



Council for Security Cooperation in the Asia-Pacific

MEMORANDUM 11

HUMAN TRAFFICKING

SUMMARY

Human trafficking involves the systematic exploitation of vulnerable people and the undermining of legal processes. As such, it provides a direct threat to the security of the region, its states and societies. This issue requires a unified approach in which national efforts are supplemented by regional institutions, international agencies and civil society. Much is already being done, and progress has been made, but the problem continues to grow, and there is a lack of public awareness of the problem, especially among the victims of trafficking and in destination countries.

Introduction

Human trafficking is a significant transnational crime committed across the globe. More people are on the move even as the avenues for lawful migration become more stringent. This situation creates a natural market for traffickers in an environment where the relevant policy and legal environment is limited.

Considerable efforts have been made in a range of jurisdictions to counter human trafficking. Traffickers, however, are still able to profit from strong demand and abundant supply. There is also an increasing sophistication of human trafficking operators and a growing market specialisation on the part of the perpetrators of such crimes. On the other hand, authorities concerned find it difficult to obtain legal convictions with victims unwilling or unable to cooperate with the criminal justice system.

Obstacles and responses

The main obstacles to effective responses to human trafficking were identified as:

1. Lack of understanding about trafficking within and between countries.
2. Inadequate or inappropriate legal frameworks.
3. Contradictory attitudes around migrant labour and the sex industry.
4. Public sector involvement and complicity in trafficking.
5. The complexity of the investigatory task including heavy reliance on victims as witnesses.
6. The low priority accorded to trafficking as a crime.

7. The failure to recognise and investigate trafficking for purposes other than sexual exploitation.
8. Low capacity to cooperate across national borders as well as between different national agencies.
9. Failure to recognise the importance of victim support.

Many states in the region have active programmes to combat human trafficking, and there are significant activities at the regional level through ASEAN, COMMIT and the Bali Process, through international agencies like the UN, the ILO, the IOM and by international NGOs. Several governments provide support and NGOs have an important role in supporting victims and on focusing public attention on the problem.

Recommendations

CSCAP recommends the following:

1. Regional governments should be assisted and encouraged to ratify and implement the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children.
2. Linkages between law enforcement agencies should be strengthened, concentrating efforts on both victim protection and on employers.
3. Standard operating procedures need to be developed for cooperation between NGOs providing victim support and law enforcement agencies.
4. Research and data generation should be undertaken on:
 - (a) The magnitude of the problem of trafficking in each country;
 - (b) Identifying the root causes of trafficking in each country;
 - (c) The treatment of victims of trafficking;
 - (d) The effectiveness of anti-trafficking programmes; and
 - (e) How agencies are giving effect to legal norms and standards.
5. Model legislation should be made more easily available to countries drafting their own domestic legislation.
6. Governments should review the investigative capabilities of agencies, particularly:
 - (a) Collection of baseline entry data (including transit visitors);
 - (b) Identification technology such as biometrics; and
 - (c) Information sharing by relevant agencies on the status and movement of people entering and leaving their jurisdictions.
7. The ARF should pursue a needs assessment among its participants which could include:
 - (a) A directory of organisations and NGOs involved in anti-trafficking work to be published and disseminated to all agencies involved; and
 - (b) Education of officers of frontline agencies and members of the criminal justice system to ensure that they are more sensitive to the victims.
8. Manuals developed by ARF Participants containing information on laws, protection of victims and relevant contacts can be used as a model for an ARF regional manual used across the region.
9. The interview questionnaire guide for victims of human trafficking could be a model for law enforcement units and social workers in the region.
10. Governments need to establish standard operating procedures that give special assistance, support and protection to the victims of human trafficking.

11. ASEAN Regional Forum participants need to raise the priority given to human trafficking among law enforcement agencies.
12. National governments should encourage local governments to be more directly and actively involved in anti-human trafficking.
13. A regional campaign could be initiated by the ARF with regional NGOs to promote public awareness, including in destination communities.
14. Educational modules for schools could be developed by governments and NGOs. This would build on work currently being supported by UNICEF.
15. Governments should further develop links with NGOs and civil society.
16. National and local governments should push for the establishment of hotlines for victims and concerned citizens, including a working referral system.
17. Campaign materials that will be used by national and local governments should also draw attention to the *modus operandi* of human traffickers.
18. An ARF regional information clearinghouse could be established for exchanges among law enforcers, social workers, national/local government officials, members of academe, and victims of trafficking.

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