015), Article 4.

[23] Malaysia, Anti-Trafficking in Persons and Anti-Smuggling of Migrants Act 2007 (Act 670), Section 2.

[24] Myanmar, The Prevention and Suppression of Trafficking in Persons Law (State Administration Council Law No. 41/ 2022) (16 June 2022), Section 3 (c).

[25] Singapore, Prevention of Human Trafficking Act 2014, 2020 revised edition, Section 2.

# KEY ISSUES, CHALLENGES AND GOOD PRACTICES

## A. Court Proceedings and Evidence

### Lao People's Democratic Republic (Lao PDR)

#### *Challenges*

In Lao PDR, the adjudication of TIP cases is shaped by legal and institutional constraints. A central challenge lies in the varying interpretation and understanding of TIP laws among justice actors. This inconsistency is exacerbated by the absence of regular coordination mechanisms such as joint meetings or lessons-learned workshops for judges. Courts also face structural limitations as there are no dedicated waiting areas for victims and courtrooms are not specifically designated for TIP cases.

Victims are often reluctant to attend court, primarily because testifying requires them to relive traumatic experiences. The lack of alternatives for giving testimony, such as video-conferencing intensifies this reluctance. Many victims also lack basic information about court processes and the purpose of hearings, leading to confusion and disengagement. At the institutional level, courts have limited exposure to TIP cases, resulting in a shortage of subject matter expertise and the absence of specialized TIP units within the courts.

#### *Good Practices*

Lao PDR courts have adopted pragmatic and victim-sensitive practices within existing frameworks. The legal regime governing TIP is relatively comprehensive, allowing courts discretion to implement protective measures to protect victims:

1. In Vientiane, courts use curtains to block victims' view of the accused during trial, reducing intimidation.
2. Judges' chambers are re-purposed as temporary waiting rooms for victims prior to hearings.
3. Courts consciously employ sensitive and respectful language when addressing victims.
4. Closed door trials are initiated in cases involving child victims, with attendance strictly limited to parties directly involved.
5. Guidelines for police, prosecutors and the judiciary are harmonised to each other and regularly updated for alignment.

A Tripartite Guideline between the Ministry of Public Security, the Office of Supreme People's Prosecutor and People's Supreme Court on Prosecution of Trafficking in Persons Cases at the Preparatory and Attempt Stages was issued on 20 January 2020 to foster common understanding on the attempt of TIP.

In addition, Victim-Sensitive Court Guidelines incorporating eight indicators were adopted, and the Lao Judiciary has trained judges on their implementation.

The experience in Lao PDR highlights the need for systemic responses such as the revising laws to introduce video-conferenced hearing, improving dissemination of regulations and procedural information, providing local translators in court, and strengthening preventive efforts against TIP.

## Malaysia

### *Challenges*

The increasing use of social media has posed significant challenges to safeguarding victims' protection and privacy during court proceedings in Malaysia. Despite laws prohibiting media reporting and the publication of victims' names, addresses, personal information, photos, and videos, there have been numerous instances of unauthorized, discreet, and illegal recordings of court sessions being uploaded online. This challenge underscores that legal provisions alone are insufficient; they must be complemented by strong judicial leadership, robust statutory protections, and proactive enforcement to ensure compliance and uphold victims' protection throughout the judicial process.

Traditional challenges persist, particularly in older court buildings and those located in rural areas. These courts often lack adequate facilities such as separate rooms or designated pathways for victims, making it difficult to prevent direct contact with perpetrators. While video-linked testimony is available in some courts, its implementation is frequently hindered by limited technological infrastructure, unstable internet connectivity, and a shortage of trained IT personnel.

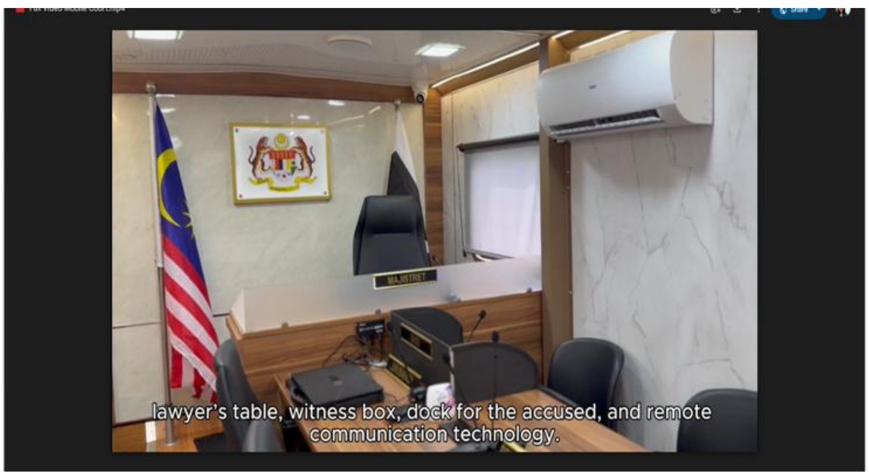
### *Good Practices*

Malaysia has adopted strong confidentiality and victim protection practices:

1. To safeguard victims during trials, Malaysian courts allow proceedings to be held behind closed doors upon the prosecutor's request.
2. When video-linked testimony from a separate room is not available, physical barriers such as screens or boards are used to shield victims from direct view of the accused.
3. In addition, Royal Malaysian Police officers are assigned to courts and can escort victims through alternative entrances and exits when separate pathways are unavailable.
4. Support persons known as Victim Liaison Officers may also be present in the courtroom to provide assistance to the victims.
5. Furthermore, concerned government agencies and NGOs, through the relevant government office, can request visits to the courts prior to the trial. This kind of orientation and familiarisation could improve victims' confidence and ability to provide clear and consistent testimony.
6. These measures demonstrate that, despite infrastructure limitations, coordinated court security planning can significantly enhance victim protection and encourage victims to participate in trials.
7. The *Jelajah Kehakiman* programme (Judiciary Outreach) by Malaysian Judiciary set up an outreach initiative in the form of information booths or tables in public spaces such as shopping malls to disseminate details about court processes. Information is provided through

brochures and official judiciary social media accounts, helping to raise public awareness and understanding of judicial procedures.

8. Malaysia's e-Court system offers a case tracking feature that enables litigants, lawyers, and the public to check the status of cases through the judiciary's online portal. This promotes transparency and accessibility to judicial information.
9. To address case backlogs and high volume of TIP cases, Malaysia established a special court for TIP cases in Klang where such cases are prevalent. This court is served by Session Court judges with a minimum of 15 years of service, trained on TIP. Prosecutors assigned to these cases also received training on handling TIP cases.
10. A particularly innovative development is the Malaysian Mobile Court Program, implemented in May 2025. The Chief Registrar's Office of the Federal Court of Malaysia launched a mobile court initiative comprising three components:
    (1) Vehicle for Nationwide Justice (VNJ) - A modified lorry designed as a mobile courtroom, equipped with facilities to conduct trials in remote areas.




    (2) Vehicle for Meaningful Redress (VMR) - A vehicle dedicated to transporting child victims or witnesses from their homes to court and back. Requests for VMR are made by prosecutors or judges and are subject to availability. *(this will be discussed further under the Best Interests of the Child)*

(3) Victims' Nexus to Justice (VNEJ) - A specially modified van that provides child-friendly facilities for remote testimony, allowing child victims to give evidence in a secure and supportive environment. *(this will be discussed further under the Best Interests of the Child)*

# Myanmar

## *Challenges*

In Myanmar, TIP cases are generally tried before the District Courts and cover a wide spectrum of exploitative conduct, including forced marriage, forced prostitution, forced labour, and debt bondage. While the legal framework governing TIP is extensive and modernized, anchored on the Prevention and Suppression of Trafficking in Persons Law (2022) and supported by criminal, immigration, child protection, and anti-money laundering laws, the practical administration of justice faces significant constraints.

Among the most challenging is infrastructure and resource limitation. Many District Courts lack special witness examination rooms, separate waiting areas, or designated entrances and exits for victims. Budgetary constraints impede the construction of such facilities and the provision of secure transport for victims, particularly those from rural or remote areas. These gaps are compounded by the absence of a comprehensive witness protection system and insufficient safeguards for victims' personal data during and after proceedings.

Victims' reluctance to testify remains a critical concern. Fear of retaliation, anxiety about encountering traffickers in court, and concern over identity disclosure often discourage participation despite existing legal protections. The time and cost of repeated court appearances further disrupt victims' livelihoods and undermine sustained cooperation.

## *Good Practices*

Myanmar courts have adopted a number of procedural innovations:

1. TIP cases are prioritized under a Case Management Program (CMP) that classifies them as urgent subject to expedited timelines, generally aiming for completion within three to six months.
2. Courts frequently order in-camera or closed-door hearings to protect the dignity and physical and psychological safety of victims.
3. The expansion of special witness examination rooms and the use of video-conferencing technology are available in multiple District Courts. These have reduced direct confrontation between victims and accused.
4. Following amendments to the Evidence Act, additional measures include case conferences to streamline trial arrangements, giving testimony through video conferencing and acceptance of digital evidence.
5. Pre-trial interviews and courtroom orientation visits conducted by law officers help victims understand court processes, reduce anxiety, and improve the quality of testimony.

These practices collectively demonstrate that procedural flexibility, even within constrained systems, can significantly enhance victim participation and evidentiary reliability.

## Singapore

### *Challenges*

Adjudicating TIP cases in Singapore requires the court to manage the evidentiary demands of a criminal trial while accounting for the reality that many TIP complainants are vulnerable witnesses. A recurring challenge is that victims, whether adults or children, may struggle to give coherent evidence when recalling traumatic events. The courtroom environment and trial process can be intimidating, and even the physical layout of a courtroom, having only a single entry and exit point, may inadvertently heighten anxiety when victims must pass near or remain within sight of the accused. These challenges are frequently compounded by language barriers, making it harder to communicate effectively with victims, witnesses, and parties during hearings.

### *Good Practices*

Singapore courts have operationalized a set of procedural safeguards designed to preserve trial integrity while minimizing unnecessary distress:

1. Courts issue gag orders to protect privacy and confidentiality, and TIP cases involving sexual exploitation may be heard in private under the Prevention of Human Trafficking Act of 2014.
2. Courts also allow testimony via video-link from another room, reducing direct confrontation with the accused.
3. Where testimony is given in court, shielding measures, such as portable screens placed before the witness stand, prevent visual contact between the witness and the accused.
4. Courts may also make access arrangements so that a witness may enter or leave without having to see the accused. These practical arrangements, while seemingly logistical, are in fact central to enabling testimony that is both reliable and humane.
5. Singapore's implementation of the Witness Support Programme shows the value of structured support. This programme, staffed by trained volunteers, provides support to vulnerable witnesses throughout the trial. This includes accompanying them during hearing, including pre-trial court familiarization visits.

Singapore shares the lesson that victim-sensitive adjudication is not achieved by a single legal rule, but through a coordinated set of court practices that reduce intimidation and improve the conditions under which truthful evidence can be given.

The continuing institutional response emphasized by Singapore is judicial capacity. Judges should be trained to communicate effectively with child and vulnerable witnesses, to recognize symptoms of trauma, and to respond appropriately, such as allowing breaks where needed, without compromising the rights of the accused.

# B. Victim Support and Protection

## Lao People's Democratic Republic

### *Challenges*

In general, victims have limited access to the information about their rights, available protection and support services. Victim support in TIP cases is significantly affected by fear and resource constraints. Victims, including their families may refuse to cooperate with court processes out of fear of retaliation, especially in cases involving children, and fear of stigmatisation.

Victims' remote residences also pose another challenge. When victims reside in remote provinces, court staff often need to travel extensively to engage families, placing strain on limited budgets. Victims also often lack financial support for travel and participation in proceedings. These challenges lead to delayed court proceedings.

### *Good Practices*

Lao PDR has established institutional support mechanisms that mitigate these barriers:

1. The Law on Juvenile Criminal Procedure (Law No. 41/NA, 20 Dec 2013) provides a protective framework, and the Law on the Development and Protection of Women (Law No. 72/NA, 11 Dec 2024) mandates the Lao Women's Union Centre for Counselling and Protection for Women and Children (the Centre) to provide counselling and physical and mental health support as well as vocational training for victims. At the moment, there are seven centres established across the country.
2. Parents or guardians participate in proceedings, with the Centre acting as representatives to safeguard the victim's interests.
3. International organizations and civil society organizations supplement state efforts by providing assistance during court proceedings, including livelihood and reintegration support, which helps stabilize victims and encourages continued cooperation.

Judicial experience underscores that victim participation improves when support extends beyond the courtroom. Accordingly, judges recommend closer coordination with village-level institutions, revising laws to allow justice police within court premises to enhance security, and establishing a victim assistance or state fund to offset participation costs, among others.

## Malaysia

### *Challenges*

A key challenge in the handling of TIP cases in Malaysia concerns the conduct of victim interviews and the examination of witnesses during the investigation and trial. In some cases, questioning style adopted by legal enforcement officers, prosecutors and defence counsels – for example raising one’s voice or adopting an aggressive tone - may not be trauma-informed and can cause distress to the victims. Furthermore, the Judiciary also faces cultural differences and language barriers with lack of cross-cultural understanding and shortage of interpretation services. These approaches may often lead to misunderstandings and intimidate victims or retraumatise them, affecting their willingness and ability to provide a coherent and complete account of events. This, in turn, may have implications for the reliability and consistency of victim testimony as evidence.

Procedural time constraints also pose significant challenges, particularly for foreign TIP victims. In Malaysia, the duration of protection and stay permits is only up to 90 days, upon the expiry of this period, victims may be transferred to immigration detention facilities pending deportation. This creates pressure to complete investigation, recording of statements and court proceedings, in the set timeframe.

In terms of support services, ensuring victims’ access remains a challenge. Legal assistance for victims is limited, the availability of safe and secure shelters is insufficient, with existing facilities frequently operating at or beyond capacity. Access to specialised and psychological support is also limited. In addition, risk assessment and safety planning are not consistently undertaken prior to the formal lodging of a police report or the issuance of protection orders, potentially exposing victims to further harm during a critical period before official protection mechanisms are activated.

## *Good Practices*

Good practices focus on coordinated service delivery:

1. Notwithstanding limitations in victim support services, Malaysia has been able to deliver victims support through inter-agency coordination. Victim Liaison Officers (VLOs) play an important coordinating function by facilitating communication between victims and relevant agencies throughout the investigation and trial process. Their role assists in ensuring that victims are informed of procedural developments and are able to engage meaningfully with the justice system, consistent with principles of victim participation and protection. In addition, the Victim Assistance Specialist (VAS) initiative, introduced as a volunteer-based programme in 2019, provides supplementary support to victims from the point of rescue.
2. Collaboration with other ministries and agencies, including the Ministry of Women, Family and Community Development, has supported capacity-building for Protection Officers and facilitated access to interpretation services. Upon the application of the Protection Officer appointed by The Ministry of Women, Family and Community Development to the Council, TIP victims who are not allowed to work are given a 30USD monthly allowance, taken from the State fund.
3. In parallel, embassies, high commissions, and civil society organisations (CSOs) have provided legal assistance and consular support, particularly for foreign victims, subject to applicable laws and procedures. A coordinated approach between government agencies and CSOs is essential to ensuring continuity of care and preventing secondary victimisation.

