The following countries are covered in this section: Australia, Brunei Darussalam, Cambodia, the Cook Islands, Indonesia, Japan, Kiribati, Lao PDR, Malaysia, Mongolia, Micronesia, Myanmar, Nauru, New Zealand, Niue, Palau, the Philippines, the Republic of Korea, Samoa, Singapore, the Solomon Islands, Thailand, Timor-Leste, Tuvalu and Viet Nam. The specially administered territories of New Caledonia (an overseas territory of France) and French Polynesia (a Collectivité d’outre-mer France) also are included in this section.

Any missing information concerning the region was either not available or not accessed by UNODC.

Australia

Institutional framework

The specific offence of trafficking in persons was established in Australia in 2005. The offence cover all forms of trafficking in persons listed as minimum requirement in the article 3 of the UN Trafficking Protocol, which has been ratified by Australia in September 2005. In addition, offences concerning trafficking in persons are contained in the Commonwealth Criminal Code Act 1995 and the Employer Sanctions (Migration Amendment) act 2007.


Criminal justice response

The Australian Federal Police (AFP) established specialist teams, the Transnational Sexual Exploitation and Trafficking Teams (TSETT) in 2003. From 2003 to November 2008, 34 people have been charged with trafficking related offences, resulting in eight convictions. At the time of the writing six cases were before the courts involving 15 defendants.

Services provided to victims

The Australian Government provides victims of people trafficking with legal protection, temporary stay permits, which may lead to a permanent visa, medical and psychosocial support, food and living allowances and housing on an individualized, case-by-case basis. Non-government organizations offer legal advice, medical and psychosocial support and housing.

Fig. 123: Persons arrested and charged with possession or exercise of ownership over a slave, sexual servitude offences trafficking in persons and debt bondage offences in Australia, by gender (2003-November 2008)
The Australian Government’s Office for Women, manages the Support for Victims of People Trafficking Program. From the inception of the Program in 2004 until October 2008, all victims identified have been adults. All but four victims identified and receiving support through the Program between 2004 and October 2008, were trafficked for sexual exploitation; the remaining four victims were trafficked for forced labour in construction, hospitality and domestic work.

The AFP cooperates with a number of law enforcement agencies in the region on people trafficking and child sex tourism investigations. For example, the AFP works closely with the Royal Thai Police Crimes Against Child Juvenile and Women Division in relation to human trafficking and child sex tourism investigations.

The AFP Bangkok office also works closely with the Thai Department of Social Development and Welfare, on issues ranging from the referral of intelligence of suspected victims through to the management of victims providing evidence as witnesses in Australian and Thai trials.
Brunei Darussalam

Institutional framework
The specific offence of trafficking in persons was established in Brunei Darussalam in 2004.

Criminal justice response
The Immigration Department and Royal Customs and Excise are in charge of investigating any alleged offences committed under the trafficking in persons law.

There were no investigations, prosecutions or convictions recorded in Brunei Darussalam during the reporting period.

Services provided to victims
State authorities provide temporary stay permits for victims of trafficking. No victims were identified by authorities in Brunei Darussalam during the period covered by this report.
Cambodia

Institutional framework

Cambodia has had specific provisions in place addressing trafficking in persons since 1996, however, the 1996 law on the Suppression of the Kidnapping, Trafficking and Exploitation of Human Beings only criminalizes trafficking for the purpose of sexual exploitation. A new offence criminalizing also forced labour entered into force in February 2008. A first National Action Plan on Trafficking and Sexual Exploitation of Children was adopted in 2000, and a second national action plan was drafted in 2005 and is still awaiting approval by the competent authorities.

Criminal justice response

A Specialized Anti-Trafficking and Juvenile Protection Police Unit (AHTJP) was created in 2002, and a number of specialized units increased their coverage from seven to 17 provinces in 2006. Working units that include prosecutors and judges were established by the Ministry of Justice in the municipal and provincial courts to target human trafficking cases.

The overall number of persons convicted for human trafficking in Cambodia was unavailable. In the capital of Phnom Penh alone, the court handled 38 cases, and 40 persons were convicted of human trafficking in 2006.

