



**UNODC**

United Nations Office on Drugs and Crime

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**The Challenge of Human Trafficking and  
its links to Migrant Smuggling in the  
Greater Mekong Sub-region**

**Address to the  
BALI PROCESS  
10<sup>th</sup> Anniversary Commemorative Conference  
by  
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## **Introduction**

Salamaat Pagi and Good Morning everyone.

Distinguished Co-Chairs,

Excellencies,

Participants,

Ladies and Gentlemen.

Please allow me to start these remarks by congratulating the Bali Process Members on your 10<sup>th</sup> anniversary. There is much to celebrate – and much which remains to be done.

I would also like to thank Ambassador Kleib of Indonesia – on behalf of all of us – for his warm greeting and for making us all feel so welcome in this beautiful island of Bali.

## **Focus and rationale**

Human trafficking is a global challenge, and no state is unaffected. Human trafficking is also a tremendous challenge to the states participating in the Bali Process.

In addressing you today I would like to draw upon research, conducted by my office – the Regional Centre for East Asia and the Pacific – which provides an illustration of the nature and scope of human trafficking faced by the countries of South East Asia.

I believe that challenges we face in this region are shared by other Bali Process regions as well.

## **About UNODC**

As most of you know, the mandate and work of UNODC is to assist our Member States to fight organized crime, illicit drugs, corruption and international terrorism within the respective UN conventions and universal instruments.

As the guardian of the United Nations Convention against Transnational Organized Crime and its supplementary protocols on human trafficking and migrant smuggling, our primary goal is to

promote global adherence to these universal instruments and assist States to effectively implement them, in particular, through:

- developing an effective criminal justice response and
- improving the evidence-base of knowledge to allow for effective decision making and policy development.

### **Human Trafficking, Migrant Smuggling: differences and linkages**

I have been asked by the conference organizers to do a scene-setting set of remarks. So I would like to share some thoughts on how irregular migration, migrant smuggling and human trafficking are all linked and what we can do to minimize its impact.

In short, **human trafficking** relates to those acts which lead to – and create – situations in which people are forced to work against their will – either for sexual exploitation, for forced labour, or for domestic servitude.

**Migrant smuggling** is something related, but different. It is the act of assisting irregular migration. It is motivated by some material or financial gain.

**Though they are two different forms of crime, migrant smuggling and human trafficking are often interconnected.**

Here is a typical scenario.

When a victim of human trafficking has been identified in a destination country, there is the tendency to declare the whole process as human trafficking including the journey from the country of origin to the destination country.

But this does not always reflect the truth. Sometimes, there was – first – a smuggling (or voluntary) process. Sometimes, only in the destination country did the migrant get tricked into a situation of exploitation by other criminals.

Away from their home communities, and in their ‘host’ country illegally, smuggled migrants have little basis for asserting their rights as workers. Among these rights is the basic right to be paid for your labour.

So, what begins as a voluntary search for a better life can descend into exploitation and slavery.

In such cases, the trafficking process did not start in the country of origin. It was not pre-organized. These differences are important.

The main point is that migrant smuggling has become a major driver in the process of irregular migration. As such, it makes people vulnerable to human trafficking.

But the flip side is this, if you prevent migrant smuggling you can contribute to preventing human trafficking.

## **Human trafficking in Southeast Asia - Introduction**

As I've said before, I've chosen to focus on the Greater Mekong Sub-region for two reasons:

1. First, my office has recently conducted a Transnational Organized Threat Assessment of the region which has touched upon human trafficking and migrant smuggling.
2. Second, I believe that the challenges faced by this region are similar to those faced in other regions of the Bali Process.

I would like to describe – in brief – the two main forms of human trafficking currently taking place in the Greater Mekong Sub-region:

1. human trafficking for the purpose of labour exploitation;
2. human trafficking for the purpose of sexual exploitation.

### **1. Labour trafficking to Thailand**

In the Greater Mekong Sub-region, Thailand is a magnet for regional labour. Labour trafficking to and within Thailand is one of the “side-effects” of the massive – largely irregular – labour migration movements from Cambodia, Lao PDR and Myanmar into Thailand.

Migrants come to improve their lives. But, too often, high expectations are met with disappointment. They can find themselves indebted. They can find themselves in jobs that do not match what recruiters had promised. Even the pay that was promised does not materialize. If they file complaints, they are met with a visit from the immigration police.

Furthermore, migrants are also trafficked. In some cases, workers can be kept captive for years, working only for their food and accommodation.

An example that has received a lot of attention recently is the **fishing trade**. Offshore vessels make excellent prisons. These workers have no one to turn to. They have no prospect for escape. Their vulnerability to exploitation is rooted in their irregular status.

**Seafood processing** is another field where trafficking has been reported. In 2006, Thai police found approximately 800 imprisoned men, women, and children from Myanmar working under extreme conditions in Samut Sakhon province, one of the largest seafood processing industrial areas in Thailand.

Such situations of exploitation occur across the Bali Process region.

## **2. Trafficking for the purpose of sexual exploitation**

Women and girls from the countries of the Greater Mekong Sub-region are trafficked for sexual exploitation. You may be surprised to learn that most of the demand for women and girls (and sometimes boys) is local demand from within the countries of the region.