Malaysia’s recommended response emphasises prioritising victim rights to accessible, accurate, and trauma-informed interpretation to minimise re-traumatisation and ensure meaningful participation.

## Myanmar

### *Challenges*

Victim support in Myanmar's TIP adjudication process operates within a complex environment marked by linguistic diversity, uneven service liability, and limited manpower. Interpreters are often externally sourced and may lack training in trauma-informed communication. There are no binding guidelines on gender-fair language, and access to counselling, shelters, and immediate interview support remains inconsistent across jurisdictions.

### *Good Practices*

Courts have developed pragmatic, victim-centred support mechanisms:

1. Court environments are designed, where possible, to minimize intimidation through separate waiting rooms, in-camera proceedings, and remote hearings.
2. Judges actively promote gender-fair, non-blaming language, intervening when questioning becomes hostile or disrespectful.
3. Every court maintains a court safety plan, including weapon prohibitions, entry controls, CCTV surveillance, emergency contacts, and visible safety information.
4. Victims may request rest periods, including extended breaks for physical or mental health reasons.

Information counters within court premises provide pamphlets explaining proceedings, penalties, victims' rights, and the non-punishment principle. Beyond the courtroom, anti-trafficking committees coordinate shelter, financial assistance, travel support, and reintegration services.

The experience in Myanmar underscored that institutionalizing information and safety, even without extensive new legislation, can substantially improve victim confidence and participation. Judicial recommendations emphasize the need for a dedicated victim information handbook, expansion of special examination rooms.

## Singapore

### *Challenges*

Beyond the mechanics of testimony, Singapore courts confront the broader challenge of maintaining victim safety and dignity throughout adversarial proceedings. Victims and witnesses may face unfair statements or questions during cross-examination, including insinuations grounded in stereotypes or victim-blaming narratives. In some cases, accused persons may be violent, and the intensity between parties may be high. Courts must constantly balance the need to protect victims with the accused's right to a fair trial and the public interest. At the same time, courts face practical challenges in victim engagement. Some victims may be unwilling to testify against their traffickers, and even where liability is proven, obtaining compensation from offenders may be difficult.

## *Good Practices*

Singapore's approach demonstrates a strong judicial victim-centred measures

1. Before trial, the court may elicit the general nature of the defence to focus proceedings on relevant issues.
2. When victims are about to testify, judges assure them that they may ask questions if they do not understand what is being asked. This practice prevents confusion from becoming inconsistent, and inconsistency from being mistaken as untruthfulness.
3. During examination, the court disallows indecent, scandalous, or annoying questions, including those that probe sexual behaviour or physical appearance in a victim blaming manner, or those that are irrelevant or unnecessary.[26]
4. Courts also evaluate how questions are asked, including tone, demeanour, and duration, to guard against hostile or pointless questioning.
5. Other protective measures include in-camera proceedings to protect victims from public scrutiny, and where needed, additional police escorts as part of a safety plan.

The lesson is that victim support is not merely a welfare function, but a core due process concern because a witness who feels unsafe is less able to participate meaningfully in court proceedings.

Singapore's response is not limited to the courtroom. Complementary initiatives, such as proactive victim identification at checkpoints, shelters, and counselling, dedicated hotlines, and Project SPARK (Project Supporting Persons After Trafficking) support victims as they recover while assisting authorities. Practical interventions like care packages and temporary job schemes reduce vulnerability and promote sustained engagement with the justice process.

[26] Sec. 153-154, Evidence Act; Rules 3-4, Restrictions on Questions and Evidence in Criminal Proceedings Rules, 2018

# C. Best Interests of the Child

## Lao People's Democratic Republic

### *Challenges*

TIP cases involving children present acute challenges in Lao PDR due to heavy dependency on child victim's testimony at the court hearing. However, child victims often are reluctant to be involved in the criminal proceedings due to the fear towards the defendant and limited child-centred facilities at courts, such as limited designated waiting areas for child victims. In addition, the parents often are not willing to be involved in the criminal proceedings due to several reasons. Firstly, there is limited knowledge on their rights and the children's rights. Secondly, financial constraints prevent child victims in remote areas from attending court hearings. Lastly, parents often fear the stigma associated with appearing in court. The parents may initially refuse permission on the involvement of the child in the court proceeding and considerable time and effort may be required by court staff to explain the legal process, their rights and persuade families to bring their children to appear at court.

### *Good Practices*

Court apply child-friendly practices grounded in victim-centred principles:

1. The identities of child victims are protected through the use of pseudonyms.
2. Guardians accompany child victims throughout the legal proceedings.
3. Judges use the Victim-Sensitive Courts (VSC) Guidelines[27] to inform their approach during child victims testimony, including guidelines to pose questions towards child victims.
4. Some provinces, such as Khammouane, have allocated funds from provincial administration to improve juvenile courtrooms, which are also used for TIP cases.
5. Courts have a role to reach out to child victims or their families or guardians and local authority to inform on court proceedings and their rights, for example rights to compensation. However, if the child victims cannot appear before the court, the court may accept the statement taken at the investigation stage.
6. The Law on Juvenile Criminal Procedure requires the presence of parents, guardians, or lawyers during statement-taking. Their absence renders statements invalid.

Judges emphasize the need for wider dissemination of VSC Guidelines, legal revisions to strengthen child protection, faster case disposition, clearer communication with families about child rights, and redaction of victims' names at the request of victims and families.

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# Malaysia

## *Challenges*

Ensuring the best interests of the child throughout TIP proceedings remains a significant challenge in Malaysia. Child victims are dependent on their parents or guardians, yet some of them are unable or unwilling to accompany the child consistently throughout lengthy and procedurally complex court processes. This is often due to economic constraints, including the need to maintain the caregivers' employment, which limits their availability to attend repeated hearings and proceedings involving their children.

Children may perceive court settings, procedures, and the presence of authority figures, such as judges, prosecutors, and defence counsel as intimidating. In some instances, traditional courtroom practices, including the use of formal attire, may further heighten a child's sense of fear and anxiety. The use of legal and technical language that is not adapted to a child's level of understanding can cause confusion and distress.

Furthermore, there is limited availability of child-sensitive infrastructure, including designated child-friendly interview rooms, appropriate technological equipment for alternative testimony arrangements, and adequately trained personnel with specialised expertise in child protection and child psychology.

Finally, a child's developmental stage and capacity to fully comprehend questions and proceedings may affect the clarity and consistency of their testimony. This may result in fragmented or inconsistent statements, which can complicate the evidentiary assessment by judges.

## *Good Practices*

In response, Malaysia has implemented child-sensitive measures:

1. Malaysia prohibits publication by the media of identifying information such as names, addresses, personal circumstances, photographs, or video recordings of child victims. In appropriate cases, courts may also conduct proceedings in closed-door trials, upon application by the prosecutors.
2. Some courts have implemented physical and procedural security measures to protect child victims and witnesses. These include the availability of designated child-friendly rooms and the use of separate entrances and exits to minimize contact with the accused and the public.
3. The establishment of Child Interview Centres (CICs) has enabled interviews to be conducted in a safe, child-sensitive, and supportive environment, reducing the need for children to testify in open court.
4. During court proceedings, judges use simplified procedures and child-friendly language to enhance comprehension and reduce anxiety of the child victims.
5. Considered a milestone, Malaysian judiciary launches its specially modified vans - Malaysian mobile courts:
    a. Vehicle for Meaningful Redress transports child victims or witnesses to and from their place of residence and the court upon request. It has proven beneficial in reducing stress and ensuring safety. Where necessary, police escorts are provided to ensure the safe movement of child victims to and from court premises.

b. Victim's Nexus to Justice is a specially modified van that functions as a mobile child witness room, allowing remote testimony with child-friendly facilities and setting. This initiative enables child victims to give testimony in a secure and supportive environment outside the traditional courtroom setting, reducing the need for child victims to travel to court and limits their exposure to potentially intimidating court environments, while preserving procedural fairness and evidentiary integrity.

6. Courts have also adopted measures to prevent direct confrontation between child victims and the accused, thereby reducing fear, psychological distress and security risks. These include the use of live video links or video conferencing facilities, as well as physical screens or partitions to prevent eye contact during testimony. In addition, recorded video testimony or depositions of child victims may be admitted as supporting evidence, subject to applicable evidentiary rules.
7. The establishment of Child Interview Centres handled by Royal Malaysia Police has enabled child interviews to be conducted in a safe, child-sensitive, and supportive environment, reducing the need for children to testify in open court. In Malaysia, evidence recorded at a Child Interview Centre carries high evidentiary value as a powerful tool to minimize secondary victimisation. It allows a child's initial statements to be legally admitted in court via video recording, bypassing the need for a child to repeatedly describe trauma in a rigid, adversarial environment.
8. Other good practices include the use of simplified procedures and child-friendly language during court proceedings to enhance comprehension and reduce anxiety of child victims.

## Myanmar

### *Challenges*

Child victims and witnesses present distinct challenges in TIP cases. Although children cannot entirely avoid testifying once deemed competent, the court processes must be carefully managed to avoid re-traumatization. However, Myanmar courts face a shortage of child-friendly rooms. Only four district courts provide special examination rooms for child victims. The use of legal language makes it more difficult for child victims to understand and appreciate the court processes and proceedings. Compounding these challenges is the lack of official court interpreters.

### *Good Practices*

In practice, courts have embraced a child-sensitive adjudicatory approach grounded under the Child Rights Law and the Anti-TIP Law:

1. Competency of the child to testify is assessed through preliminary questioning.

2. Where appropriate, children testify through video-conferencing or in-camera hearings, or through depositions taken by commissioners.
3. Courts relax formality during juvenile proceedings. Judges and lawyers commonly forego formal attire and police officers do not wear uniforms.
4. When dedicated child-friendly facilities are unavailable, judges' chambers are re-purposed to create a less intimidating environment.
5. Children are entitled to communicate in age-appropriate, simple language, with the assistance of interpreters, counsellors, or language experts, including children with disabilities.
6. Support persons are routinely permitted to accompany child witnesses.

The key lesson from Myanmar's experience is that flexibility and respect for the child's developmental needs can co-exist with due process. Judicial recommendations call for establishing a child witness room in every court and promoting informal hearings equipped with appropriate facilities.

## Singapore

### *Challenges*

TIP cases involving children require courts to apply a child-centred lens without diluting the evidentiary standards of criminal justice. One challenge is determining a child's competency to testify and ensuring that the process does not intensify trauma. Even when competency is established, the court must assess the appropriate weight to give to a child's testimony based on age and maturity. These concerns exist alongside the usual balancing act of protecting the child, safeguarding the accused's rights, and preserving public confidence in the integrity of the proceedings.

### *Good Practices*

Singapore's practice highlights an integrated protective model for vulnerable witnesses.

1. In cases involving violence or aggression, including TIP, the court alerts the relevant social service ministry so a volunteer under the Vulnerable Persons Support Program can be assigned.
2. For child witnesses or victims aged 16 and below, volunteer support is provided from the beginning through the end of trial, helping stabilize the child's engagement with court processes.
3. Closed-door hearings protect identity, and where needed, psychiatric assessment can be engaged to evaluate mental competency and possible psychological injury.
4. Video conferencing may be used to reduce the trauma of facing the accused.
5. Another significant practice is encouraging early resolution through structured sentencing discounts under guilty plea guidelines. Early guilty pleas can reduce the need for vulnerable witnesses to testify, save resources, and prevent re-traumatization.

The lesson here is that child-sensitive justice is achieved not only by protective measures during testimony, but by systems incentives that reduce the likelihood that a child must testify at all. Courts also emphasize the use of age-appropriate and gender-fair language, and where parties request, shielding measures and confidentiality protections.

# D. Compensation and Restitution

## Lao People's Democratic Republic

### *Challenges*

Offender-paid restitution remains one of the most challenging aspects of TIP adjudication in Lao PDR. Many victims are unaware of their right to restitution or its purpose. Families of child victims may decline to pursue restitution, preferring speedy conclusion of cases due to fear of retaliation, stigma, or reputational harm. The absence of clear standards for calculating restitution leaves judges to rely on personal or discretionary benchmarks, such as living costs.

Just as challenging is when offenders do not have assets or there is failure in timely identifying their assets. Compounding this challenge is when the offender is a foreigner who does not have any assets in Lao PDR. Moreover, enforcement of judgments is generally weak. It becomes more difficult when the case involves foreign victims.

Judicial experience highlights the need for a victim or state compensation fund, counselling for victims and families, and clearer guidance on criminal procedural requirements for claiming and enforcing offender-paid restitution and state-fund compensation.

### *Good Practices*

Courts and law enforcement of judgement department have developed coordinated asset-tracing practices:

1. Restitution amounts are recorded in the court decisions.
2. Police, prosecutors, and courts collaborate to trace and seize proceeds of crime, including through anti-money laundering measures.
3. Asset identification begins during an investigation conducted by the police. Asset seizure/restraint order can be obtained from the prosecutors. At the court proceedings, courts can issue confiscation orders as part of the court decision. The execution of the confiscation order is done by the Court Decision Enforcement Department under the Ministry of Justice. In the absence of confiscation order in the court decision, the Court Decision Enforcement Department can still pursue the assets of the defendant if there is a restitution order in the concerning court decision.

## Malaysia

### *Challenges*

Effectiveness of compensation order depends on the availability and traceability of the offender's assets. Orders for compensation or payment of wages in arrears may only be made upon the conclusion of criminal proceedings, regardless of whether the trial results in a conviction or an acquittal. Given the lengthy duration of TIP trials, this creates practical challenges. By the time such orders are issued, victims may have already returned to their place of origin, and in some cases, their whereabouts may no longer be known. As a result, the execution of compensation or wage recovery orders may be delayed or rendered impracticable.

Additional difficulties arise where the convicted person is a foreign national who has no identifiable assets or financial resources within Malaysia. At present, there is no specific legal framework governing the transboundary enforcement of compensation or wage payment orders. In cases where the convicted person does not have assets or cannot pay the compensation or wages, the law provides for an additional term of imprisonment of up to six months. However, the legislation is silent on whether the obligation to pay compensation or wages subsists after the additional imprisonment has been served.

## *Good Practices*

Despite these challenges, Malaysia’s framework provides meaningful remedial tools:

1. In cases resulting in a conviction, the Court may, upon application by the Deputy Public Prosecutor, order the convicted person to pay compensation to the victim in a sum assessed and fixed by the Court. Where criminal proceedings do not result in a conviction, the Court may nevertheless order the payment of wages in arrears to the alleged trafficked person. A mandatory inquiry must be conducted within seven days after the conviction, considering evidence already adduced at trial, to fix the amount. An order for the payment of compensation made in criminal proceedings does not preclude a TIP victim from commencing civil proceedings against the convicted person.
2. The role of embassies and high commissions is particularly important in cases involving foreign victims. Diplomatic missions assist in locating victims after their return to their country of origin and facilitate communication regarding the disbursement of compensation or wages in arrears, including verification of wage amounts. To strengthen enforcement, Malaysia Royal Police and Deputy Public Prosecutors assist in securing victims’ contact details prior to repatriation, enabling continued coordination after the conclusion of proceedings.
3. To ensure effective restitution, TIP victims' financial claims—such as compensation and wage arrears—are integrated into the Victim Impact Statements. Documenting these losses during early-stage police interviews allows the VIS to be tendered in court as formal proof. Additionally, confirmed victims who are not permitted to work may receive a monthly allowance from the state fund upon application by protection officers.