Fig. 127: Victims of trafficking in persons identified by State authorities in Cambodia, by age and gender (2003-2006)

Fig. 128: Persons arrested for trafficking in persons in Cambodia (2003-2006)

Services provided to victims

State authorities provide legal protection, temporary stay permits, medical and psychosocial support, and housing and shelter as well as rehabilitation and reintegration for victims of trafficking. NGOs and international organizations also offer medical and psychosocial support, housing and shelter, and rehabilitation and reintegration programmes.

Additional information

From 2005-2007, 54 cases of domestic trafficking (involving 86 offenders) and 32 cases of cross-border trafficking (involving 58 offenders) were investigated.

The Department of Anti-Trafficking and Juvenile Protection managed a database with information concerning all victims referred by NGOs, families or the Department of Social Affairs during the reporting period.
Indonesia

Institutional framework

Indonesia has had specific provisions in place on trafficking in women and children (Article 297 of the penal code) since 1946. The Child Protection Act of 2002 specifically criminalized child trafficking and the sexual exploitation of children. These provisions were related only to the trafficking of women and children. The 2007 law on the “eradication of the criminal act of trafficking in persons”, however, criminalizes all of the forms of trafficking listed in Article 3 of the UN Trafficking Protocol. The Indonesian National Plan of Action for the Elimination of Trafficking in Women and Children was enacted on 30 December 2002.

Criminal justice response

The Indonesian National Police has special units for women and children (UPPA) with special service rooms (RPK) in a number of police offices around the country to provide assistance to victims of trafficking during criminal proceedings.

Services provided to victims

State authorities, NGOs and international organizations provide legal protection, medical and psychosocial support, and housing and shelter, as well as recovery, return and reintegration support for victims of trafficking. State authorities also offer temporary stay permits.

Fig. 129: Cases prosecuted for trafficking in persons in Indonesia, (2003-2007)

Fig. 128: Persons investigated and arrested for trafficking in persons in Indonesia, by gender (2003-2007)
According to the Indonesian National Task Force to Combat Trafficking in Persons, identified victims were mostly Indonesians and were mostly returned from other countries in the region. Exact figures on the nationality and the countries from where victims were repatriated were unavailable.

There were no data available to UNODC concerning the numbers of convicted offenders, but authorities reported that most of the traffickers were Indonesians. Foreigners convicted for trafficking-related crimes in 2007 were from the Middle East and other Asian countries.

IOM reported that it assisted 2,273 victims of trafficking between March 2005 and April 2007. Most of these victims were adult women and, to a lesser extent, girls. About 130 adult men and 100 boys were assisted by IOM during the same period. The majority of victims (1,312) were exploited as domestic workers, 352 for forced prostitution and the rest for different forms of forced labour. Most victims were returned from neighbouring East Asian countries. About 480 were victims of internal trafficking, while 67 of the victims assisted by IOM during this period were repatriated from the Middle East and other East Asian countries.

Additional information
Japan

Institutional framework

Japan introduced the offence of “buying and selling human beings” in 2005. In addition, Article 27 of the Immigration Control Act defines trafficking in persons and criminalizes all forms of exploitation considered in Article 3 of the UN Trafficking Protocol. A national plan of action was adopted in 2004.

Criminal justice response

The National Police Agency (NPA) is responsible for investigating cases of trafficking in persons.

From the time the new legislation went into force in 2005 until the end of 2007, 24 people were convicted of trafficking in persons – five were sentenced to prison for less than two years; 12 from two to three years; and the other seven to more than three years in prison.

Services provided to victims

State authorities provide legal protection, temporary stay permits, medical and psychosocial support, and housing and shelter as well as repatriation assistance for victims of trafficking. NGOs and international organizations also offer housing and shelter as well as repatriation assistance.

