Repatriation process is regarded as the last stage of the protection program for the trafficked persons. It is the stage that has more human interaction and personal contact between the caregivers and the receivers. Trafficked children, in particular, have vulnerability as they still need to depend on others for their well-being. Therefore, there are special provisions and specific legislation both international and national based on human rights principles to protect the children during the repatriation process. It is important to apply the rights-based approach to trafficked children when the caregivers help them to redress their human rights and reduce the barriers to apply such approach at the hands of caregivers.

As there is still an argument in defining what is repatriation and reintegration, the findings first presented the different interpretations from different caregivers. Then, it describes the repatriation process starting from victim identification, care and supporting programs at Baan Kredtrakam shelter including vocational training, health care, psycho-social support and legal assistance in Thailand and analyzed the degree of application of rights-based approach in accordance with the national and international guidelines. The continued process in Myanmar is explained briefly together with the family tracing process and the challenges in Myanmar. Throughout the presentation of research findings, the three evaluating factors in rights-based approach which are the accountability, equality and non-discrimination and participation were used to analyze the current practices in the process of repatriation.

It was found out that the rights-based approach has been partially addressed in the current repatriation process. The accountability, equality and non-discrimination and participation are applied in the aspects of i) cooperating with civil society organizations for effective protection, ii) having multidisciplinary team, iii) providing measures in Thai laws and bilateral MOU for faster repatriation, iv) providing same legal assistance regardless of nationality, v) keeping the best interest of the children in the legal process and maintaining confidentiality in the family tracing process.

On the other hand, the three main principles are needed to enhance in the following areas because of i) different interpretations for repatriation and reintegration, ii) the limited channels for the participation from the children, iii) corrupted officials in the legal process and some Thai officials’ negative attitudes towards migrant workers, iv) resource constraints for individual care, v) lack of alternative option for the children who do not pass the nationality confirmation.

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Student’s Signature: [Signature]
Advisor’s Signature: [Signature]
Co-advisor’s Signature: [Signature]