Recommended responses include enabling earlier payment of wages in straightforward cases after testimony, increasing state allowances, strengthening non-government and embassy legal aid support, and ensuring trained enforcement officers across agencies are available to execute orders effectively.

# Myanmar

## *Challenges*

Myanmar's legal framework provides extensive mechanisms for victim compensation and restitution, including criminal compensation orders, civil suits, and state-supported assistance.

Central and regional bodies, supported by working committees, are mandated to rescue, protect, rehabilitate, and reintegrate victims. These bodies also assist victims in claiming compensation, as well as securing legal aid, counselling, healthcare, and protection during proceedings.

Despite this framework, compensation remains unprocessed, unavailed, or unclaimed. Courts rarely order perpetrators to compensate victims, partly due to lack of precedent and absence of standard operating procedures. Many judges and prosecutors have not consistently applied guidance encouraging compensation from confiscated proceeds of crime. Practical obstacles include offenders' lack of assets, difficulties in asset seizure, and challenges in quantifying psychological and social harm. Victims may withdraw claims, especially when family members are implicated.

## *Good Practices*

Despite the challenges, Myanmar identified some emerging practices:

1. Victim impact statements may be incorporated into testimony or prosecutorial submissions.
2. Victims retain the right to pursue civil claims alongside criminal proceedings.
3. State funds and coordinated donations provide financial relief, albeit limited.

The experience highlights the need for clear standard operating procedures governing compensation and restitution, stronger awareness among concerned justice actors, streamlined civil remedies, and enhanced protection mechanisms to encourage victims to pursue financial redress without fear.

# Singapore

## *Challenges*

A recurring justice gap in TIP cases is the risk that victims receive no meaningful compensation for harm suffered. Courts face difficulty quantifying compensation for complex injuries, especially psychological trauma. In some cases, offenders have no financial means, and civil claims may not be viable or cost-effective. These constraints can undermine victims' sense that the justice process has provided tangible redress.

## *Good Practices*

Singapore's framework responds through criminal procedure mechanisms. Courts may issue compensation orders against offenders, with imprisonment in default of payment. Importantly, courts are required to consider whether compensation is appropriate, though orders are typically made only when loss and damage are clear or agreed. When compensation is not awarded, or when a victim is dissatisfied with the amount, victims may pursue separate civil claims. In addition, state welfare mechanisms may provide discretionary assistance, and the High Court may issue restraint or freezing orders to prevent offenders from dissipating assets.

The lesson is that compensation in TIP cases cannot depend solely on the offender's ability or willingness to pay at the point of conviction. It requires a coordinated system that includes criminal compensation mechanisms, asset preservation tools, and complementary social welfare support.

# E. Evidence-based Decision Analysis of TIP Decisions

## Lao People's Democratic Republic

### *Challenges*

Evidence-based adjudication in Lao PDR faces structural and methodological challenges. There is no systemic data collection disaggregated by gender, vulnerable groups, and types of trafficking as well as limited capacity to conduct regular review and analysis of court decisions of TIP cases.

There is a need for improvement of the information management system and court database to support the court decisions review and analysis.

### *Good Practices*

Courts mitigate these risks to victims through confidentiality and evidentiary measures:

1. Victims' names and addresses are redacted in judgements, and pseudonyms are used in public documents, while real identities remain in internal case files and during trials. Cases are tracked across all court levels to ensure consistency in application.
2. Courts control access to case information through formal request mechanisms.
3. Judges avoid use of insensitive words or inappropriate language when drafting decisions or judgments.
4. Closed-door hearings for TIP cases involving child and women victims, and sexual exploitation cases.

Judges stress the importance of applying a clear analytical methodology, grounded in the three elements of TIP, supported by corroborative evidence. There is strong call for compiling of TIP decisions, developing analytical guidelines and decision templates, and establishing standard operating procedures for TIP adjudication.

## Malaysia

### *Challenges*

Court decisions are published online in the interest of transparency and public access to justice. However, in some instances, published judgments may contain factual details that could indirectly lead to the identification of victims of trafficking in persons. This risk is further exacerbated by unofficial online media reports and social media postings by third parties, which may disclose or amplify information relating to TIP cases in a manner that compromises victim anonymity and confidentiality.

### *Good Practices*

Malaysia relies on statutory and operation safeguards:

1. Admission of digital and documentary evidence
   In relation to digital evidence, computer-generated documents and statements contained therein may be admitted without calling the creator, to be complemented with a certificate under section 90A of the *Evidence Act 1950* certifying that the computer or system was in proper working order at the time the document was created.

2. Case monitoring and case management
   The Malaysian judiciary mandates monthly assessments on case statistics compiled by lower courts and the High Court. Regular monthly meetings between magistrates, judges, and their respective managing judges are also conducted to review case progress and to ensure that cases do not become protracted or unduly delayed.

3. Publication of judicial decisions
   Decisions in all trafficking in persons cases, including appellate decisions, are published in the e-Judgement portals and journals**,** and are accessible to the public. Notwithstanding practical challenges in enforcement, the legal framework clearly restricts media reporting on trafficking cases. Section 58 of the *Anti-Trafficking in Persons and Anti-Smuggling of Migrants Act 2007 (ATIPSOM)* prohibits the publication of photographs, names, addresses, or any particulars calculated to lead to the identification of a trafficked person at any stage of proceedings. This statutory safeguard reinforces the protection of victim privacy and dignity throughout the criminal justice process.

4. Integrated data management
   The Council for Anti Trafficking in Persons and Smuggling of Migrants (MAPO) has an integrated system to compile all TIP data from relevant agencies.

## Myanmar

### *Challenges*

TIP adjudication in Myanmar is heavily evidence-driven but faces inherent difficulties. Direct evidence is often scarce, particularly when trafficking occurs outside the country. Courts rely substantially on victim testimony, corroborative circumstantial evidence, forensic findings, and, increasingly, digital records. Victims' fear or stigma may lead to incomplete or inconsistent accounts.

A major challenge that has remained unresolved is the absence of anonymization or name-suppression in judgements. Victims' identities frequently appear in decisions, and copying rules permit broad access to final judgements, heightening risk of secondary harm. Although judges may exercise discretion to deny copies in the victim's best interest, this protection is not systematic.

### *Good Practices*

Myanmar's response in mitigating risks through its evidentiary and procedural frameworks:

1. Since 2020, Myanmar Supreme Court has enhanced public access to legal precedents by making electronic ruling books available through its official website, promoting transparency and facilitating legal research.
2. Pursuant to Section 28 of the Copying Rule, access to case documents is strictly limited to parties to the proceedings. Non-parties are prohibited from accessing case records, ensuring confidentiality and protecting the interests of victims.
3. Under Section 15(d) of the Prevention and Suppression of Trafficking in Person Law 2022, courts are authorized to accept records of witness examination conducted via video conferencing. This provision accommodates modern technological capabilities while maintaining procedural integrity.
4. Myanmar recognizes that judgments may be rendered in the absence of direct victim testimony, provided that sufficient corroborative evidence exists to establish the material facts under the Evidence Act. This principle acknowledges practical realities while safeguarding the integrity of judicial determinations.

Judicial consensus points toward the need for formal anonymization systems, revised copying rules, guidance on sensitive language in judgements, and strengthened forensic and digital evidence capacity to ensure that evidence-based reasoning does not compromise victim safety.

## Singapore

### *Challenges*

Singapore recognizes that TIP adjudication increasingly depends on evidence types that are technologically complex. A major challenge is that judges may have limited familiarity with digital evidence and evolving technologies. At the systemic level, while TIP convictions under the PHTA have remained relatively steady, data since 2022 suggests a slight increase in TIP-related convictions due to the inclusion of cases involving child sexual abuse materials and online exploitation. Most TIP and related cases involve sex and labour trafficking, which typically require coordinated, whole-of-government efforts to build strong cases for trial.

### *Good Practices*

Singapore's evidentiary approach emphasizes holistic evaluation:

1. Courts assess the totality of evidence, including forensic and digital material.
2. A distinctive feature in court documents is the robust protection of victim identity. Decisions employ aliases and pseudonyms, and identifying circumstances such as addresses, schools, birthdays, and family details are redacted.
3. Information about the accused may also be redacted if it could indirectly reveal the victim's identity. An example is when the victim is related to the accused.

4. Trial and appellate decisions are published only after redaction, and the media and all persons involved are reminded of their obligation to respect victims' rights to privacy and confidentiality.
5. When TIP charges are not proven beyond reasonable doubt, Singapore's experience highlights a pragmatic response. Prosecutors may consider alternative charges under more appropriate laws, such as offenses addressing sexual exploitation or illegal employment, ensuring accountability while preserving the criminal standard of proof.

# F. Capacity-Building for Judges Handling TIP Cases

## Lao People's Democratic Republic

### *Challenges*

Judicial capacity-building in Lao PDR is constrained by judge rotation, which disperses trained expertise. New judges are left unguided and require continuous training on TIP. The lack of resources on professional development of judges and their limited exposure to domestic and transnational TIP cases further widens the gap in knowledge and expertise on TIP cases. This is due to the budget constraint, particularly in conducting training on recent trends or modus operandi of TIP cases.

A lack of technical follow-up after the training is also identified as a challenge in evaluating the impact of the training.

Furthermore, responsibility-sharing among panels of judges is sometimes unclear, affecting depth and timeline in disposing TIP cases. There is also a varied understanding of TIP laws among justice state actors and communities.

### *Good Practices*

Lao PDR demonstrated strong inter-agency collaboration in judicial training. Funding is sourced from state budgets, the National Secretariat against TIP, the Ministry of Justice, the Lao Women's Union, and international partners.

Regular technical meetings are held and training extends to judges and judicial assistants. The training curriculum of new judges and judicial assistants, conducted by the Research and Training Institute under the Lao's People Supreme Court, has included materials on VSC Guidelines and TIP Law.

Judges recommend more intensive, and consistent training that is inclusive of all justice personnel involved in TIP cases, overseas study tours, and the development of practical guidelines or handbooks. At the regional level, ASEAN handbooks and guidelines should be regularly updated to reflect evolving trafficking patterns.

## Malaysia

### *Challenges*

There is no regular and mandatory training programme on TIP for judicial officers. Training for judges of the higher courts is generally conducted only upon request and has minimum courses on victim rights and victim-centred adjudication. Training opportunities on TIP cases, particularly on an international or comparative approach, are limited

Magistrates, judges, and court interpreters would benefit from enhanced capacity-building to improve familiarity with current courtroom technologies, including those used for remote testimony and the handling of digital evidence.

Access to interpretation services also presents ongoing challenges. The availability of interpreters with the requisite linguistic competence, accuracy, and trauma-informed training is limited, which may affect effective communication with victims and the quality of proceedings.

### *Good Practices*

The Office of the Chief Registrar of the Federal Court of Malaysia (*Pejabat Ketua Pendaftar Mahkamah Persekutuan Malaysia – PKPMP*) organises a series of specialised training courses on TIP twice a year. These courses are structured under a two-tier framework and are tailored to judicial officers at different levels of experience.

Participation is targeted at magistrates with five years or more of judicial experience and Sessions Court judges with fifteen years or more of experience, ensuring that training is aligned with the complexity of cases handled at each level.

In addition, the Malaysian Judicial Academy conducts regular monthly training programmes on a range of judicial topics for judges of the High Court and above, which may include trafficking-related issues as part of broader thematic sessions.

The National Legal Academy of Malaysia also plays a complementary role by providing training for magistrates, Sessions Court judges, Deputy Public Prosecutors, and court personnel, including court interpreters. These programmes contribute to strengthening institutional capacity across the justice sector and supporting more effective handling of TIP cases.

## Myanmar

### *Challenges*

Judicial capacity-building in Myanmar is anchored in a structured training system under the Supreme Court's Training Department. Judges undergo wide-induction training, refresher courses, senior-level programs, and occasional thematic workshops. TIP law is included within criminal law curricula, and judges regularly participate in workshops on trafficking issues.

Despite these efforts, there is no dedicated continuous TIP-specific training program, and interpreter services remain largely external. Interpreters may lack familiarity with court procedures or trauma-informed practices, risking inadvertent harm to victims.

### *Good Practices*

Myanmar's experience highlights practices that include assigning trained judicial officers or staff as interpreters under Supreme Court guidelines for special interview rooms, particularly in child and TIP cases.

Moving forward, Myanmar's judiciary recognizes the needs for regular, specialized training on legal updates, interpreter-specific training, and deeper ASEAN-level knowledge exchange, including shared web portals and handbooks on court interpretation.

## Singapore

### *Challenges*

Singapore frames judicial capability as an institutional pre-requisite for high quality TIP adjudication. The key challenges are familiar across modern judiciaries. These include the escalating complexity of disputes, rapid evolution of knowledge and skills, use of advanced technology, the need for coordinated and coherent training, and limited time for judges to undertake education amidst caseload demands.

### *Good Practices*

Singapore's response is a systematic judicial education model. Judicial education is treated as essential to judicial competence and legitimacy.

1. Court promotes the development of "learning judges" through a competency-based-framework comprising 14 judicial competencies mapped across three career phases.
2. Training is delivered through a T-shaped curriculum, balancing depth in core judging skills and breadth across emerging domains, and through structured programming (commonly described as 101, 202, and 301 progression)

Table 1. Judicial and Legal Ethics competency.

| Competency | Descriptors | Attributes | Level | KS No | Descriptions | Knowledge & skills items |
|---|---|---|---|---|---|---|
| Judicial and Legal Ethics Relevant Threshold Learning Outcomes: (a) Bench skills (b) Ethics | Demonstrated ability and commitment to: (a) Uphold the dignity of the judicial office (b) Carry out judicial function according to prescribed and normative standards of judicial conduct (c) Exemplify and promote ethical conduct within the judiciary | Independence Impartiality Integrity Dignity Diligence Courage | 1 | 1–1 | Demonstrate high degree of judicial conduct and ethics in the courtroom | Understand and adhere to prescribed codes of judicial conduct and ethics as well as policies and procedures regulating judicial conduct and ethics in the courtroom |
| | | | | 1–2 | Exhibit professionalism outside the courtroom. | Exemplify professionalism in all interactions with colleagues, stakeholders and the public outside the courtroom |
| | | | | 1–3 | Promote ethical legal conduct in the courtroom | Keep abreast of and enforce compliance with professional legal ethical rules and standards by legal representatives in court proceedings |
| | | | 2 | 2–1 | Promote judicial conduct and ethics within the judiciary | Lead by example in encouraging and facilitating compliance with regulated judicial conduct and ethics in the judiciary |
| | | | | 2–2 | Address breaches of judicial conduct and ethics | Identify breaches of judicial conduct and ethics<br>Diagnose the cause of the breach<br>Respond to existing and potential future threats, barriers and obstacles to compliance with regulated judicial conduct and ethics requirements |
| | | | | 2–3 | Resolve ethical issues and dilemmas | Provide clear and practical guidance on resolving ethical issues and dilemmas effectively and decisively |
| | | | | 2–4 | Situate role of judicial conduct and ethics in the broader context of organisational risk management | Identify and mitigate potential impact of non-compliance with prescribed codes of judicial conduct and ethics as well as policies and procedures regulating judicial conduct and ethics to court governance, organisational reputation, risk management and audit compliance policies |
| | | | 3 | 3–1 | Encourage and facilitate discussions on resolving ethical issues and dilemmas | Foster a collegiate environment that encourages discourse and debate on resolving ethical issues and dilemmas |
| | | | | 3–2 | Resolve ethically ambiguous and opaque issues and dilemmas | Provide guidance on, and practical solutions for, resolving ambiguous and opaque ethical issues and dilemmas<br>Transfer and share knowledge on best local and international practices on managing ethical dilemmas[23] |

The lesson is that victim-sensitive adjudication, especially in TIP cases, is not achieved solely by rules or facilities. It requires sustained investment in judicial skills, including trauma awareness, communication, evidentiary reasoning, and technological literacy.