Source: National Police Agency
All the victims identified and sheltered were trafficked for sexual exploitation. The Women’s Consulting Office is a public shelter where victims receive food, clothing, and medical and psychological treatment. At the end of 2006, there were 47 offices throughout Japan, with a total capacity of 720 beds available for victims of trafficking in persons.
Lao People's Democratic Republic

Institutional framework

The offence of "trade and abduction of human beings" was established in Lao PDR in November 2004. In October 2005, the penal code was amended to include Article 134 defining the offence of trafficking in persons and criminalizing all or most of its forms. The National Plan of Action against Trafficking in Persons of the Lao PDR (2007-2012) was planned to be adopted in 2008.

Criminal justice response

The Lao Anti-Trafficking Unit (LAPTU) was created in 2005 as part of the national law enforcement body with a specific focus on trafficking in persons. Six provincial anti-trafficking units were formed in 2006, and in 2007, the LAPTU was transformed into the Anti-Trafficking Division.

Twenty-seven cases of cross-border trafficking were investigated in the 2005-2007 period, 14 of which led to convictions.

Services provided to victims

State authorities provide legal protection, temporary stay permits, medical and psychosocial support, and housing and shelter as well as vocational training for victims of trafficking. NGOs and international organizations also offer medical and psychosocial support, and housing and shelter as well as vocational training.

Additional information

The figures above, provided by the Ministry for Labour and Social Welfare, only represent Lao victims repatriated from Thailand, thus only a part of the victims that might have been repatriated to Lao PDR. Overall, the Ministry for Labour and Social Welfare collected information from 2001 until December 2007, recording about 1,056 people (153 adults and 903 children) returned from Thailand.

Two residential facilities were available for victims of trafficking in persons in 2006, with a total capacity of 60 beds.

The Lao Women's Union sheltered 13 victims of human trafficking from May 2006 to December 2007; four victims were trafficked for sexual exploitation (two in Thailand and two in Lao PDR) and nine for labour exploitation (all in Lao PDR). The second facility is administered by AFESIP, and 27 victims of trafficking (18 girls and nine women) were sheltered between October 2006 and December 2007; two were victims of trafficking for forced labour, and the rest were trafficked for sexual exploitation. Six of these victims were trafficked internally, while the other 21 were trafficked to Thailand.
Malaysia

Institutional framework

The specific offence of trafficking in persons was established in Malaysia in 2007 with the adoption of the Anti-Trafficking in Persons Act. In addition, Malaysia established the specific offence of child trafficking in its national legislation in 2001. A national plan of action was drafted in 2008.

Criminal justice response

About 160 persons were convicted of “trafficking and abduction of children” between 2003 and 2006. Most of the persons convicted were involved in child trafficking for sexual exploitation, while two were exploiting children for forced labour. About 120 of the offenders received a sentence of less than one year of detention, about 30 received a sentence of one to five years and four were sentenced to more than five years of detention.

Services provided to victims

State authorities provide legal protection, temporary stay permits, medical and psychosocial support, and housing and shelter for victims of trafficking. In addition, two safe houses for the protection of victims were established in 2008. Each can shelter 20 to 40 women and children.

Fig. 138: Persons prosecuted for trafficking and abduction of children in Malaysia (2003-2006)

Source: Ministry Home Affairs
Mongolia

Institutional framework

The specific offence of trafficking in persons was established in Mongolia in February 2008. Before the 2008 legislation was enacted, the offence of “sale or acquisition of humans” was used to prosecute some forms of trafficking in persons. The National Plan of Action on Commercial Sexual Exploitation and Trafficking of Children was adopted in 2005.

Criminal justice response

The following criminal justice statistics refer to the offence of “sale or acquisition of humans”. Twenty persons were prosecuted and one was convicted of this offence during 2005-2006. The one convicted offender was sentenced to 10 years in detention.
The Mongolian Gender Equality Centre (MGEC) is an NGO established in Mongolia in 2002. MGEC provides legal and psychological assistance to victims of sexual abuse, exploitation and human trafficking. The “presumed victims” in the charts above refer to persons, very likely trafficking victims, receiving various types of assistance from the MGEC.

Services provided to victims

State authorities provide legal protection for victims of trafficking. NGOs offer legal protection, medical and psychosocial support, and housing and shelter.

