Thank you, Chair, for giving me the floor.

I also wish to thank the distinguished panelists who have guided us in discussing this Agenda Item.

Madame Chair,

Indonesia has adopted Law No 21 of 2007 on Countering Trafficking in Person. The law became the legal foundation to establish the National Task Force on the Prevention and Combating the Trafficking in Persons. It is further strengthened with the issuance of the National Action Plan, underlining the need to protect and assist victims of trafficking and to prosecute the perpetrators.

The National Action Plan on Preventing and Combatting Trafficking in Persons of the period of 2015-2019 ended in December 2019. At present, we are finalizing the draft National Action Plan on Preventing and Combatting Trafficking in Persons of the period of 2020-2024.

The new action plan will include the Coordinating Ministry for Politics, Law, and Security Affairs, as a strategy to advance the effectiveness of our criminal justice responses. The Coordinating Ministry will be tasked to monitor and provide guidance at national level to all law enforcement agencies.

Further, the national plan will also involve the Ministry of Maritime and Fisheries as well as the National Agency for Protection of the Indonesian Migrant Workers, to give more strength to national mechanism in addressing trafficking in persons in fishing industry.

Madame Chair,

During the review of the previous National Action Plan, it was found that victims of trafficking – from the moment they were being recruited until they arrived in the place of destination – are forced to commit criminal offences along the way. For example, knowingly use counterfeited travel documents or birth records as well as illegally involved in prostitution. Furthermore, we also found that criminal groups also manipulated the victims to recruit other people to be trafficked.

While at the moment, we do not yet have a regulation on non-punishment, but its principle is embedded through the victim-based approach of our criminal justice system.

In many sexual exploitation cases, for example, during the investigation through the prosecution stage, women who are involved in the prostitution ring are often on trial as witnesses in lieu of criminal offenders. It is also possible for them to receive restitution for being exploited, as stipulated in Law No. 21 of 2007.

In cases where the victims are foreign nationals, our government will also provide assistance and justice for the victims. In 2015, we discovered exploitation and trafficking in person case
in Benjina island of Indonesia. The case involved foreign vessels and foreign nationals while occurring in Indonesia’s waters. Even though the victims were involved in illegal fishing practices, our government treated them as witnesses, instead of criminal. We also managed to secure compensation for them from the employers.

Madame Chair,

Allow me to use my previous remark as a jumping point to highlight the cruel treatment of trafficking victims in fishing industry. They work 24/7 with excessive workloads as well as inhumane and abusive working condition. Even after their death at sea, they could not live in dignity.

The risks are due to difficulty in imposing international standard working conditions, but also in enforcing law onto the ships that operate in international waters, particularly when they use flag of convenience.

With that in mind, we believe that it is imperative to ensure that our national fishing industry, as well as the recruitment and placement of our seafarers to foreign flagged fishing vessels, are safe from exploitation.

As a preventive measure, Indonesia is drafting a Government Regulation on the Protection of Seafarers in Trading and Fishing Vessels. This regulation will regulate the recruitment and placement of Indonesian seafarers in foreign flagged fishing vessels.

We also look forward to work hand in hand with member states. Especially, the Flag States of the fishing vessels, which have been hiring our seafarers to work overseas as well as the Port States and Coastal States, which have been facilitating the vessels where our seafarers are working;

Madame Chair,

Victims of trafficking are exploited beyond measures through each step of the way. To revictimizing by prosecuting them for criminal offenses is unnecessary at best and a cruel act at worst.

We believe that the discussion today will serve as a reminder for all of us to put the best interest of the victims of trafficking at the very center.

I thank you.