# CONCLUSION

ASEAN Member States have made significant progress in strengthening the adjudication of TIP cases through the adoption of gender-responsive and victim-centred legal frameworks and judicial procedures. These measures promote the effective and efficient administration of justice while ensuring that proceedings remain responsive to the rights, needs, and experiences of victims. In Lao PDR, Malaysia, Myanmar and Singapore, judiciaries have demonstrated a continued commitment to protecting the rights of victims through measures such as confidentiality safeguards and procedures that respond to victims' diverse needs, while upholding the principles of fairness and due process.

At the same time, the evolving nature of TIP continues to present increasingly complex legal and practical challenges. Common challenges identified across the participating AMS include limited infrastructure and resources, language and cultural barriers, and difficulties in securing and enforcing compensation or restitution for victims. These challenges are often amplified in transnational cases involving multiple jurisdictions with different legal systems. Furthermore, the increasing use of digital technologies by traffickers underscores the need for judicial systems to strengthen their capacity to assess digital evidence and effectively adjudicate technology-facilitated trafficking cases.

Addressing these challenges requires innovative and coordinated responses that extend beyond the courtroom. Effective inter-agency collaboration, sustainable and inclusive victim support services, access to legal aid, and strengthened international cooperation are all essential to ensuring meaningful access to justice for victims and enhancing the effectiveness of criminal justice responses.

Greater consistency in judicial practice within countries and greater harmonization of judicial processes across the ASEAN region, can contribute to strengthening regional efforts to combat trafficking in persons and reinforce the principle that ASEAN should not become a safe haven for traffickers. Continuous judicial education and regional knowledge exchange remain equally important and regular collaboration among ASEAN judiciaries, supported by judicial training institutions and development partners, provide valuable opportunities to strengthen professional competencies, share emerging good practices, and keep pace with legal developments, technological advancements, and evolving trafficking trends.

Ultimately, the good practices, challenges, and recommendations presented in this Compendium are intended not as prescriptive standards, but as practical references to support judges and other justice sector stakeholders in strengthening their responses to trafficking in persons. By learning from one another's experiences and continuing to foster regional cooperation, ASEAN judiciaries can further advance victim-centred, trauma-informed, gender-responsive, child-sensitive, and evidence-based approaches that contribute to more effective adjudication of TIP cases and improved access to justice for victims throughout the region.

# ANNEX 1: JUDICIARY PROFILES

## Lao People's Democratic Republic

### I. Overview of the Judicial System of the Lao PDR

The Lao PDR was established on the 2nd December 1975, then the legal system of the Lao PDR emerged and gradually developed by combination of the fundamental civil law system, the significance of the socialist legal system and the tradition of the Lao people's ethnic groups. However, certain significant judgments become precedents by guidance of the President of the Supreme Court. In 1986, the State adopted and proclaimed the new economic mechanism policy which is a milestone history for changing and opening the country to the world. Therefore, it is not only the foreign direct investment, but also the connectivity with other sectors that have been increasing year after year. In order to guarantee that the Government has managed the State and Society by the law, the first constitution was adopted by the Supreme People's Assembly and promulgated by the President of the State on 15th August 1991. However, as the intention and inspiration of the Government, the Lao PDR was proclaimed to be a rule of law State.

According to the court organization law, the current people's court system is composed of the Supreme Court, the local Court and the Military Court. The local people's Court is composed of the People's Zone Court which has limited jurisdiction, the People's Provincial Court, the High Court and the Supreme Court. Unlike other countries, the Lao PDR does not have a specific court, but similarly in order to deal with the specific cases, the Lao PDR has six chambers such as the Criminal Chamber, the Civil Chamber, the Commercial Chamber, the Family Chamber, the Juvenile Chamber and the Labor Chamber. However, the People's zone Court does not have juvenile and commercial chambers meaning that the juvenile and commercial cases can be filed at the Provincial Court as the Court of First Instance.

The People Court's has sought to improve case handling efficiency and effectiveness by increasing the number of courts in order to provide more access to justice; provide training courses for judges to exchange experiences in handling their cases effectively; improving technical management in order to guarantee that all laws are applied in the same way consistently and with uniformity, etc. Regarding mediation, there are three kinds of mediation such as the mediation unit at the village, the office of economic dispute resolution which is under the Ministry of Justice and the mediation process is also handled by judges at the courts.

In terms of human rights protection, it is guaranteed by the law which recognizes international standards of human rights. Therefore, the criminal justice process prioritizes the principle of human rights protection in all proceedings.

### II. Trial Procedure for Trafficking in Persons (TIP) Cases in Lao PDR

*Regulations on Trial Proceedings in the Court of First Instance*

The trial proceedings in the Court of First Instance must be conducted directly, orally, and publicly, or closed to the public in certain cases. It must involve adversarial debate, proceed continuously, and be conducted without any substitution of the judicial panel.

During the trial proceedings in the Court of First Instance, the Court must directly determine the facts of the case by questioning and hearing the testimony of the defendant, the injured party, the civil plaintiff, the civil respondent, witnesses, experts, or technical specialists. The Court must also examine physical evidence and hear the statements of the Head of the Office of the Public Prosecutor, as well as the statements of defence counsel or other legal defenders.

The Presiding Judge of the judicial panel has the duty to conduct the trial proceedings in the courtroom with strict impartiality.

The Presiding Judge shall verify the background and personal history of the defendant, and notify them of the indictment issued by the Head of the Office of the Public Prosecutor and the specific charges against them.

The judicial panel shall hear the testimony of the injured party or civil plaintiff, the defendant, the civil respondent, the defence counsel, witnesses, and other participants in the legal proceedings.

During the trial, the Head of the Office of the Public Prosecutor and members of the judicial panel have the right to ask additional questions to the litigants and other participants in the proceedings, subject to the permission of the Presiding Judge. The judicial panel shall present the pieces of confiscated evidence and exhibits of the case to the courtroom, and then open the floor for adversarial debate.

If there is any substitution or change in the members of the judicial panel, the trial proceedings must be reheard and restarted from the beginning.

*Reading the Indictment Against the Accused*

Before commencing the trial proceedings, the Presiding Judge of the judicial panel shall request the participating Head of the Office of the Public Prosecutor to read aloud the indictment against the accused.

*Methods of Trial Proceedings*

During the trial proceedings, the judicial panel must examine evidence to fully determine the circumstances of each factual event of the offense in the case, in accordance with the established steps of the hearing.

When questioning each individual, the Presiding Judge shall question first, followed by the members of the judicial panel, and thereafter by the Head of the Office of the Public Prosecutor, the defence counsel, or other legal defenders. Members of the judicial panel, the Head of the Office of the Public Prosecutor, defence counsel, or other legal defenders must obtain permission from the Presiding Judge before questioning any participant.

Participants in the trial proceedings have the right to request the Presiding Judge to ask questions regarding specific circumstances in order to clarify the facts of their case.

An expert or technical specialist may pose questions to the participants regarding issues related to providing their professional opinion.

*Examination of the Defendant*

The Presiding Judge shall begin the examination by questioning the defendant regarding their personal history, their acknowledgment of the indictment and charges, and the circumstances of the case. Thereafter, the Presiding Judge must continue the examination regarding any issues that remain unclear, incomplete, or any other pending matters.

In cases involving multiple defendants, the judicial panel must examine them one by one.

If the testimony of the defendants could mutually influence or prejudice one another, the judicial panel must separate the examination of the defendants. In such a case, the testimony of the previous defendant must be disclosed to the separated defendant, who shall then have the right to pose questions to the previous defendant.

The Head of the Office of the Public Prosecutor has the right to question the defendant regarding the circumstances of the case related to the charges against them. The defence counsel or other legal defenders have the right to question and raise issues concerning circumstances relevant to protecting the rights and interests of their client.

Participants in the trial proceedings have the right to request the Presiding Judge to continue questioning regarding circumstances that affect or relate to them.

In the event that the defendant refuses to answer questions, the judicial panel must proceed with questioning other individuals and examining the information and evidence related to the case.

Examination of the Injured Party, Civil Plaintiff, Civil Respondent, Defence Counsel, or Other Legal Defenders

Upon concluding the examination of the defendant, the judicial panel must examine the injured party, the civil plaintiff, the civil respondent, and their defence counsel or other legal defenders. In the event that there are issues that remain incomplete or unclear, or if there are discrepancies in their testimonies, the judicial panel shall continue the examination to resolve them.

*Examination of Witnesses*

The judicial panel must conduct the examination of witnesses one by one in cases involving multiple individuals; by separating the witnesses from each other and ensuring they do not know the substance of the testimonies of other witnesses currently being examined.

During the examination of a witness, the judicial panel must question them to ascertain the relationship between the witness and the defendant or other relevant persons in the case.

The judicial panel shall request the witness to clearly state the circumstances of the case that they know or witnessed, and shall continue questioning on matters that remain incomplete or unclear.

Witnesses who have completed their examination in court must remain in the courtroom to facilitate any additional questioning.

In case of necessity to ensure the safety of the witness or their close relatives, the judicial panel must implement the necessary protective measures as prescribed by law.

*Provision of Opinions by Experts or Technical Specialists*

An expert or technical specialist must attend the court session in accordance with the court summons to provide their opinion to the court regarding the specific matters they were appointed to evaluate or verify.

In the event that the expert or technical specialist is unable to attend the court session, the Presiding Judge must disclose the contents of the expert's or technical specialist's summary report to the courtroom.

The Head of the Office of the Public Prosecutor, the defence counsel or other legal defenders of the defendant, and other participants in the court session have the right to provide opinions on the summary report of the expert or technical specialist, and to ask questions regarding matters that are unclear or inconsistent with the report.

In case of necessity, the judicial panel may request the expert or technical specialist to conduct an additional evaluation or a re-evaluation.

*Presentation of Evidence*

The Head of the Office of the Public Prosecutor, the defendant, the defence counsel, or other participants shall present their opinions regarding the physical evidence.

Physical evidence, photographs, audio or video recordings, or written records must be exhibited or presented in the courtroom.

The judicial panel must verify the authenticity, consistency, and relevance to the case of all evidence exhibited or presented in the courtroom.

*Conclusion of Trial Proceedings*

In the event that all circumstances of the case are deemed to have been fully examined in the courtroom, the Presiding Judge must ask the participants in the court session whether there is any other evidence they wish to present or any further issues they want examined. If there are still justifiable requests or questions, the judicial panel shall continue the examination until all matters are clear and complete.

If there are no further requests or questions, the trial proceedings shall be deemed concluded.

## III. Judgeship Qualifications and Requirements in Lao PDR

Judges are divided into four ranks: Fourth level Judges, Third Level Judges, Second Level Judges and, First Level Judges, with the Fourth Level being the highest rank and First Level being lowest. Under Article 19 Law on Judge, First Level Judges are appointed once, but must pass an examination first, and achieve Second and Third Level rank through promotion.

Becoming a judge first requires a basic law qualification, either a higher diploma in law on a course currently run by the National Institute of Justice (NIJ) at its Vientiane training centre or one of its regional campuses or a Bachelor of Law degree from a recognized institution such as the Faculty of Law and Political Science (FLP), the National University of Laos or Champasak University. Aspiring judges also need to have been a Judicial Assistant for a minimum of three years.

**JUDGESHIP STANDARDS**

The overall standards for judges are outlined in Article 13 of the Law on Judges:

a. Be a Lao citizen and be at least twenty-five years of age;
b. Be allegiant, have strong political commitment, and clearly distinguish between friends and enemies, be conscientious, disciplined, able to keep good confidentiality, unbiased towards litigants and other persons;
c. Be qualified, have integrity, be just, give respect, and strictly implement the Constitution and Laws;
d. Be against corruption including the offering or taking of bribes, and not using their powers beyond its scope;
e. Be able to look at problems in-depth, be deliberate, objective, unprejudiced and perceptive, be able to analyze the evidence clearly and correctly, be conscious, be brave in thinking, doing, taking responsibility and changing weaknesses;

f. Have at least an upper-level professional education in Law, have attended a course for judges, and have trained in Political Theory and Public Administration;
g. Have never received a penalty for a criminal action;
h. Be computer literate;
i. Possess foreign language competency;
j. Be in good health.

Article 14 of the Law on Judges sets out the specific standards for a First level Judge:

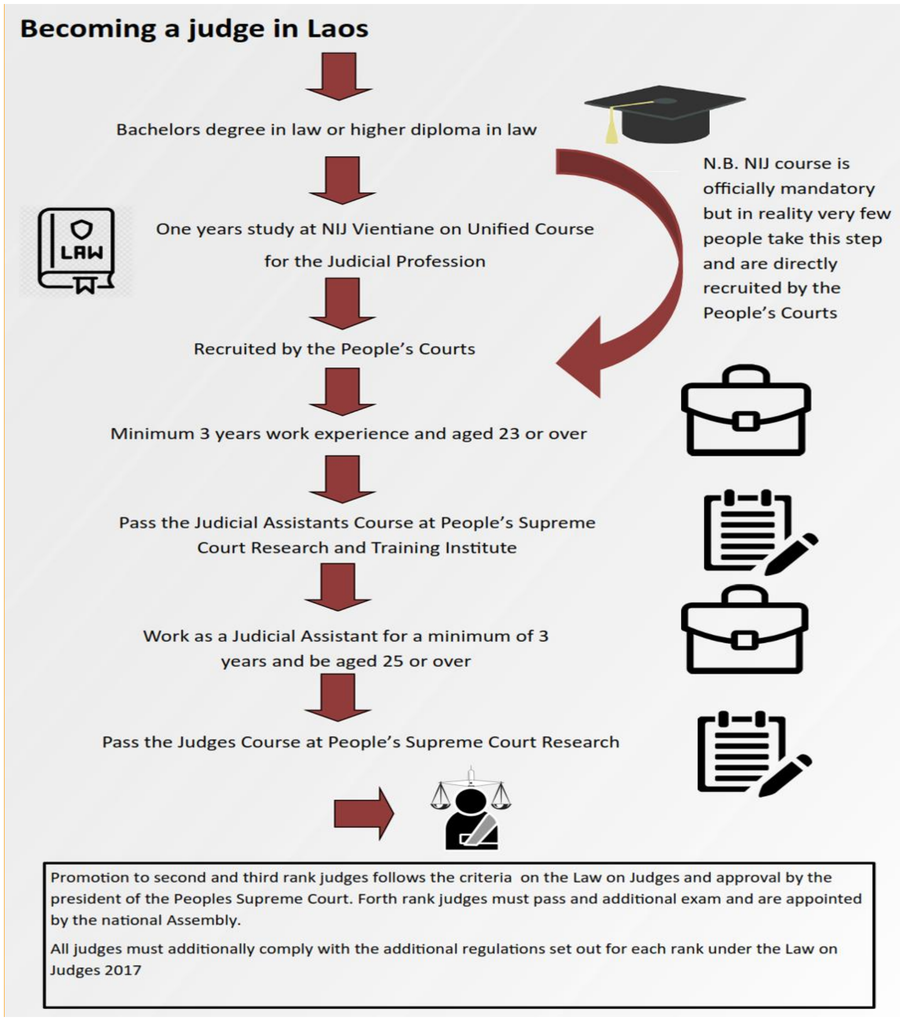
a. Be at least twenty-five years of age;
b. Have passed the First Level Judges examination.