Additional information

The Mongolian Gender Equality Centre (MGEC) is an NGO established in Mongolia in 2002. MGEC provides legal and psychological assistance to victims of sexual abuse, exploitation and human trafficking. The “presumed victims” in the charts above refer to persons, very likely trafficking victims, receiving various types of assistance from the MGEC.
Myanmar

Institutional framework

The specific offence of trafficking in persons was established in Myanmar in 2005. Before the 2005 legislation was adopted, the offences of “kidnapping, abduction, slavery and forced labour” and “prostitution” were used to prosecute some forms of trafficking in persons. A Five-Year National Plan of Action against Trafficking in Persons (2007-2011) and its implementation plan were finalized and awaited approval by the Cabinet in 2007.

Criminal justice response

The National Anti-Trafficking Unit was established in June 2004 as part of the Department against Transnational Crime within the Myanmar Police Force. In 2006, this Unit consisted of 40 specially trained police officers, and about 130 officers were involved full time in anti-human trafficking activities in 2007.

Authorities reported a range of 350 to 425 traffickers per year between 2003 and 2007. It is unclear whether these persons were recorded at the investigation, prosecution or conviction stage and for which specific offence.

Services provided to victims

State authorities provide legal protection, medical and psychosocial support, and housing and shelter as well as repatriation assistance for victims of trafficking.

Additional information

The figures produced above were published in the “Report on Myanmar’s Efforts to Combat Trafficking in Persons”. This report also indicated that between 2002 and 2007, 418 trafficking victims were repatriated to Myanmar from various destination countries.

The “Myanmar Police Force 2006 Annual Report Anti-Trafficking Unit”, refers only to cases detected by the criminal justice system in Myanmar. It reports that 411 victims were identified in Myanmar by the national police in 2006, 257 of these victims were adults and 26 were minors. The report also indicated that in 2006, 11 traffickers and four victims were involved in internal trafficking.

Fig. 144: Total victims of trafficking in persons reported by State authorities (internal, repatriated and foreigners) in Myanmar (2003-2007)

<table>
<thead>
<tr>
<th>Year</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>2003</td>
<td>932</td>
</tr>
<tr>
<td>2004</td>
<td>1157</td>
</tr>
<tr>
<td>2005</td>
<td>824</td>
</tr>
<tr>
<td>2006</td>
<td>1370</td>
</tr>
<tr>
<td>2007</td>
<td>690</td>
</tr>
</tbody>
</table>

Fig. 145: Destinations of victims repatriated to Myanmar (2004-2005)

Source: “Report on Myanmar’s Efforts to Combat Trafficking in Persons”
New Zealand

Institutional framework

The specific offence of trafficking in persons was established in New Zealand in 2002. The legislation applies a wider interpretation than the United Nations Trafficking Protocol, since the element of exploitation is not required to define a trafficking case. A five year National Plan of Action against the Commercial Sexual Exploitation of Children was adopted in 2001 and completed in 2006.

Criminal justice response

The New Zealand Police, Immigration and New Zealand Customs are the law enforcement agencies responsible for cases of trafficking. No cases of trafficking in persons were investigated, prosecuted or resulted in conviction during the reporting period.

Services provided to victims

State authorities and NGOs provide legal protection, temporary stay permits, medical and psychosocial support, and housing for victims of trafficking. No victims of trafficking in persons were identified or sheltered by State authorities during the reporting period.
Pacific Islands

Institutional framework

This section includes information on the Cook Islands, French Polynesia, Kiribati, Micronesia, Nauru, New Caledonia, Niue, Palau, Samoa, the Solomon Islands and Tuvalu.


Palau is the only country considered in this section with a specific action plan to fight trafficking in persons.

Criminal justice response

Most countries and specially administered territories considered in this section did not record any investigations, prosecutions or convictions during the reporting period.

In Palau, in 2006, three women and one man were investigated, arrested and prosecuted for trafficking in persons, and all were convicted in 2007. One man and one woman (a couple) were suspected of trafficking in persons in New Caledonia in 2005 and were prosecuted under labour laws. Eight victims were involved in labour exploitation – five locals and three Vietnamese.

