

# Doing nothing about human trafficking is a disgrace

---

**KHOO YING HOOI**

Published: 23 June 2014

*Malaysia is famous for another wrong reason. Now we have something common with countries like North Korea and the Republic of Congo.*

The latest Trafficking in Persons (TIP) report issued by the US State Department has downgraded Malaysia (<http://www.themalaysianinsider.com/malaysia/article/malaysia-drops-to-tier-3-lowest-ranking-in-us-human-trafficking-report>) together with Thailand, the Gambia and Venezuela to Tier 3, the lowest ranking in a country's effort to curb modern-day slavery.

The TIP report ranks governments based on their intensification of efforts in combating human trafficking, as provided under the Trafficking Victims Protection Act (TVPA).

With the lowest ranking, it brings negative implication to a country. It means Malaysia does not comply fully with the 11 "minimum standards for the elimination of trafficking" and displays no significant efforts of doing so.

Malaysia had made "inadequate efforts to improve its flawed victim-protection regime". The victim-protection regime is flawed because, in Malaysia, the general practice of the authorities is to "punish" the victims by detaining them, rather than opt for, say, counselling.

One of the highlights of the report is Malaysia's problem with migrants who seek work in Malaysia. This is one of the common issues that Malaysia is "famous" for, particularly with the Indonesia.

Recently, an agent was arrested for dumping the body of a baby boy into a ravine in Genting Highlands. This led to the discovery of a syndicate which has been holding foreign maids. The agent had allegedly been sexually abusing the maids and withholding their salaries.

For four consecutive years (2010-2013), Malaysia was placed on the Tier 2 Watch List. That was partly because the government was granted waivers in 2012 and 2013, which would otherwise have required a downgrade to Tier 3.

Interestingly last year, Home Ministry secretary-general Datuk Seri Abdul Rahim Mohamad Radzi at the launch of Anti-Human Trafficking Awareness Campaign and state level Anti-Smuggling of Migrants organised by the Council for Anti-Trafficking in Persons and Anti-Smuggling of Migrants (Mapo) reportedly said that, “If Malaysia is on level three, it will reflect negatively on us and give a bad image to our country... Keep in mind, we were at level three in 2007 and 2009, and we bounced back and improved our position to level two. Thus, this time, all efforts are under way towards achieving that goal.”

So the authorities are indeed aware of the situation that they are in now, yet, have made no extensive efforts to address the problem.

Rather, we are more interested in engaging in extensive lobbying to be elected into the United Nations Security Council. Isn't that ironic?

Human trafficking is a transnational and complex issue. However, it is a national shame that Malaysia has long been promoting itself as a moderate, modern and developing country, yet has failed to act moderately for the victims.

In the past few years, Malaysia has initiated several efforts in combating human trafficking.

However, after four years being in the Tier 2 Watch List, Malaysia has failed to learn its lesson and now “qualifying” itself in the lowest ranking.

It proves that we have not put enough effort and to some extent, allowing abuse of the rules and policies in place.

We have an Anti-Trafficking in Persons and Anti-Smuggling of Migrants Act. We also have Mapo whose main task is to combat such practice and protect victims.

We also launched a five-year action plan (2010-2015) to show the world our determination to combat human trafficking.

With all these in place, yet we were downgraded to Tier 3. So what went wrong?

It shows we are often good at producing policies, rules and regulations. Forums after forums, meetings after meetings, but we fail when it comes to enforcement.

The latest ranking shows that Malaysia's enforcement is not effective in stopping syndicates from

trafficking persons.

As highlighted in the report, the government policy that places the burden of paying immigration and employment authorisation fees on foreign workers, rather than employers, has increased the risk of exploitation.

The report also mentioned that victims had limited freedom of movement and are detained sometimes for more than a year.

The government also provides little basic services to those in shelters as most of the rehabilitation and counselling services are conducted by NGOs, with no financial support from the government.

Therefore, it is crucial for the authorities to work together with the NGOs to solve cases. NGOs often work closely with victims and hence, trusted by them.

Thailand is another Southeast Asian country on Tier 3. However, despite the political situation, at least the Thai is responding to the disgrace.

The Thai military junta leader Gen Prayuth Chan-ocha immediately came out with the statement vowing to crack down on figures and officials involved with the act of human trafficking.

What about Malaysia? – June 23, 2014.

*\* This is the personal opinion of the writer or publication and does not necessarily represent the views of The Malaysian Insider.*

---