Women and girls from the poorer countries of Cambodia, Lao PDR, and Myanmar, migrate irregularly to Thailand in search of a better life. In some cases, they become victims of trafficking for sexual exploitation.

Most traffickers control migrant sex workers through debt bondage accumulated from the cost of smuggling them into the destination country. Some brothel owners buy these debts and then use them to exploit the victim.

## **Challenges in combating human trafficking**

Before moving to some of the recommendations to address these linked problems of human trafficking and migrant smuggling, I would like to summarize the key problems we currently face in combating human trafficking in the Greater Mekong Sub-region:

1. The phenomenon is largely hidden - It is invisible to most of us.
2. Too few victims are being identified and supported.

3. Conviction rates are far too low.
4. There is insufficient awareness of the crime of human trafficking among police officers. This is especially true for front Line Officers. These officers often lack the knowledge to identify a human trafficking situation. Often they are deployed without the basic knowledge and skills on how to deal with trafficking as first responders to this crime.
5. Not enough is known about the nature and scale of trafficking. It would appear that only a small percentage of victims are formally recognized.

## **9 policy recommendations**

Against this backdrop, I would like put forward a number of recommendations. Nine in number:

1. **Increase affordable, accessible, safe and legal migration channels.**

The difficulty in accessing legal channels for migration often encourages individuals to migrate illegally. Whether they are smuggled or not, migrants who move without the protection of the law are more vulnerable to exploitation or trafficking by brokers, agents, and employers. Many countries in the Bali Process region have established formal labour migration channels. However, some of these systems are complicated, time-consuming, and expensive. As a result, migrants see being smuggled as a cheaper alternative.

2. **Improve the monitoring of labour standards – especially in the workplace.**

Irregular migrants are extremely vulnerable to exploitation. This is because they are generally not protected under any relevant labour standards.

**3. Combine improved border controls with better investigation and prosecution of trafficking and smuggling networks.**

Human trafficking and migrant smuggling generate large profits for the criminals involved. They are low-risk and high-profit crime. We need to better target their operations and their money.

**4. Improve victim identification systems.**

The prompt and accurate identification of victims lies at the heart of successful responses to human trafficking. By failing to identify trafficking victims, we deny victims the ability to realize their rights and the protection to which they are legally entitled. At the same time we simultaneously allow traffickers to act with impunity.

**5. Invest in victim-centred approaches to law enforcement.**

An adequate law enforcement response to trafficking in persons depends on the cooperation of trafficked victims and other witnesses. However, many victims are reluctant to become involved in criminal investigations because they simply lack confidence in the criminal justice system. That is why it is crucial to ensure that a respect for human rights underpins the conduct of all law enforcement activity.

**6. Support intelligence-led approaches to the investigation of human trafficking.**

The capacity of law enforcement agencies to collect, develop, analyze and disseminate intelligence is under-developed in the region. We need to place greater emphasis on the development of criminal intelligence systems dealing with the investigation of trafficking.

**7. Improve regional criminal justice coordination.**

Trafficking in persons may take place within the borders of a single country. However, more often, it involves exploiting victims from another country. In order to tackle the criminal groups involved, national law enforcement agencies must cooperate effectively with the law enforcement agencies of other countries. Existing regional coordination mechanisms on TIP are in place. But they are largely policy-focused, and not directly operational. This needs to change.

**8. Expand countermeasures to include legislation and operations against child sex tourism.**

There is significant concern that child-sex tourism is on the rise in Southeast Asia. We are also concerned that the internet is being used – more and more – to promote the activities of traveling child-sex offenders. UNODC is working closely with Interpol and four Governments in the region to find a new way to counteract this trend. I am happy to discuss this more during the discussion session.

**9. Do better research – and do more of it.**

At present, the lack of systematic research limits our ability to make informed decisions in order to improve law enforcement efforts. I would like to elaborate on this last point a little. At various Bali Process Ministerial and Senior Official Meetings, state representatives have underscored the need to enhance information sharing and collection. Specifically, in March 2011, the Bali Process Ministers “*welcomed assistance from UNODC in establishing a voluntary reporting system on migrant smuggling and related conduct in support of the Bali Process.*” In response to this, UNODC has developed such a **Voluntary Reporting System**. Currently, we are testing it. More than 10 states from Europe, Asia and the Pacific and North America are participating in this test phase. The system will be launched at the beginning of 2013.

Let me also add that UNODC has been mandated by the UN General Assembly under the United Nations Global Plan of Action to Combat Trafficking in Persons “to collect information

and report biennially, starting in 2012, on patterns and flows of trafficking in persons at the national, regional and international levels”.

Ultimately, UNODC efforts to assist you in improving evidence-based knowledge to inform policies depend on you.

As I move to conclude, ladies and gentlemen, we in UNODC recognize that the challenges you face in combating the often-deadly crimes of human trafficking and migrant smuggling are significant.

The recommendations I outlined just now are easy to say, but taking those **principles** and turning them into effective **practices** will require considerable investment of time and energy.

UNODC is already engaged with many countries in the region and is providing practical support to the development of intelligence-led policing practices, specialist investigative skills, and victim-centered approaches to combating human trafficking. And this is in addition to our work to counter migrant smuggling.

We will continue to offer this and other support where ever it is needed.

Human trafficking is a global challenge. We can only defeat it by working together.

Our joint objective must be to end impunity!

And put the criminals out of business!

Thank you.