

Mekong sub-region committed to ending trafficking

by Susu Thatun

In October 2004 six countries - Cambodia, China, Laos, Myanmar/Burma, Thailand and Vietnam – joined hands in the battle against human trafficking in the Greater Mekong Sub-region (GMS).

Trafficking within the GMS has a number of distinct forms:

- trafficking from Cambodia, China, Laos and Myanmar/Burma to Thailand for labour exploitation, including the sex trade
- trafficking of children from Cambodia to Thailand and Vietnam for begging and lately from Vietnam to Cambodia, Laos and Thailand for the same purpose
- trafficking of women and girls from Vietnam, Laos, and Myanmar to China for forced marriage, and boys for adoption
- domestic trafficking of kidnapped children in China for adoption and of women and girls for forced marriage
- trafficking of women and girls from Vietnam to Cambodia for the sex trade.

Trafficking also takes place to Malaysia, Japan, Taiwan, Hong Kong, Europe, the US, Australia and the Middle East. Thai women have historically been those most frequently trafficked outside the region but, as these women become less vulnerable, traffickers have also been targeting people from China, Myanmar/Burma, Vietnam and elsewhere. The willingness of Western couples to pay a considerable sum to fast-track the adoption process in Cambodia has led to a new trafficking market for stolen babies.

The resurfacing of modern-day slavery in the guise of human trafficking had caught the attention of governments in the region by the late 1990s. As the severity of the crime began to be recognised, programmes and projects mushroomed. However, the increase in the number of interventions was not accompanied by a decrease

in the severity of the problem. More actors did not necessarily lead to concerted actions but rather added to disarray in the whole spectrum of anti-trafficking initiatives. In recognition of this and the transnational nature of the problem, governments came to appreciate the need for a coordinated regional approach.

The memorandum of understanding which established COMMIT (Coordinated Mekong Ministerial Initiative against Trafficking) is the result of intensive and extensive consultations. The COMMIT process began as a series of informal discussions between representatives from several of the GMS governments in mid 2003. During three roundtable discussions the governments overcame challenges to reach a groundbreaking agreement that was to become the blueprint for collaboration to combat trafficking in the GMS. The MOU represents the governments' recognition that trafficking in persons impacts the human security and the human rights of the individual and that in many ways trafficking is a direct result of lack of human security and has to be addressed at the individual, societal, national, regional and international levels. The 34 articles specifically refer to the need for governments to work together with international organisations and NGOs to close all avenues of exploitation.

Innovative features of COMMIT

COMMIT is a high-level policy dialogue in a sub-region where all governments have realised that they cannot combat trafficking effectively on their own. Combining

efforts on prevention of trafficking, protection of victims and their repatriation and reintegration, and prosecution of the criminals responsible, COMMIT is the superstructure on which a cohesive and comprehensive anti-trafficking response is being built.

COMMIT is the first regional instrument making a serious effort to institutionalise a multi-sectoral approach to ensure that the obligations and commitments made in the MOU and the subsequent Sub-regional Plan of Action (SPA) are translated into actions in a timely manner and in accordance with agreed international norms and standards. The COMMIT Secretariat is located in the Bangkok-based UN Inter-Agency Project on Human Trafficking in the Greater Mekong Sub-region (UNIAP).

The COMMIT process:

- acknowledges that marginalised populations have special vulnerabilities that must be addressed
- highlights the importance of strengthened guidelines and mechanisms for identification of victims and linkages between better identification and treatment of victims and more effective law enforcement
- stresses the role that migration policy (including bilateral migration agreements) can play in combating trafficking
- recognises the need for increased efforts in application of labour laws and monitoring of labour recruitment companies
- is nationally and regionally-owned: GMS governments initiated the process and are taking the lead in identifying the problem of human trafficking and setting policies, activities and timelines. Their strong sense of pride and ownership in COMMIT is evident in the prominent way that this process has been highlighted in international fora.
- is characterised by inclusion and participation. UNIAP has



hosted seven technical roundtables bringing together 16 anti-trafficking actors in the GMS region – UN agencies, NGOs and inter-governmental organisations. They have significantly contributed to development of the Sub-regional Plan of Action and its 11 thematic projects.¹

■ is based on a clear rights-based and ‘victim-centred’ approach. The COMMIT MOU explicitly bases its definition of trafficking on the Protocol to Prevent, Suppress and Punish Trafficking

in Persons (Palermo Protocol)² supplementing the UN Convention on Transnational Organized Crime. COMMIT is bound by principles enshrined in the Universal Declaration of Human Rights and such other key human rights documents as the UN Convention on the Rights of the Child,³ the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)⁴ and the fundamental conventions of the International Labour Organization.⁵

COMMIT provides a potential model for other such agreements around the world. However, it is still in infancy and its lessons are yet to be fully documented. To what extent the structures established will stand the test of time and onslaught by violators and traffickers searching for loopholes depends on those who are supporting the process. In its capacity as the COMMIT Secretariat, UNIAP will continue to do its utmost to do justice to the ideals of the process, placing at its centre and at all times the task of protecting the rights of trafficked persons.

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Cambodian children are now regularly taught about the dangers of trafficking.

1. These involve: regional training; identification of victims and apprehension of perpetrators; national plans; multi-sectoral and bilateral partnerships; legal frameworks; safe and timely repatriation; post-harm support and reintegration; extradition and mutual legal assistance; economic and social support for victims; addressing exploitative brokering practices; cooperation with tourism sector; coordination, monitoring and evaluation.
2. www.iom.int/germany/other_language/palermo-protocol-eng.html
3. www.unicef.org/crc
4. www.un.org/womenwatch/daw/cedaw
5. www.ilo.org/public/english/standards/norm/whatare/fundam/