Services provided to victims

Most countries and specially administered territories considered in this section did not identify any victims. Sixteen adult women were identified as victims of trafficking in Palau in 2006. They were trafficked from China and the Philippines for sexual exploitation.
The Philippines

Institutional framework

The specific offence of trafficking in persons was established in the Philippines in 2003. The legislation criminalizes trafficking in persons for the purposes of sexual exploitation, forced labour and other forms of exploitation.

Services provided to victims

State authorities and NGOs provide recovery and reintegration programmes for victims of trafficking. These programmes include residential, medical and psychological services, maternal and childcare skills development, self-enhancement skills development, legal services and others. All victims identified by State authorities were sexually exploited.

The Visayan Forum Foundation is a non-governmental organization founded in 1991. The Visayan Foundation centres cater to marginalized migrants, especially those working in the invisible sector such as domestic workers and the victims of trafficking, particularly women and children. The Foundation provides halfway houses and safe houses for victims of trafficking in persons in different areas of the country. These shelters have a capacity of about 120 beds and have assisted a total of 2,000 victims each year in 2006 and 2007. All the victims sheltered are Filipinos and trafficked for sexual and labor exploitation.

Fig. 146: Victims of trafficking in persons reported by State authorities in The Philippines (2004-2007)

Source: Department of Social Welfare and Development - Philippines
Republic of Korea

Institutional framework

The specific offence of trafficking in persons was established in the Republic of Korea in 2004. These provisions fall within the Act on the Punishment of Intermediating in the Sex Trade and Associated Acts, which refers to human trafficking only for the purpose of sexual exploitation. Prior to 2004, statutes on kidnapping and sexual exploitation were used to prosecute some forms of trafficking in persons. A National Action Plan for the Promotion and Protection of Human Rights, which includes trafficking in women, was adopted in 2007.

Criminal justice response

The following criminal justice statistics refer to trafficking cases detected after the approval of the legislation.

Fig. 149: Persons convicted of trafficking in persons in the Republic of Korea, by gender (2005-2006)

Fig. 147: Persons suspected of trafficking in persons in the Republic of Korea (2005-2006)

Fig. 148: Persons arrested for trafficking in persons in the Republic of Korea (2005-2006)

Fig. 150: Sanctions for trafficking in persons in the Republic of Korea (2005-2006)

Services provided to victims

State authorities provide legal protection, temporary stay permits, medical and psychosocial support, and housing and shelter for victims of trafficking. NGOs provide housing and shelter.
Singapore

Institutional framework

Singapore has specific provisions on trafficking in women and girls as part of its Women’s Charter, in place since 1996.

Criminal justice response

The Singapore Police Force (SPF) has a dedicated unit responsible for sex crimes, including the trafficking of women for commercial sexual exploitation.

Two men and one woman were convicted and sentenced for the offences of “forced prostitution” and “false pretense” under the Women’s Charter. Their sentences ranged from eight months to two years and two months in prison.

Services provided to victims

State authorities provide legal protection, temporary stay permits, and medical and psychosocial support for victims of trafficking. NGOs provide medical and psychosocial support and housing and shelter.

No victims of trafficking in persons were identified or sheltered by State authorities during the reporting period.

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Fig. 151: Cases of trafficking in women and girls investigated in Singapore (2004-2007)

<table>
<thead>
<tr>
<th>Year</th>
<th>Cases</th>
</tr>
</thead>
<tbody>
<tr>
<td>2004</td>
<td>15</td>
</tr>
<tr>
<td>2005</td>
<td>35</td>
</tr>
<tr>
<td>2006</td>
<td>33</td>
</tr>
<tr>
<td>2007</td>
<td>28</td>
</tr>
</tbody>
</table>

Source: Ministry of Home Affairs
**Thailand**

**Institutional framework**

Thailand has had specific provisions in place on trafficking in persons since 1997, although the Measures in Prevention and Suppression of Trafficking in Women and Children Act (1997) only addressed trafficking in women and children. The Act on the Suppression and Prevention of Human Trafficking criminalizes all forms of trafficking, including trafficking in men and boys, and went into effect on 5 June 2008. A national plan of action was adopted in 2003.

