



MAPO is the key government body responsible for agreeing and implementing policy on human trafficking. The Council brings together key stakeholders, including Ministry representatives and the five enforcement agencies, and works to a Plan of Action. But there is not enough transparency or outreach to potential key partners elsewhere in Malaysia, and probably not nearly enough resourcing. Recommendations are as follows:

### What can be done about

# Human Trafficking in Malaysia

July 2019

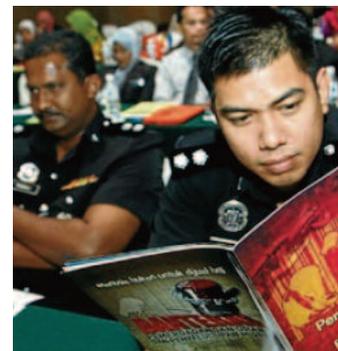
## INTRODUCTION

Human Trafficking and modern day slavery are huge issues for Malaysia and this region. The buying and selling of human beings is estimated to be the second largest criminal business in the world worth billions of dollars, and this region accounts for the biggest share of it.

Men, women and children are being trafficked, for labour, for sex, for child slavery, and/or for human organs, both into Malaysia and out of Malaysia.

The Malaysian government's response has been to pass legislation (2007) and to establish a Council on Human Trafficking (MAPO) to coordinate government policy initiatives and programmes. But there was a distinct lack of political will from the previous government in tackling the difficult and huge issues related to human trafficking. This has reached the point where the US TIP Report has again (in 2018) demoted Malaysia to Tier 2 Watch List.

So it is time to take stock of where we are up to with human trafficking, and to look at what we in Malaysia need to do to consolidate actions and collaborations to seriously tackle this awful issue.



a) **Re-structure MAPO** to involve more non-government members, and to make MAPO more accountable through an Annual Report which has to be debated and passed by Parliament.

b) The various sub-committees of MAPO to meet at least four times a year) and to widen their membership **to include representatives from refugee and migrant communities**, more non-government members, and more persons from outside KL, including from East Malaysia. Travel would need to be covered.

c) The minutes of all MAPO meetings (Council and committee/sub-committees) to be published on the MAPO website within one week of such meetings, **so that the public can follow actions** and become more involved.

d) **A clear, properly resourced strategy** (with a transparent and adequate budget) to be published and implemented, **with targets for progress**. This would include substantive indicators of partnerships with CBOs and NGOs, with regular updates of progress reported on MAPO's website.

e) **The current Plan of Action to be independently and assiduously evaluated**, and results and recommendations to be published on the website and fully debated at MAPO meetings. A new Plan of Action to be produced out of this, and adopted by the new and re-vamped MAPO.

## ACCOUNTABILITY

There have been plenty of references over the years to the way in which human trafficking syndicates have infiltrated border and other enforcement agencies (this is not confined to Malaysia). So the main questions are:

- Are we/is MAPO happy with the integrity of enforcement agencies? How is MAPO now tackling the issues related to the way enforcement agencies are either accountable or not accountable, bearing in mind important official reports which have stated that significant numbers of enforcement agency personnel may be colluding with the syndicates operating human trafficking and smuggling rings, including at the Thai/Malaysia border?
- Can we link the concern about the extent of human trafficking to be part of a general concern about corruption within our enforcement agencies and government departments? What plans do we have for the re-structuring and effective monitoring of our enforcement agencies, to ensure the professional tackling of human trafficking and bringing to justice the criminal syndicates behind the awfulness of human trafficking?

## WANG KELIAN

Where is the justice for those who died in the horror camps of Wang Kelian? Will the Royal Commission be truly independent and conduct the enquiry with integrity, without fear or favour?

## TACKLING LABOUR OUTSOURCING and CONDITIONS

Under the previous government, there was a dramatic increase in the number of private Malaysian companies offering migrant labour recruitment and supply ('outsourcing'). A number of reports have drawn our attention to the easy profits these companies have made at the expense of the migrant workers, the lack of monitoring of these companies, and the possibility that it is within the activities of some of these companies that serious human trafficking and modern day slavery issues apply.

This is clearly an area we need to be very concerned about, and which government policy needs to address. A good starting point for both issues and proposed solutions is the **Report on Towards a Comprehensive National Policy on Labour Migration for Malaysia**, circulated by the Migrant Workers Right to Redress Coalition from July 2017.



## WORKING WITH REFUGEE, MIGRANT WORKER AND OTHER COMMUNITIES

Testimonies from refugees and migrant workers have for years been telling us of the existence of things like the horror camps that were 'suddenly discovered' in 2015 – but these testimonies were apparently completely ignored. If we are serious in our efforts against human trafficking and the syndicates involved, surely it is obvious to work with those who have direct experience of the traffickers and who can supply relevant and essential information. This applies to the 'victims' of sex trafficking (see below) and there are already rumours of new camps on the Kelantan/Thai border.

Therefore, given that men, women and children in refugee/asylum seeker/migrant worker communities are both vulnerable to human traffickers and have direct and current information about human trafficking activities,

## SEX TRAFFICKING

We are all aware of the extent of sex trafficking and the horrors it carries. Yet the default position for the authorities is to round up the (usually) women involved and either charge them or deport them. In other words, we are criminalising the victims and ignoring the criminals.

- Is MAPO/the enforcement agencies/the new government aware of a SUHAKAM estimate that significant numbers of women 'rounded up' in raids in connection with the sex industry exhibit signs of being a victim/survivor of human trafficking?
- Is MAPO/the new government suggesting any change in procedure to the police and other agencies so that there is far greater attention paid to identifying who may be a survivor/victim of human trafficking, and by so doing, offering greater possibilities for the identification, arrest and prosecution of the real criminals, including human traffickers?
- Does MAPO have a strategy for a concerted attack on sex trafficking, with targets and a plan of action of activities over the next five years, including targets for sensitisation of enforcement agencies and first responders, for example? How is the effectiveness of this being monitored? How is MAPO cooperating with local CBOs, NBOs, communities and councils?