Article 19 of the Law on Judges sets out the criteria for the First Level Judge examination:

a. Have been appointed as a Judicial Assistant for three or more years;
b. Have Performance Evaluation Certificate of being a Judicial Assistant;
c. Have the Decision from the President of the relevant People's Courts with the agreement of the presidents.

Second and Third Level Judges are promoted from First or Second Level Judges by the President of the Supreme People's Court with the agreement of the General Assembly of Judges and must also meet specific criteria set out in Article 13 of the Law on Judges. Fourth Level Judges are appointed by the Standing Committee of the National Assembly based on a proposal of the presidents of the Supreme People's Court, although they must have first passed the Fourth Level Judges examination specified in Article 17 of the Law on Judges. Under Article 15, only the following are eligible to take this exam:

a. Has been a president or vice-president of the Regional People's Court, Deputy-Chief of high Military' Court, Chief of the Regional Military' Court, President of the Provincial, City People's Courts or have at least five years' experience as Judges Three;
b. Have a Performance Evaluation Certificate;
c. Have been proposed by the Presidents of relevant People's Courts;
d. Have the agreement of the Presidents of the Supreme People's Court with the agreement of the General Assembly of Judges.




## IV. Overview of the Judicial Research and Training Institute of Laos

### *Introduction*

The Judicial Research and Training Institute was established in 2009 under the provisions of Article 35 of the People's Court Law (Act no. 163/PO of 2009) as a training facility affiliated with the People's Supreme Court of Lao PDR. The institute is in charge of the research and training of judges, assistant Judges, and court clerks, as well as the judicial training of legal apprentices. The lecturers of the Institute carry out research and training activities under the control of the General Director of the Judicial Research and Training institute.

Judges and assistant judges pursue judicial work abiding by the constitution, laws and their own conscience, as bearers of judicial power (Article 90 of the Constitution) and thus, they are required to have not only the expertise and ability relating to judicial practice but also a good legal education. In order to support the judiciary in cultivating themselves and acquiring these accomplishments while engaging in their daily duties, the Institute implements various research and training courses. In Lao, those who wish to enter the legal profession or judgeship must first pass law school. Secondly, they must work in the court for at least 3 or 4 years, then pass the assistant judge training course. Finally, they must complete the requisite judiciary training and pass the examination. When they pass the examination in the judges training, they will be appointed as judges. The Institute also takes charge of implementing and managing the training of legal apprentices for judges, assistant judges, court clerks, and court officials.

***History of the Judicial Research and Training Institute***

On 15 August 1982, the second legislature of the National Assembly issued the Decision on establishing under the Ministry of Justice what was called as the "Judge Training Center", which only served as a facility in charge of research and training for judges and court clerks.

At the end of 2009, there was a restructuring of the People's Supreme Court, which upgraded the Judge Training Center into the Judicial Research and Training Institute (JRTI) with mandated rights and duties more clearly defined as a research and training institute.

Referring to Article 35 of the Law on People's Supreme Court No. 37/NA Standing Committee of 2011 on organization and operation of People's Supreme Court and the Instructions No. 23/2PSC, dated 16 May 2011 of the President of People's Supreme Court on organization and operation of the Judicial Research and Training Institute, the organizational structure of the JRTI was defined as a Research and Training Institute of the People's Supreme Court, mandated as assistant to the management of People's Supreme Court in training and capacity building for court's officials particularly Judges, Assistant Judges and Court Clerks.

***Training and Curriculum of Assistant Judges***

After having served as legal technical officers in the People's Court for two or three years since their first appointment, legal technical officials participate in the training curriculum of Assistant Judges to be appointed as Assistant Judges which support their independent and self-sustaining development, through self-cultivation activities. The legal technical staff, after completion, participate in the training curriculum of Assistant Judges. They are appointed as the Assistant judge by the President of the Supreme People's Court. This training course is to enable the participants to understand the basic knowledge and skill required in judicial practice. The training curriculum of Assistant judges has the following:

1. Basic Theory covers 10% and includes:
    - Understanding political system;
    - Moral of Judicial officer;
    - Ethics of Assistant Judges;
    - Humanitarian; and
    - International cooperation in proceeding.
2. Technical Subject covers 30% and includes:
    - Study of case files, techniques (civil, criminal and juvenile cases);
    - Method of summarizing the case; and
    - Writing judgment (civil, criminal and juvenile cases).
3. Practical learning

After completion, the trainees will conduct real practice by studying case files, taking testimony, mediation, mock trials and writing the judgment. This curriculum is an introductory training course upon assuming new duties or posts. After these introductory training courses, the Institute continues to support their independent and self-sustaining development by holding workshops, which focus on field-specific judicial issues.

Training and Curriculum of Court Clerk

Court clerk need the expertise and ability relating to cases procedure of people's court  due to the Court Clerk have important role in contribution of hearing in the court aim to protecting the socio-economic regime, [protecting] the property rights of the State and collectives, [and] the legitimate rights and interests of organizations, enterprises and citizens; enhancing the use of legislation; eliminating and preventing the violation of laws; educating the citizenry to strictly respect and implement the laws; and creating conditions for citizens to contribute to the national socio-economic development.

With the goal of firmly establishing the foundation for their role as Court Clerk and making the necessary preparation to acquire expertise, Court Clerk need to participate in training courses which support their independent and self-sustaining development, through self-cultivation activities and work skill due to the Court clerk relating to cases procedure of people's court in the beginning until the end. This training course is to enable the participants to understand the basic knowledge and skill required in judicial practice the curriculum of Court Clerk had following:

1. Basic theory cover 10%; including:
    - Hospitality and Service for parties;
    - Ethnics of Court Clerks;
    - Basics of Constitution Law;
    - Basics of Court Clerks;
    - Law on People's Court Law;
    - Basics of Law on Civil Procedures;
    - Basics of Law on Criminal Procedure;
    - Basics of Law on Juvenile Procedures;
    - Law on Court Fee;
    - Case Management.
2. Technical subject cover 30%, including:
    - Methodology for monitoring the Claim and other documents of Court;
    - Methodology for Acceptance of Claim and Compounding the Case Files;
    - Methodology for Exhibits protection; Methodology for Testimony Record; Methodology for Delivery of Summons;
    - Techniques on documents Arrangement in the Case files;
    - Method of the Collection and Management of Court Fees;
    - Method of Coordination among Judges and Court Clerk in Case Proceeding;
    - Method of Opening trail Preparation and participation of Court Clerk in the hearing Court Room;
    - Techniques of Court's Statistic report.
3. Practical learning cover 60%

After the trainees complete the study of basic theories and technical subjects they will conduct real practice such as compounding case files, note taking, opening trial preparation, summarizing court statistics, delivery of case files, and summarizing court fees in order to upgrade their knowledge, expertise and ability in the case proceedings.

***Short-term Training Course***

In addition to Field-Specific Workshops, the Institute also organizes training programs in order to study various issues surrounding courts, without categorizing them by field. Workshops on Foundation of Justice aim to investigate the interaction between judicial practice and society as well as the socio-economic structures underlying the cause of disputes. Through these Workshops, judges are expected to have broader perspectives and deeper insights.

The curricula of these workshops contain a variety of activities, such as panel discussions, field visits and lectures, and a wide range of topics covered, for example, human rights, urban problems, and mental and physical health.

Special Workshops are also held to provide training on how to deal with organizational problems within the courts and training for judges who are dispatched to teach as professors in law schools.

## Malaysia

**I. Brief Background on the Court System of Malaysia**

Malaysia's civil court system is structured into five (5) tiers, divided between Superior/Apex and Subordinate courts.

Within the superior court level, the highest court is the Federal Court. It is the final appellate body in Malaysia, exercising original jurisdiction over constitutional matters and advisory jurisdiction for the King (YDPA).

Below it sits the Court of Appeal, an intermediate appellate court that hears appeals from the High Courts.

Thirdly, the High Courts that comprise two (2) courts of coordinate jurisdiction: The High Court in Malaya (in Peninsular Malaysia) and the High Court in Sabah and Sarawak. These High Courts handle serious criminal cases, including those punishable by death, and civil claims generally exceeding RM1,000,000. High Court Judges are stationed in every State of Malaysia. The High Courts also hear all appeals from the Subordinate Courts (from the Sessions and Magistrate Courts within their States).

Fourthly, the Sessions Courts are presided over by Sessions Court Judges stationed in various districts across the 13 States and Federal Territories of Malaysia. They hear civil claims up to RM1,000,000 and most criminal offenses except those punishable by death.

In Malaysia, there are Specialised Sessions Courts that handle specific types of cases to improve the criminal justice system such as corruption, cyber and including one that handles cases related to Trafficking in Persons (TIP) located in Klang, Selangor. These courts aim for a more efficient and effective judicial process which often involve complex dynamics and require a trauma-informed approach to supporting survivors. The goal is to ensure Sessions Court judges handling these cases have relevant expertise and a consistent understanding of the specific laws, such as ATIPSOM 2007.

Fifthly, the Magistrates' Courts deal with minor civil and criminal matters. Magistrates are stationed in specific districts and exercise local jurisdiction over their assigned areas.

The Malaysian legal system utilises an adversarial system for both criminal and civil cases. The judge acts as a neutral referee or 'umpire.' Their primary role is to ensure procedural fairness, rule on the admissibility of evidence without actively participating in the fact-finding process and render a decision based solely on the evidence presented.

Both civil and criminal trials follow a strict three-stage witness examination process that is Examination-in-Chief (The party calling the witness extracts relevant facts), Cross-examination (The opposing party challenges the witness's credibility and accuracy) and Re-examination (The original party clarifies discrepancies arising from cross-examination).

For TIP cases which are criminal in nature, the parties (the Prosecutor and the Defence Counsel) have primary control. They decide which witnesses to call, what evidence to present and lead the examination and cross-examination. The responsibility for investigating facts, gathering evidence and presenting the case rests entirely with the parties. Prosecution is responsible for choosing which witnesses to call and which evidence to present to prove the charge. The Defence Counsel is tasked with challenging the prosecution's evidence, often through the "art of cross-examination" to cast reasonable doubt as the accused is presumed innocent until proven guilty. It is the duty of the Prosecution to prove the case beyond reasonable doubt. The prosecution carries the legal burden of proof throughout the trial and must prove every element of the charge to this high standard for a conviction.

**II. Trial Procedure for Trafficking in Persons (TIP) Cases in Malaysia**

A. Pre-Trial

1. Once TIP investigation started, the Investigating Officer (IO) will apply for an Interim Protection Order (IPO) for the victim from the Magistrate[28]. The TIP victim will be placed in a Safe House.
2. A report made by the Protection Officer will be referred to the Magistrate for an extension Protection Order if it is satisfied that the person/persons are trafficked. TIP victim will continue to stay in the Safe House[29] pending trial/ testifying in court.
3. An early Pre-Trial Case Management (PTCM) date is given once the accused had appointed his/her Defence Counsel. The trial shall commence not later than ninety days from the date of the accused being charged[30]. Speedy disposal is warranted for ATIPSOM cases.
4. For child/ sensitive TIP victims that require the presence of a support person in the court room, Victim Liaison Officer (VLO) services may be provided upon request (usually by the Prosecutor).
5. To assist with familiarisation with the court environment, pre-trial court visits are allowed.
6. During the investigation, a deposition of the trafficked person can be recorded by a Sessions Court Judge or Magistrate in Malaysia, or a consular or judicial officer of a foreign country outside of Malaysia.[31] The section applies when the trafficked person has been subject to a removal order by the Director General under the Immigration Act 1963 or the person cannot be found typically because they have been repatriated to their home country.
7. The deposition need not be made in the presence of the accused and is prima facie evidence of any fact stated. This section is an exception to the general hearsay rule under the Evidence Act of Malaysia. The Federal Court has also affirmed that this section is constitutionally valid given the unique circumstances of ATIPSOM cases.[32]
8. Medical examinations and evidence collection must be performed thoroughly and with sensitivity towards the child. Strict adherence to the Ministry of Health's *Comprehensive Guidelines for Management of Suspected Child Abuse and Neglect (SCAN)* and the *One Stop*

[28] Subsection 44(2) of ATIPSOM 2007.

[29] Section 51(3) (a) and Section 51(4) of ATIPSOM 2007.

[30] Subsection 172B (4) of Criminal Procedure Code [Act 593].

[31] Section 61A of ATIPSOM 2007.

[32] Ketheeswaran a/l Kanagaratnam & Anor v Public Prosecutor [2024] MLJU 8.

*Crisis Centre Policy and Guidelines* is mandatory. A police officer should be present to take custody of evidence and ensure the chain of evidence is maintained, but this officer should not be in the examination room or directly observe the examination.

9. Foreign nationals who are under Protection Orders may also be allowed to move freely and obtain permission to work subject to the ATIPSOM (Permission to Move Freely and to Work) (Foreign National) Regulations 2016. These foreign nationals are subject to an expert risk assessment and conditions set by the Council, to receive a Special Pass regularising their immigration status and, where approved, permission to work for up to three years, with their employer required to obtain a Visit Pass (Temporary Employment) and the relevant Magistrate then revoking the interim protection or Protection Order once that employment pass is granted.

