



ASEAN Commission on the Promotion and Protection of the Rights of Women and Children (ACWC)

Regional Review on the Laws, Policies, and Practices within ASEAN relating to the Identification, Management, and Treatment of Victims of Trafficking, especially Women and Children

KEY FINDINGS

on Prevention of Trafficking

PREVENTION OF TRAFFICKING

refers to a wide range of actions that seek to prevent future acts of trafficking (including re-trafficking) from occurring. These include addressing vulnerabilities of individuals and groups to exploitation and reducing demand for the goods and services produced through exploitation. Actions aimed at preventing public sector corruption and complicity in trafficking are also important prevention strategies.

IN LAW

Some ASEAN Member States (AMS) refer to the prevention of trafficking in their Trafficking in Persons (TIP) laws, but few elaborate on specific prevention approaches or strategies or specify who is responsible for prevention.

IN POLICIES

At the national level, a number of AMS have introduced policies to prevent trafficking by reducing vulnerability, for example through registering undocumented migrants or helping outbound migrants identify and address risks prior to their departure. Several multilateral and bilateral agreements between ASEAN Member States set out specific measures for preventing trafficking, typically through addressing vulnerability to trafficking (such as improving social services or expanding employment opportunities). However, there is less attention to preventing trafficking by reducing demand and fighting corruption.

IN PRACTICE

ASEAN Member States' practice around prevention of trafficking has generally focused on reducing vulnerability of at-risk groups through, for example, registration schemes aimed at regularising the status of migrant workers in the country and supporting the reintegration of returned victims to prevent re-trafficking. Most AMS have also conducted public information campaigns aimed at preventing trafficking by increasing community awareness. Thus far, there have been few prevention efforts aimed at addressing trafficking-related corruption or reducing demand.

Below are some prevention efforts that have been undertaken by ASEAN Member States:



REDUCING VULNERABILITY

- Public awareness campaigns
- Assistance/referral hotlines for migrant workers
- Pre-departure orientation for outbound overseas workers
- Reduced costs and simplified procedures for migrant worker registration
- Tighter regulation of recruitment agencies



REDUCING DEMAND

- Awareness campaigns on illegality of sex tourism
- Inspections of work sites, fishing vessels and entertainment venues
- Investigation, punishment and blacklisting of unlawful recruitment agencies or brokers



ADDRESSING CORRUPTION

- Dedicated anticorruption hotlines
- Legal protection for informers reporting trafficking or suspected trafficking
- Training on human trafficking and corruption for criminal justice and other officials, including those posted abroad

GOOD PRACTICES

- Recognition of legal obligation to prevent trafficking
- Criminalizing bribery and corruption in trafficking cases
- Bilateral commitment to specific prevention actions
- Regulatory oversight of labour recruitment agencies
- Incentives for in-country and outbound workers to take steps to reduce their vulnerability



COMMON CHALLENGES

- Securing effective oversight of industries that have been associated with labour trafficking (farms, factories, construction sites, fishing boats)
- Identifying and responding effectively to trafficking-related corruption and complicity
- Allocating responsibility and accountability for prevention within the national anti-trafficking response
- Addressing the vulnerabilities of migrant workers, especially those in an irregular situation, to exploitation

Additional Resources: UN Principles and Guidelines on Human Rights and Human Trafficking



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