**Criminal justice response**

Two specialized agencies are responsible on the issue of human trafficking in Thailand; the Department of Special Investigations, Ministry of Justice; and the Center against International Human Trafficking (CAHT), Office of the Attorney-General.

A Children, Juveniles and Women Division was established in June 2005 under the Royal Thai Police. This division has 450 full-time officers and deals with trafficking in persons matters. Data became available on trafficking in persons cases beginning in 2005 with the creation of the Children, Juveniles and Women Division.
Services provided to victims

State authorities provide legal protection, temporary stay permits, medical and psychosocial support, housing and shelter, and vocational training for victims of trafficking.

**Fig. 155: Foreign victims identified by State authorities in Thailand, by country of citizenship (2005-2007) ( Might include also other persons in need)**

Source: Department of Social Development and Welfare

**Fig. 156: Foreign victims identified by State authorities in Thailand, by age (October 2006-December 2007) ( Might include also other persons in need)**

Source: Department of Social Development and Welfare

**Fig. 157: Foreign victims identified by State authorities in Thailand, by type of exploitation (October 2006-December 2007) ( Might include also other persons in need)**

Source: Department of Social Development and Welfare

**Fig. 158: Thai victims trafficked abroad and repatriated, identified by State authorities (2003-2007)**

Source: Bureau of Anti-Trafficking in Women and Children
Thailand adopted three different referral mechanisms for victims of trafficking in persons: one at the provincial level; one in foreign countries; and one at the central level. At the provincial level, centres of the Department of Social Development and Welfare are in charge of screening victims of trafficking and referring them to one of seven main shelters. Abroad, the embassies of Thailand are the operational centres, and the Bureau of Anti-Trafficking in Women and Children is in charge at the central level for identifying victims of trafficking in persons.

The statistics used in the charts above that refer to foreign victims identified by State authorities were provided by the Foreign Women and Children Trafficked Victims Section of the Department of Social Development and Welfare. These numbers might also include a small portion of persons in general need in addition to trafficking victims. For instance, from October 2006 to December 2007, about 15% of the persons reported above were not trafficking victims.

The statistics used in the charts above that refer to Thai victims trafficked abroad and identified by State authorities were provided by the Bureau of Anti-Trafficking in Women and Children.
Timor-Leste

Institutional framework

The specific offence of trafficking in persons was established in Timor-Leste in 2003.

Criminal justice response

The Migration Department is responsible for the investigation of immigration crimes, including human trafficking as described in Article 81 of the Immigration and Asylum Act.

Four men and one woman were investigated, arrested and prosecuted for trafficking in persons in 2006, and two men and eight women were investigated, arrested and prosecuted in 2007. No convictions were recorded prior to 2007.

Services provided to victims

NGOs and international organizations provide medical and psychosocial support, and recovery, return and reintegration services for victims of trafficking.

One girl trafficked for sexual exploitation was identified by IOM in 2006.
Viet Nam

Institutional framework

Viet Nam has had specific provisions in place on trafficking in persons since 1999, but the law only addresses trafficking in women and children. A national plan of action was adopted in 2004.

Criminal justice response

A special anti-human trafficking unit is part of the General Police Department. About 30 officers were involved full time in combating trafficking in women and children in 2008.
Services provided to victims

State authorities provide temporary stay permits, medical and psychosocial support, and housing and shelter for victims of trafficking. NGOs provide medical and psychosocial support, and housing and shelter.

Statistics on victims were very limited. Authorities reported the number of victims officially returned from China (422 in 2007), which is only a part of the total number of victims repatriated.

Additional information

Social support centres were established in most of the border provinces to receive and take initial care of victims returned from foreign countries. The border check posts (reception centres of border guards) also provide accommodation for temporary stays for victims when they are released.

There are over 100 Social Aid Centres, but only a few at the border areas have room for victims of trafficking. These centres are in the following border provinces: Lao Cai, Quang Ninh, Lang Son, Yien Bai, Ho Chi Minh City, An Giang and Can Tho.