B. During Trial

1. Evidence of the victim is prioritised:
   - Service of trained interpreters is provided by the Court (not by the Prosecutor nor the Defence).
   - Recording of evidence of trafficked person[33]: the recording of TIP victim's evidence <u>must be completed within seven (7) days</u> from the date of production of TIP victim before the Sessions Court Judge (SCJ).
   - Live video-links, pre-recorded statements (Child Interview Centre (CIC).[34] evidence), use of screen/ board as a shield (in older court buildings) for the child victims and depositions for an adult victim allow them to testify without facing the accused directly.
   - Trials involving child witnesses in sensitive cases like TIP often use in-camera (closed-door) proceedings or special measures like video links and screens to protect the child from trauma, intimidation, and to safeguard their identity, prioritizing their well-being and ensuring they can give evidence effectively.
   - To reduce stress and trauma for child witnesses and help them provide the best possible evidence, SCJs and lawyers are expected to adapt their interaction style; this may include wearing less formal attire, such as business suits instead of full robes, to make the child more comfortable.
   - The Malaysian court also provides the Malaysian Mobile Court Programme, which consists of three components: The Vehicle of Nationwide Justice[35] (VNJ), the Vehicle of Meaningful Redress[36](VMR) and the Victims' Nexus to Justice[37] (VNEJ).
   - TIP victims hold immunity from prosecution in respect of their illegal entry, period of unlawful residence, or procurement/possession of any fraudulent travel or identity document, where such acts are a direct consequence of their being trafficked[38].

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[33] Section 52 of ATIPSOM 2007.

[34] CIC evidence refers to evidence gathered or recorded at a Child Interview Centre (CIC). These specialised centres, managed by the Royal Malaysia Police (PDRM) under the D11 Division are designed to be child-friendly and minimise trauma for victims or witnesses under the age of 18.

[35] A "motolori" (modified truck) that serves as a mobile courtroom. It is equipped to handle and hear civil and criminal proceedings for Sessions and Magistrates' Courts in remote or underserved areas.

[36] A specialised vehicle provided to transport child witnesses and victims of crime from their homes or temporary residences to the court for proceedings.

[37] A "motorvan" modified into a mobile witness room for children. It allows child witnesses, particularly in sexual offense cases, to testify remotely via live link from the van (parked at a safe location like their home or a police station) without entering a formal court building.

[38] Section 25 of ATIPSOM 2007.

- Victim Impact Statements are admissible in court. They allow TIP victims to include details regarding the loss of wages or specific damages they have suffered as a result of the crime[39].
- It is a punishable offense to breach a victim's identity once a trial begins. Media reporting is strictly prohibited from revealing names, addresses, or any details that could identify the victim[40].

C. Post -Trial

1. Compensation and restitution
   - Regardless of whether the accused is convicted, a TIP victim may recover arrears of wages through an inquiry conducted by the SCJ within seven days of the decision being pronounced[41].
   - A criminal court's order for compensation does not take away the victim's right to sue the trafficker privately in a civil court for damages (such as personal injury, trauma or breach of contract)[42].
   - Though victims are increasingly encouraged to use both pathways to ensure they receive full financial restitution for their ordeals, at present, legal assistance is not provided by the Malaysian Government for the initiation of the civil litigation (private suit).
2. Decisions and Grounds of Judgement (GOJ) for TIP cases by all courts are published in the e-Judgment Portal accessible to the public. The TIP victim’s identity is redacted before Decisions and GOJs are published.
3. Statistics for all cases, including TIP cases, are compiled from all Subordinate Courts for monthly assessment by the Office of the Chief Registrar of the Federal Court of Malaysia. This practice aims to ensure the speedy disposal of trials and the administration of justice.

**III. Judgeship Qualifications and Requirements in Malaysia**

A. Judgeship requirements and qualifications are carefully defined under the Federal Constitution and related statutes to ensure that only individuals with the necessary expertise, integrity and experience preside over cases. This framework is particularly critical in sensitive areas such as offences under ATIPSOM 2007, where the gravity of the crimes demands judicial competence and impartiality.

B. Judicial responsibility for ATIPSOM offences is divided between Subordinate Courts and the High Courts. SCJs handle trafficking in persons cases, while High Court Judges hear matters involving the smuggling of migrants. Magistrates preside over various applications related to investigation and victim protection. This allocation of jurisdiction reflects both the distinct nature of these offences and the varying complexity of cases brought under ATIPSOM 2007.

C. To be appointed as a judicial officer or judge, an individual must be an adult Malaysian citizen. At the entry level, Magistrates must possess a law degree from certified higher learning institutions or a Certificate in Legal Practice. Appointments are made through the Judicial and Legal Service Commission, established under Article 138(1) of the Federal Constitution and tasked with appointing judicial and legal officers, overseeing promotions and enforcing discipline. The Commission is chaired by the Chairman of the Public Service Commission and includes the Attorney-General of Malaysia and members appointed by the Yang di-Pertuan Agong, typically drawn from experienced individuals in the judiciary and legal profession.

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39 Section 183A of Criminal Procedure Code [Act 593].

40 Section 58 of ATIPSOM 2007.

41 Section 66B of ATIPSOM 2007.

42 Section 66A(5) of ATIPSOM 2007.

D. SCJs are senior judicial officers appointed from within the judicial and legal service. While no minimum service period is statutorily required, SCJs typically possess at least fifteen years of experience as judicial or legal officers, which may include service as Magistrates, deputy public prosecutors or legal drafters. This substantial experience ensures that SCJs are well-equipped and competent to adjudicate serious offences such as those under ATIPSOM 2007, which require greater legal expertise and judicial acumen than cases typically handled at the magisterial level.

E. The appointment of judges to the superior courts -the High Court, Court of Appeal and Federal Court -is governed by Articles 122B and 123 of the Federal Constitution. Pursuant to Article 122B, the Yang di-Pertuan Agong appoints these judges on the Prime Minister's advice and after consulting the Conference of Rulers. To qualify, under Article 123, a candidate must be a Malaysian citizen with at least ten years of experience either as a lawyer, a member of the judicial and legal services or a member of a state's legal service.

F. Further, the Judicial Appointments Commission Act 2009 [Act 695] is an Act to provide for the establishment of the Judicial Appointments Commission in relation to the appointment of judges of the superior courts, to set out the powers and functions of such Commission, to uphold the continued independence of the judiciary, and to provide for matters connected therewith or incidental thereto. Under the Act, the Judicial Appointments Commission (JAC) evaluates and selects candidates for recommendation to the Prime Minister, who then advises the Yang di-Pertuan Agong on the appointment of judges. The JAC comprises nine members: the four most senior judges, including the Chief Justice who chairs the Commission, a Federal Court judge and four eminent persons not affiliated with the executive or public service, all appointed by the Prime Minister.

G. The JAC assesses candidates against ten essential qualities, including integrity, legal knowledge and ability, professional experience, diligence, health, suitable judicial temperament and financial responsibility. These comprehensive criteria ensure that appointees to the superior courts possess not only the requisite legal expertise but also the character and judgment necessary to adjudicate complex and sensitive cases. This multi-layered system combining constitutional requirements, JAC scrutiny and executive appointment seeks to balance judicial competence and integrity with independence from political pressure, thereby maintaining public confidence in Malaysia's judiciary.

## IV. Overview of Malaysia’s Judicial Training Infrastructure and Policy

A. Malaysia's judicial system has long recognised the critical importance of continuous professional development for its judges and judicial officers. The establishment of three key institutions reflects the judiciary’s commitment to professionalism and competency – the *Akademi Perundangan Negara* or National Legal Academy (APN) in Bangi, the Judicial Academy of Malaysia and the Strategic Development, Training and Corporate Communication Division, Office of the Chief Registrar of the Federal Court at the Palace of Justice in Putrajaya.

B. Akademi Perundangan Negara (APN)

Since its establishment in 1993 as *Institut Latihan Kehakiman dan Perundangan* (ILKAP) or the Judicial and Legal Training Institute or the Academy has served as the primary centre for enhancing the skills and knowledge of judicial and legal officers, and enforcement personnel in Malaysia. Its transformation into the APN in June 2025 marked a significant milestone in Malaysia’s legal education landscape. The rebranding reflects a more comprehensive approach to judicial and legal training, extending its reach to a broader spectrum of legal professionals. Located in Bandar Baru Bangi, Selangor, the APN building has long functioned as more than a training facility. Equipped with a library, lecture halls, and a moot court, its spaces have been instrumental in fostering an environment conducive to legal research, policy development, and professional networking.

C. Judicial Academy of Malaysia

The Judicial Academy of Malaysia or *Akademi Kehakiman* was formally established in December 2011 under the auspices of the JAC. The Academy operates under the supervision of a Judicial Academy Committee, which is chaired by the Chief Justice of Malaysia. The Committee comprises distinguished members of the judiciary, including the President of the Court of Appeal, the Chief Judge of the High Court of Malaya, the Chief Judge of the High Court of Sabah and Sarawak, and selected judges from the Superior Courts.

The Committee operates through two specialised units: the Training Committee and the Publication Committee, enabling focused attention on the Academy's dual objectives of legal education and publication. The Judicial Academy is mandated to ensure that judicial training for Superior Court judges is strategically planned and systematically delivered through carefully designed training modules, which contribute to the body of judicial knowledge and support the continuous professional development of Malaysia's judiciary.

In December 2025, the Judicial Academy in collaboration with the United Kingdom Judicial College had organised a Judicial Training Programme on Trafficking in Persons to fulfil the objectives of providing guidance and training from an international perspective to enable Malaysian judges and judicial officers to better appreciate the various circumstances and issues arising out of TIP cases.

D. Strategic Development, Training and Corporate Communications Division, Office of the Chief Registrar of the Federal Court

This Division in the Office of the Chief Registrar of the Federal Court plays a complementary role to the APN. One of its key functions is to act as an intermediary between judicial officers and the APN, facilitating applications for training and identifying suitable officers to serve as trainees and speakers for APN courses. Beyond this, the Division is also tasked with organising specialised programs, including legal training, leadership development and technical training for court officers and support staff.

The Division works in tandem with APN to strengthen professional competence and reinforce public confidence in the country’s judicial system through capacity building within the judicial and legal services specifically for SCJs, Magistrates and Prosecutors.

Amongst the in-house training courses are the Refresher Course on Anti- Trafficking in Persons and Anti-Smuggling of Migrants and the Course on Interim Protection Orders and Protection Orders Under the Anti-Trafficking in Persons and Anti-Smuggling of Migrants Act 2007 for Magistrates conducted in 2023.

## Myanmar

**I. Background on Myanmar's Court System**

***Brief History of Myanmar's Judiciary***

The Dhammathats, Myanmar's ancient legal codes, form the foundational heritage of the nation's judiciary, gifting it a lasting tradition of law and order and providing a cultural bedrock that persisted despite colonial imposition.

The post-independence era (1948–1962) stands out as a period of immense potential. During this time, the successful establishment of the Supreme Court and High Court demonstrated a functioning, independent democracy, setting a gold standard for judicial fairness that remains an aspirational benchmark. Although the subsequent socialist era, aligned with the 1974 Constitution's court system, represented an attempt to achieve greater popular accessibility through mandatory public participation, the system was later fundamentally reformed. The transitions that followed 1988, formalized by successive Judiciary Laws (1988, 2000), were not simple reversals, but calculated moves toward re professionalization and the reinstatement of a formalized, hierarchical court structure designed to re-embrace procedural predictability.

The current system, now fully enshrined in the 2008 Constitution and the Union Judiciary Law 2010, establishes the Supreme Court of the Union at the apex of a clear, modern judicial framework. This structure provides the necessary institutional architecture for the development of the rule of law. Ultimately, every current effort by legal professionals, educators, and civil society to strengthen judicial capacity, promote transparency, and advocate for human rights is an essential act of building upon this deep, complex, and evolving legal foundation.

***The Hierarchy of Courts in Myanmar***

The judicial power of the Union of Myanmar is shared among the Supreme Court of the Union, High Courts of the Region and the State, and Courts at different levels according to Article 18 of the Constitution of the Republic of the Union of Myanmar (2008). It means that the different levels of Courts are formed under the 2008 Constitution and the Union Judiciary Law (2010). The following courts stand as the main judicial organ to ensuring the administration of Justice and resolving the judicial matters within the country:

1. Supreme Court of the Union
2. High Courts of the Region and the State
3. District Courts, Courts of Self-Administered Division and Zone
4. Township Courts
5. Other Courts constituted by law

***Supreme Court of the Union (USC)***

The Supreme Court of the Union (USC) functions as the highest court within the judicial system, as stipulated by Section 8 of the Union Judiciary Law. Its preeminence remains unqualified by the distinct jurisdictions reserved for the Constitutional Tribunal and the Courts-Martial. Crucially, selected judgments and rulings delivered by the USC are binding precedents for all subordinate courts across the entire Union.

***Composition and Administration***

The composition of the Supreme Court is established by Section 299(B) of the 2008 Constitution, which mandates the appointment of a minimum of seven and a maximum of eleven Justices, including the Chief

Justice of the Union. Currently, the Court operates at its maximum authorized capacity with eleven Justices.

Beyond its primary judicial role, the USC serves as the ultimate administrative authority for the entire court system. It is charged with the administration and supervision of all subordinate courts throughout the Union. Furthermore, the Supreme Court possesses the legislative mandate to submit proposed bills concerning judicial matters to the Pyidaungsu Hluttaw, the Union's legislative body, subject to prescribed terms and limitations.

***Jurisdiction and Scope of Authority***

The Supreme Court of the Union is definitively the final court of appeal. Its jurisdiction is comprehensive, encompassing the adjudication of original cases, appeals, and revisions across both criminal and civil matters. This includes the power to confirm death sentences.

Furthermore, USC exercises the power of issuing various kinds of Writs. This power is not exclusive, as other courts may also issue orders of a writ like nature in accordance with the law; however, the SCU maintains the ultimate authority in this domain. Cases are heard either by a single Justice, a bench of multiple Justices, or by the Full Bench, depending on the complexity and significance of the matter.

***Exclusive Matters***

The USC holds exclusive jurisdiction over several critical and high-level disputes:

- Bilateral Treaties: Matters arising directly out of bilateral treaties 3 concluded by the Union.
- Inter-Governmental Disputes: Non-constitutional disputes between the Union Government and a Region or State Government.
- Constitutional Issues: Constitutional problems arising among the Regions, among the States, or between a Regional and a State Government.
- Statutory Mandates: Other matters explicitly prescribed by law.

***The High Courts of the Regions and the High Courts of the States***

The High Courts of the Region or State constitute the second highest tier of the Union's judicial hierarchy. This level is composed of a total of fourteen courts: seven High Courts for the Regions and seven for the States.

***Composition and Administration***

Each High Court is headed by a Chief Justice. The complement of judges is variable, dictated by the respective court's workload, ranging from a statutory minimum of three to a maximum of seven, as prescribed by Section 308(A)(2) of the 2008 Constitution. Administratively, the High Court bears the responsibility of supervising the judicial matters of all subordinate courts located within its designated Region or State jurisdiction. This supervisory function is performed in accordance with the guidance and oversight provided by the Supreme Court of the Union.

***Jurisdiction***

As outlined in Section 306 of the Constitution, the High Courts possess a broad jurisdiction encompassing original cases, appeals, and revisions for both criminal and civil matters, in addition to other issues prescribed by law.

Specifically, the Courts exercise criminal original jurisdiction as mandated by legislation. Their civil original jurisdiction is defined by the value of the suit, covering cases with a valuation exceeding 5,000 million Kyats up to an unlimited amount. Adjudication of cases in the High Courts may be handled by a single judge or, when deemed necessary, by a bench consisting of more than one judge.

***District Courts, Courts of Self-Administered Division and Zone***

The District Courts and the equivalent Courts of Self-Administered Division and Zone form the intermediate judicial level immediately subordinate to the High Courts.

***Composition and Authority***

District Courts are staffed by a hierarchy of judicial officers—the District Judge, Additional District Judge, and Deputy District Judge—all of whom are appointed by the Supreme Court of the Union. Correspondingly, Courts of Self-Administered Division and Zone are headed by a Judge of Self-Administered Division and Zone and a Deputy Judge of Self-Administered Division and Zone. These courts share administrative responsibility for the tier below them. Specifically, the District Courts and the Courts of Self-Administered Division and Zone are responsible for supervising the judicial matters of all Township Courts within their respective jurisdictions. This oversight is exercised in accordance with the guidance provided by both the Supreme Court of the Union and the relevant High Courts.

**II. Myanmar's Trial Procedure for Trafficking in Persons (TIP) Cases**

In the criminal proceedings, the Judge can try a case according to law in one of the three trials: (a) Summons Trial[43], (b) Warrant Trial[44] and (c) Summary Trial [45].

Trafficking in Persons (TIP) cases are not governed by sui generis procedural rules. Instead, such prosecutions adhere to the warrant trail [46]4 protocols stipulated in the Code of Criminal Procedure, analogous to other criminal offenses carrying a penalty of imprisonment exceeding six months.

Conversely, the Prevention and Suppression of Trafficking in Persons Law (2022) mandates special measures for victim and witness protection in alignment with policies established by the Central Body. To implement this protection and assistance framework, the relevant working committee, coordinating with the Supreme Court of the Union and other relevant governmental and non-governmental organizations, is mandated to:

a. take measures to keep information on personal safety of victims and their families, and their personnel data and information confidential, and not to disclose and leak such confidential information with regard to legal proceedings for trafficking in persons;
b. take measures to hold a trial in camera if the relevant Court thinks that the trial should not be held in public for the dignity of and physical and psychological safety of trafficked women and children, or by the request of the victims;
c. not allow to view copy, and disclose facts, papers in the case file and documents with regard to victims by any means except as permitted by law;
d. issue a press release, and disseminate information with regard to trafficking in persons in accordance with the existing laws; and
e. provide necessary protection for victims of and witnesses for trafficking in persons against intimidation and harm, who come to testify in a Court. In courts of original criminal jurisdiction,

[43] Section 241 to 249 of the Code of Criminal Procedure.

[44] Section 251 to 259 of the Code of Criminal Procedure.

[45] Section 260 to 263 of the Code of Criminal Procedure.

[46] Warrant trial procedure mandates that the prosecution adduce evidence until the witness list is exhausted or a Prima-facie case warrants framing a charge. The accused enjoys the right to cross-examine prosecution witnesses ante and post charge, including the provision for adjournments to exercise this right. Strategically, if cross-examination yields sufficient rebuttal material, the presentation of affirmative defense evidence becomes inadvisable."

judgment must be pronounced in open Court either immediately following the termination of the trial or on a subsequent date, provided due notice is furnished to the parties or their pleaders[47].

**III. Judgeship Qualifications and Requirements in Myanmar**

The entry point of the Myanmar Judicial Service is the position of Deputy Township Judge (Judicial Officer Grade-4) at the level of the Township Court, which serves as a court of first instance. Appointments to this position are made by the Supreme Court of the Union, and the selection process is typically competitive and merit-based.

The fundamental qualifications for a Deputy Township Judge include:

1. Educational Qualification: Candidates must hold a Bachelor of Laws (LL.B) degree from a recognized Myanmar University.
2. Age Limit: For entry-level positions, candidates are generally required to be less than 25 years of age for civilians and fewer than 27 for public service personnel.
3. Examination: Candidates must pass the Judicial Service Examination, conducted by the Supreme Court of the Union or the Public Service Commission typically covering Myanmar and English language proficiency, law, knowledge and a psychological assessment.
4. Personal Interview: Interviews are conducted to evaluate the candidate's personality, ethical standards, and overall suitability for judicial service.
5. Background Check: Candidates undergo a thorough scrutiny process to ensure good moral character and the lack of a criminal record.

Candidate selection begins with a mandatory writing test. Successful candidates face a psychological test compulsorily and they then have to sit for a personal interview conducted by the board consisting of Justices of the Union Supreme Court and senior officials. Those who pass both examinations and tests must undergo a medical fitness check to ensure suitability for national civil service. The selected candidate is appointed as **Deputy Township Judge (Judicial Officer Grade-4)** and immediately commences training (so called wide induction program) for three months at the Judicial College, situated in Nay Pyi Taw. This training includes lectures by Justices, senior judicial officials and outside lecturers, individual and group discussions by the trainee, submission term papers, writing test, mock trials and finally court-visit for observing court practices. Then the recruited judges have to attend the Civil Service Academy (Union Civil Service Board). 2

Upon appointment, the Deputy Township Judges begin their service at the township level. After completing five years of service, they may become eligible for promotion to **Township Judge/Additional Township Judge (Judicial Officer Grade-3, Gazetted Officer Level)**. The promotion process is merit-based and evaluates candidates according to judicial conduct, integrity, legal competence, judicial record, and judicial temperament, with adherence to principles of ethics. A personnel interview is an essential component of this evaluation. Candidates must successfully pass both writing and oral examinations. Following this, a formal appointment order is issued by the Supreme Court, confirming the elevation to the positions of Township Judge, Additional Township Judge, or Judicial Officer Grade-3.

Judges at the township level who have accumulated a minimum of three years of judicial experience and successfully passed the requisite qualification examinations are typically eligible for promotion to district-level positions, such as **Deputy District Judge/ Deputy Judge of Self-Administered Division or Zone (Judicial Officer Grade-2**). Advancement from Deputy District Judge to District Judge, or to a judicial post within a Self-Administered Division or Zone, follows a similar framework, with additional consideration

[47] Section 366 of the Code of Criminal Procedure.

given to factors such as disciplinary record, adherence to ethical standards, and the quality and soundness of judicial decisions rendered.

The promotion process from District Judge or Judge of a Self-Administered Division or Zone (Judicial Officer Grade-1) to the level of Director or Head of State and Region Judicial Office is governed by a similar framework. While formal criteria such as years of service, examinations, and professional qualifications are essential, additional considerations including disciplinary record, ethical conduct, and the quality of judicial decisions play a significant role in determining eligibility for higher judicial office.

The level of judges mentioned above are called career judges and their term is up to the age of 62, like other civil service personnel, unless any criminal or disciplinary action is taken against them.

**State and Regional High Court Judges** are political appointees nominated by the President, typically in consultation with the respective Chief Minister and the Union Chief Justice. Distinct from the Civil Service, these positions require candidates to be between 45 and 65 years of age and to satisfy the civic eligibility standards for Hluttaw representatives, including strict adherence to the disqualification provisions of Section 121. Beyond demonstrating loyalty to the Union and maintaining political neutrality—defined as holding no party membership or legislative seat—candidates must possess 3 specific professional experience: fifteen years as an Advocate, five years as a State level Judicial or Law Officer (or ten at the District level), or recognition by the President as an eminent jurist. Once appointed, judges act independently but remain subject to impeachment for treason, constitutional violations, misconduct, or incapacity. The Chief Justice and Judges of the High Court of the Region or High Court of the State hold office up to the age of 65 years unless any of the reasons (such as resignation, impeachment, permanent disability or death).

**Supreme Court Justices/ Judges** are appointed by the President subject to ratification by the Pyidaungsu Hluttaw. Candidates must be between 50 and 70 years of age and satisfy the civic eligibility standards for the Pyithu Hluttaw, excluding age limits. In addition to demonstrating loyalty to the Union and adherence to the disqualification provisions of Section 121, candidates must maintain strict political neutrality, precluding party membership or active legislative seats. Professional qualifications require five years of service as a High Court Judge, ten years as a State or Regional Judicial Officer, twenty years as an Advocate, or presidential recognition as an eminent jurist. Once appointed, judges act independently but remain subject to impeachment for treason, constitutional violations, misconduct, or incapacity. The Chief Justice and Justices of the Supreme Court of the Union hold office up to the age of 70 years unless any of the reasons (such as resignation, impeachment, permanent disability or death). (Sources from: (1) www.unionsupremecourt.gov.mm (2) 2008 Constitution of the Republic of the Union of Myanmar (3) Myanmar Court Manual (4) Civil and Criminal Procedure of Myanmar)[48]

**IV. Overview of the Myanmar Judicial College**

The professional development of judicial officers and court staff has undergone a significant transformation, moving from an ad-hoc arrangement to a centralized, dedicated system. Historically, all training was centrally conducted at the former Supreme Court in Yangon, the former capital of Myanmar, specifically utilizing its premises in Hlaing Tharyar Township when devoted facilities were unavailable.

This structure was formalized on January 2, 2025, with the establishment of the Judicial College in Nay Pyi Taw. Serving as the central hub for judicial education, the College provides programs for new, mid-level, and senior judges, often incorporating contributions from foreign scholars and outside lecturers. The institution's mission is multifaceted: to strengthen judicial independence, impartiality, and public trust by

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[48] www.unionsupremecourt.gov.m, 2008 Constitution of the Republic of the Union of Myanmar, Myanmar Court Manual, Civil and Criminal Procedure of Myanmar.

emphasizing judicial reasoning, professional ethics, and morale. Furthermore, the College promotes international relations by serving as a venue for trainees from ASEAN and neighbouring countries, thereby projecting Myanmar's commitment to fairness and reliable judicial protection for foreign investment.

The College comprises two identical three-storey buildings, providing significant residential and instructional capacity. Each building accommodates 80 students, totalling 160 residents, alongside a training room capacity of 120 students per structure. The ground floor of both buildings is allocated for common and instructional spaces, including training rooms, seminar rooms, internet rooms, dining rooms, a central lobby, and discussion rooms. Residential floors are separated by gender, with the first floor reserved for male students and the second floor designated for female students. Furthermore, the College is equipped to facilitate high-level education, offering essential resources such as a comprehensive library, a gymnasium, dedicated lecturers' rooms, and modern LED digital boards in all training rooms.

The curriculum is solution-oriented and led by experienced senior judges and justices. It places strong emphasis on core principles of judicial ethics, neutrality, and professionalism, while simultaneously developing practical administrative skills. Key subjects include judgment writing, court management, court-led mediation, specialized laws (such as Intellectual Property and Insolvency), and the effective use of Information and Communication Technologies (ICT). This comprehensive approach, symbolized by the significant investment in the judicial college, demonstrates a genuine commitment to justice and serves as a powerful public relations tool for the judiciary, both domestically and internationally.

## Singapore

**I. Overview of Singapore's Judiciary**

The Court Structure of the Singapore Courts or "SG Courts" can be found at the SG Courts website. In summary:

**Structure of the courts**

The Singapore Judiciary is made up of the following courts:

<table>
<tr><td>Supreme Court</td><td>Hears civil cases and criminal cases.<br>Consists of the:<ul><li>Court of Appeal.</li><li>High Court.<ul><li>General Division.</li><li>Appellate Division.</li><li>Singapore International Commercial Court</li></ul></li></ul></td></tr>
<tr><td>State Courts</td><td>Hears civil cases and criminal cases.<br>Consists of the:<ul><li>District Courts.</li><li>Magistrates' Courts.</li><li>Coroners' Courts.</li><li>Small Claims Tribunals.</li><li>Community Disputes Resolution Tribunals.</li><li>Employment Claims Tribunals.</li></ul></td></tr>
</table>

| | |
|---|---|
| Family Justice Court | The Family Justice Courts (FJC) hear family cases and select criminal cases involving youth offenders. The FJC has judicial power to hear family-related cases that involve legal issues within the family, such as divorce, probate, maintenance, adoption, guardianship, family violence, among other cases. It also deals with the care and treatment of young persons. |

**I. Trial Procedure for Trafficking in Persons (TIP) Cases**

Legislative Framework and Judicial Powers in Proceedings Involving Sexual Offence

1. **Evidence Act (especially sections 153-154)**: Courts have explicit power to prohibit indecent, scandalous, and annoying questions that serve no legitimate forensic purpose.
2. Evidence (Restrictions on Questions and Evidence in Criminal Proceedings) Rules 2018 (rules 3-4):
    a. Except with the permission of the court, no question may be asked of the alleged victim of the offence, during cross-examination by or on behalf of the accused, about the alleged victim's sexual behaviour or physical appearance.
    b. Except with the permission of the court, no evidence may be adduced by or on behalf of the accused about the alleged victim's sexual behaviour or physical appearance.
3. **Criminal Procedure Code Section 281A**: Enables shielding measures preventing witnesses from seeing accused persons during testimony whilst preserving the accused's ability to hear testimony and instruct counsel—particularly valuable where victim intimidation is a concern.
4. **In-camera proceedings and gag orders**: Courts have broad discretionary powers to conduct closed proceedings and issue gag orders to protect victim privacy and safety, exercised judiciously whilst balancing transparency principles.

Case Management Practices in Proceedings Involving Sexual Offence

1. **Pre-trial conferences**: Courts can elicit the general nature of the defence, helping focus parties on relevant issues and allowing courts to anticipate and prevent inappropriate questioning strategies.
2. **Victim guidance**: Judges can provide clear guidance to victims before testimony, explaining they may ask questions if they don't understand statements or queries—this practice significantly reduces victim anxiety and improves testimony quality.

**III. Judgeship QUalifications and Requirements in Singapore**

**District Judges at the State Courts who hear TIP cases** are Judicial Service Officers in the Singapore Judicial Service.

The Judicial Service Commission is the appointing authority for all Judicial Service Officers.

The general requirements/criteria for appointment to the Singapore Judicial Service as a Judicial Service Officer are that applicants should have:

1. Graduated with a law degree from:

    The National University of Singapore, the Singapore Management University or the Singapore University of Social Sciences;

    or

    A scheduled University in England, Australia, New Zealand or the USA and have passed the Diploma in Singapore Law or the Part A of the Singapore Bar Examinations; and

2. A “qualified person” as defined in the Legal Profession Act 1966 / the Legal Profession (Qualified Persons) Rules.

   The relevant extracts under Part 3 of the State Courts Act 1970 - Appointments, Powers and Duties on “Appointments and qualifications of District Judges” are set out below for ease of reference:

| | |
|---|---|
| Section 9 | (1) Subject to section 8A, a District Court is to be presided over by a District Judge appointed by the President on the recommendation of the Chief Justice.<br>(2) [Deleted by Act 5 of 2014]<br>(3) A person must not be appointed to be or to act as a District Judge unless he or she has been for not less than 7 years a qualified person as defined in section 2 of the Legal Profession Act 1966.<br>(3A) Despite subsection (3), a person may be appointed to be or to act as a District Judge if—<br>(a) the person has been for not less than 5 years a qualified person as defined in section 2 of the Legal Profession Act 1966; and<br>(b) the Chief Justice, after having regard to the qualifications and experience of the person, is of the opinion that the person is suitable to be appointed as a District Judge.<br>(4) Any person appointed to be or to act as a District Judge is, although the period of his or her appointment has expired or his or her appointment has been revoked, to sit as a District Judge for the purpose of giving judgment or otherwise in relation to any case heard by him or her.<br>(5) Every person appointed to be or to act as a District Judge is ex officio a Magistrate. |

**IV. Overview of the Singapore Judicial College**

The Singapore Judicial College was established in 2015 under the Supreme Court of Singapore. It is an institute for higher judicial education that aspires not only to successfully impart the necessary competencies and skills required for a judge today, but also to be a key centre for articulating the vision of the Singapore Judiciary and its defining values.

The Singapore Judicial College comprises two main arms:

1. The Institute of Judicial Excellence is the education arm of the College. Its primary responsibility is the development and delivery of tailored robust training programmes to support our judges’ development and demonstrate the competencies set out in the Judiciary Competency Framework.
2. The Institute of Judicial Studies is the research arm of the College. Its primary responsibility is to undertake, lead and facilitate rigorous multi-method research on a wide range of issues relevant to the judiciary.

The Singapore Judicial College is led by a Board of Governors, chaired by Justice Kwek Mean Luck. Its work is supported by Fellows, faculty members and subject-matter advisory panels.

Central to the pedagogic identity of the Singapore Judicial College is the "Learning Judge". This refers not to a learner judge in training, but rather to one who feels duty-bound to continue to learn, educate and train oneself in the pursuit of excellence and in the quest to fulfil his mission. The Learning Judge learns how to learn and looks beyond structured avenues for learning to hone judicial competencies and skills, as well as to acquire knowledge in multi-disciplinary and adjacent areas.

The Singapore Judicial College embraces the philosophy that a competency-based approach to judicial education facilitates self-directed, self-paced and effective learning. Accordingly, a comprehensive, coherent and scaffolded Judicial Competency Framework ("JCF") forms the cornerstone of the Singapore Judicial College's curriculum planning and development. The JCF was developed via an iterative, top-down and high-level consultation (including with the Chief Justice and several Supreme Court Judges). It comprises 14 judicial competencies (set out below), reflecting the vision, mission and values of the Singapore Judiciary and articulating what a judge in Singapore is expected to know, understand and be able to do at each stage of his career.

# ANNEX 2: National Strategic Plan to Improve Access to Justice

## Lao People's Democratic Republic

National Plan of Action on Anti-Trafficking in Persons Phase III 2021-2025

The 9th Five-Year National Socio-Economic Development Plan (2021-2025)

Ministry of Justice Strategic Development Plan for the Justice Sector

## Malaysia

National Action Plan on Anti-Trafficking in Persons (2021-2025)

NAPTIP 3.0 (National Action Plan on Anti-Trafficking in Persons 2021-2025)

The NAPTIP 3.0 is Malaysia's 3rd, five-year national blueprint to combat human trafficking. NAPTIP 3.0 continues after the earlier action plans 2010-2015 and 2016-2020. The Plan underlines various points of focus, namely the strengthening of legal and regulatory frameworks, coordinating and integrating law-enforcement actions between prosecutors and other enforcement officers and capacity building for investigators, prosecutors, frontline personnels, both on a national and international level.

National Action Plan on Anti-Trafficking in Persons 2026–2030 (NAPTIP 4.0)

National Action Plan on Women, Peace and Security (2025–2030)

National Action Plan on Forced Labour (2021–2025)

## Myanmar

Fourth Five-Year National Plan of Action Against Human Trafficking (2022–2026)

Third Judicial Strategic Plan (2023–2027)

https://www.unionsupremecourt.gov.mm/uploads/projects/167384538216-1-2023%20Judicial%20Strategic%20Plan%20(2023-2027)%20Eng.pdf

## Singapore

**National Approach Against Trafficking in Persons (2016-2026)** is Singapore's framework for dealing with Trafficking in Persons.

The Singapore initiative on Access to Justice (A2J) can be found on the SG Courts website at: https://www.judiciary.gov.sg/who-we-are/enabling-access-to-justice.

# ANNEX 3: List of Delegates of the ASEAN Multilateral Judicial Knowledge Exchange on Victim-Sensitive Adjudication of Trafficking in Persons Cases, 29 September – 1 October 2025, Vientiane, Lao PDR

Vientiane, 29 September to 1 October 2025

| LAO PDR PARTICIPANTS | | | |
|---|---|---|---|
| No. | Name | Title/Position | Office |
| **PARTICIPANTS** | | | |
| 1. | Head of Delegation<br>Hon. Bounkhouang Thavisack | Vice President | People's Supreme Court |
| 2. | Justice Chanthanom Sirivath | Head of Commercial Chamber | People's Supreme Court of the Lao PDR |
| 4. | Justice Somchit Keomanylay | Head of Criminal Chamber | People's Supreme Court of the Lao PDR |
| 5. | Justice Chomphan Chanthavy | Deputy Head of Criminal Chamber | People's Supreme Court of the Lao PDR |
| 6. | Justice Syvanh Bounthala | Deputy Head of Commercial Chamber | People's Supreme Court of the Lao PDR |
| 7. | Judge Kalouna Sisan | Deputy Head of Criminal Chamber | Central Regional People's Court |
| 8. | Judge Chansamone Thammavong | Acting Head of Criminal Chamber | Vientiane Capital People's Court |
| 9. | Director General Anousith Soukhathammavong | Director General of Department of International Cooperation | People's Supreme Court of the Lao PDR |
| **MOOT COURT ACTORS** | | | |
| No. | Name | Title/Position | Role |
| 1. | Judge Longkeo Norlasing | Judge Level3 | Presiding Judge |
| 2. | Judge Chanthaboun Chanthavong | Judge Level2 | Judge |
| 3. | Judge Vathana Keoviriyavong | Judge Level1 | Judge |
| 4. | Judge Vilayphone Thongbounnam | Judge Level2 | Court Clerk |
| 5. | Judge Bounpasong Chitthakone | Judge Level3 | Prosecutor |
| 6. | Judge Soutsada Khammy | Judge Level1 | Counselor |
| 7. | Judge Phonevilay Phommachan | Judge Level2 | Defender |
| 8. | Judge Thammonoun Houngdaungchan | Judge Assistance | Lawyer |
| 9. | Judge Khamfan Phommavised | Judge Level1 | Lawyer |
| 10. | Judge Weovimon Sengdala | Judge Assistance | Guardian |
| 11. | Judge Somboun | Judge Assistance | Victim |
| **INTERPRETER** | | | |
| 1. | Mr Somsay Orasith | Interpreter | |

| MALAYSIA PARTICIPANTS | | | |
|---|---|---|---|
| No. | Name | Title/Position | Office |
| **PARTICIPANTS** | | | |
| 1. | Head of delegation<br>Hon. Justice Dato' Hashim bin Hamzah | Judge at Court of Appeal | Federal Court of Malaysia<br>CACJ Malaysia |
| 2. | Justice Mohd Rosli bin Yusoff | Judge at Kota Bharu High Court | Federal Court of Malaysia<br>CACJ Malaysia |
| 3. | Justice Roszianayati Ahmad | High Court (Criminal) | Federal Court of Malaysia<br>CACJ Malaysia |
| 4. | Judge Norhamizah Shaiffuddin | Judge at Teluk Intan, Perak, Sessions Court<br>Office of the Chief Registrar | Federal Court of Malaysia<br>CACJ Malaysia |
| 5. | Judge Nazlyza Mohamad Nazri | Judge at Trengganu Sessions Court<br>Office of the Chief Registrar | Federal Court of Malaysia<br>CACJ Malaysia |

| MYANMAR PARTICIPANTS | | | |
|---|---|---|---|
| No. | Name | Title/Position | Office |
| **PARTICIPANTS** | | | |
| 1. | Head of Delegation<br>Dr. Khaing Khaing Lay Nil | Director of Training Department | Supreme Court of the Union of Myanmar |
| 2. | Judge Khin Myo Myo Su Kyaw | Additional District Judge | Kyauktada District Court of the Union of Myanmar |
| 3. | Judge Lwin Lwin Hlaing | Deputy District Judge | Aungmyaytharsan District Court of the Union of Myanmar |
| 4. | Judge Aung Kyaw Khine | Deputy District Judge | Lewe District Court of the Union of Myanmar |

| SINGAPORE PARTICIPANTS | | | |
|---|---|---|---|
| No. | Name | Title/Position | Office |
| **PARTICIPANTS** | | | |
| 1. | Head of Delegation<br>Judge Christine Lee | District Judge | Family Justice Court<br>Singapore Judiciary |
| 2. | Judge James Elisha Lee | District Judge | Crime Cluster, State Courts<br>Singapore Judiciary |
| 3. | Judge Paul Chan | Deputy Executive Director | Singapore Judicial College<br>Supreme Court of Singapore |
| 4. | Judge Zhi Xiang Tan | District Judge | Family Justice Courts |

| | | | |
|---|---|---|---|
| 5. | Judge Vince Gui | District Judge | State Courts<br>Singapore Judiciary |

| INDONESIA | | | |
|---|---|---|---|
| No. | Name | Title/Position | Office |
| **PARTICIPANTS** | | | |
| 1. | Justice Dr. Lucas Prakoso, S.H., M.H. | Justice<br><br>Civil Chamber | Supreme Court of Indonesia |
| 2. | Judge Dr. Sriti Hesti Astiti, S.H., M.H. | Judicial Training Center | Supreme Court of Indonesia |
| 3. | Ms. Dian Rositawati, S.H., M.A., Ph.D. | Member of Judicial Reform Team | Supreme Court of Indonesia |

| PHILIPPINES AS ACTIVITY LEAD | | | |
|---|---|---|---|
| No. | Name | Title/Position | Office |
| **PARTICIPANTS** | | | |
| 1. | Hon. Jocelyn Sundiang Dilig<br>Representing<br>Hon. Justice Chancellor Rosmari D. Carandang, Philippine Judicial Academy (PHILJA)<br>Co-Chair, CACJ Working Group on Judicial Education and Training (WG-JET)<br>Head of Delegation | Presiding Judge | Regional Trial Court, Branch 47, Puerto Princesa City, Palawan<br>Supreme Court of the Philippines |
| 2. | Atty. Devery Jean Katrina T. Tumilba | Head Executive Assistant | Philippine Judicial Academy |
| 3. | Atty. Isabella E. Castillo | Attorney V | Philippine Judicial Academy |
| 4. | Ms. Micaela Javier Hosillos | Supreme Court<br>Chief Judicial Staff Officer | Philippine Judicial Academy |

| OBSERVERS | | | |
|---|---|---|---|
| No. | Name | Title/Position | Office |
| **PARTICIPANTS** | | | |
| 1. | Mr. James Morschel | First Secretary - Water, Energy, Climate, Mekong | Australian Embassy in Laos |
| 2. | Ms. Phoumanininh Vilaysouk | Program Officer – Political | Australian Embassy in Laos |

| ASEAN-ACT | | | |
|---|---|---|---|
| No. | Name | Title/Position | Office |

| PARTICIPANTS | | | |
|---|---|---|---|
| 1. | Dr. Lucia Pietropaoli | Team Leader | Thailand |
| 2. | Atty. Darlene Pajarito | Justice Systems Director | Philippines |
| 3. | Ms. Nurul Qoiriah | GEDSI and Victim Rights Director | Thailand |
| 4. | Atty. Andres Jose | Country Manager | Philippines |
| 5. | Ms. Manichanh Keoviriyavong | Country Manager | Lao PDR |
| 6. | Ms. Felicia Clarissa | Senior Justice Systems Coordinator | Indonesia |
| 7. | Mr. Phadsada Chanthavong | Country Program Officer | Lao PDR |
| 8. | Ms. Maninout Vongvilaxai | Project Support Officer | Lao PDR |
| 9. | Ms. Manichanh Vang | Finance and Administration Officer | Lao PDR |
| 10. | Mr. Soubin Siphakdy | Finance and Administration Officer – Philippines | Lao PDR |

| UNODC | | | |
|---|---|---|---|
| No. | Name | Title/Position | Office |
| **PARTICIPANTS** | | | |
| 1. | Mr. Sung Ho Hwang | Head of Office | UNODC Programme Office, Lao PDR |
| 2. | Ms. Louise Tripon | Associate Expert, Human Trafficking and Migrants Smuggling | UNDOC Regional Office for Southeast Asia and the Pacific |
| 3. | Ms. Chamaiporn Watchranet | Programme Assistant | UNODC Regional Office for Southeast Asia and the Pacific |
| 4. | Monthip Sonethavong | National Programme Officer, Human Trafficking and Migrants Smuggling | UNODC Office in Laos |
| 5. | Sengchan Phachoompon | Programme Assistant, Human Trafficking and Migrants Smuggling | UNODC Office in Laos |

# ANNEX 4: Photo Gallery

*ASEAN Multilateral Judicial Knowledge Exchange on Victim-Sensitive Adjudication of Trafficking in Persons Cases*

*29 September – 1 October 2025, Vientiane, Lao PDR*



Australian Aid
ASEAN-Australia Counter Trafficking


ສານປະຊາຊົນສູງສຸດ ແຫ່ງ ສປປ ລາວ
The People's Supreme Court Lao PDR

# ANNEX 5: List of Contributors to the Development of the Compendium

| INDONESIA | | |
|---|---|---|
| No. | Name | Title |
| 1. | Judge Dodik Wijayanto | Judicial Judge, Assistant to the Head of Criminal Chamber, Supreme Court of the Republic of Indonesia |
| 2. | Judge Sriti Hesti | Judge, Judicial Training Center, WG-JET Indonesia representative, Supreme Court of the Republic of Indonesia |
| 3. | Ms. Astriyani | Special Staff to the Chief Justice, Coordinator of the Supreme Court Reform Assistance Team |
| 4. | Mr. M. Tanziel Azizi | Executive Director, LeIP (Institute for Judicial Independence and Reform), Supreme Court Reform Assistance Team |
| 5. | Dr. Aria Suyudi | CACJ Liaison Officer and Judicial Reform Assistance Team, Supreme Court of the Republic of Indonesia |
| 6. | Dr. Dian Rositawati | Judicial Reform Assistance Team, Supreme Court of the Republic of Indonesia |
| PHILIPPINES | | |
| No. | Name | Title |
| 7. | Hon. Justice Rosmari D. Carandang<br>Head of Delegation | Chancellor, Philippine Judicial Academy (PHILJA)<br>Co-Chair, CACJ Working Group on Judicial Education and Training (WG-JET) |
| 8. | Judge Jocelyn Sundiang Dilig | Presiding Judge, RTC Branch 47, Puerto Princesa City, Palawan |
| 9. | Atty. Devery Jean Katrina T. Tumilba | PHILJA Head Executive Assistant |
| 10. | Atty. Isabella E. Castillo | PHILJA Attorney V |
| 11. | Ms. Micaela Javier Hosillos | SC Chief Judicial Staff Officer<br>Philippine Judicial Academy |
| ASEAN-ACT | | |
| 12. | Atty. Darlene Pajarito | Justice Systems Director |
| 13. | Ms. Nurul Qoiriah | GEDSI and Victim Rights Director |
| 14. | Atty Andres Jose | Country Manager, the Philippines |
| 15. | Ms. Felicia Clarissa | Senior Justice Systems Coordinator |