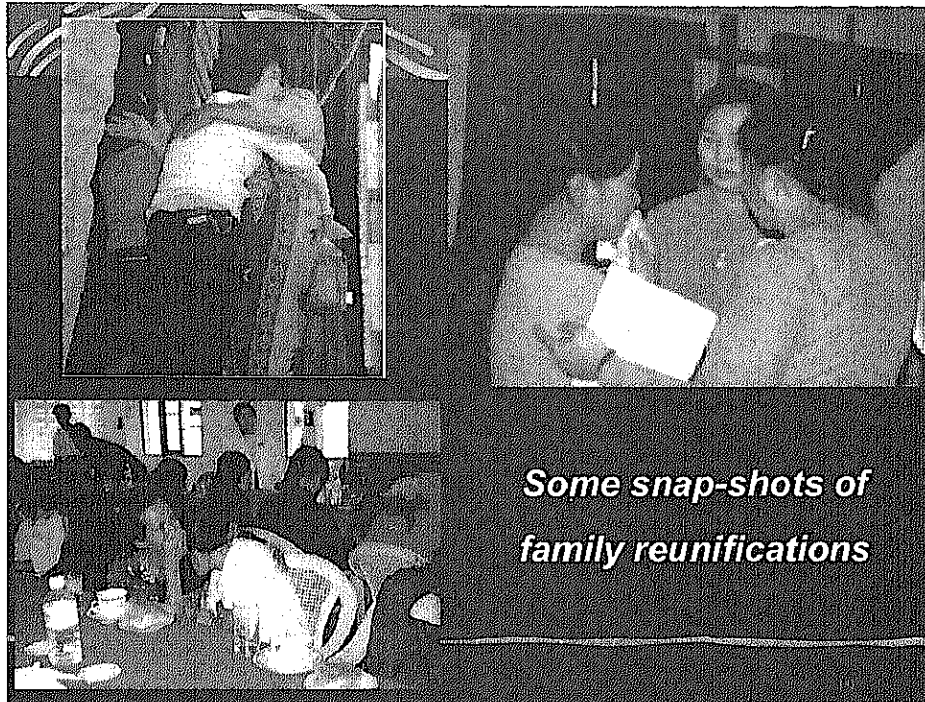


*Victims of trafficking being transferred at the border*



*Victims of trafficking being transferred at the border*



### Activities of Preventive Working Committee for T.I.P (PWCTIP)

- ① Working Committee was established on 17 July 2002.
- ② Headed by Deputy Minister of MOHA and it comprises 24 members from various departments.
- ③ Formed States/ Divisions/ District, Township level Committees across the country.

## **National Seminar on Trafficking in Persons**

- ① Held on 25-26 May 2003 in Yangon.
- ② Collaborated with UNIAP, UNICEF and SC(UK).
- ③ Laid down 11 recommendations and submitted to the Government.

## **Myanmar Women's Affairs Federation (MWAFF)**

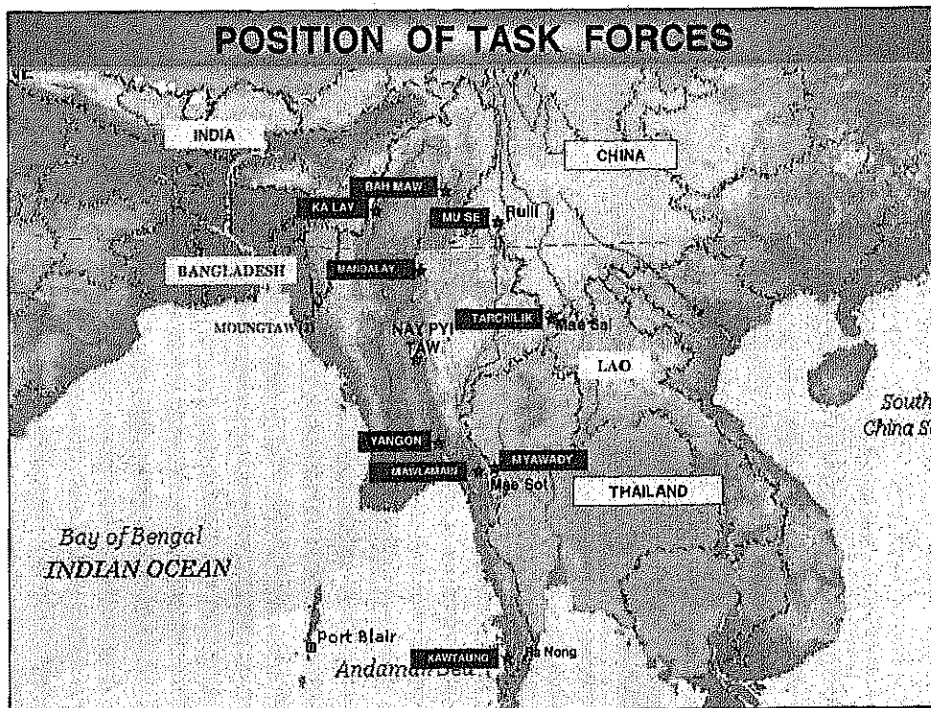
- ① Formed on 20 December 2003 as a new NGO.
- ② Aim to promote and advancement of women.
- ③ One of the working group is strive for combating T.I.P.
- ④ MWAFF working in close partnership with MNCWA.
- ⑤ Comprises with 6 departments and 6 working groups.

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## Formation of ATU & ATTF

- Myanmar- Australia government signed ARCPPT - MoU on 22 Dec 2003
  - To establish the Anti-Trafficking Unit with well trained 40 Police Officers( June, 2004)
  - To establish in 9 hotspot areas with 30 Police Officers(1-1-2006)

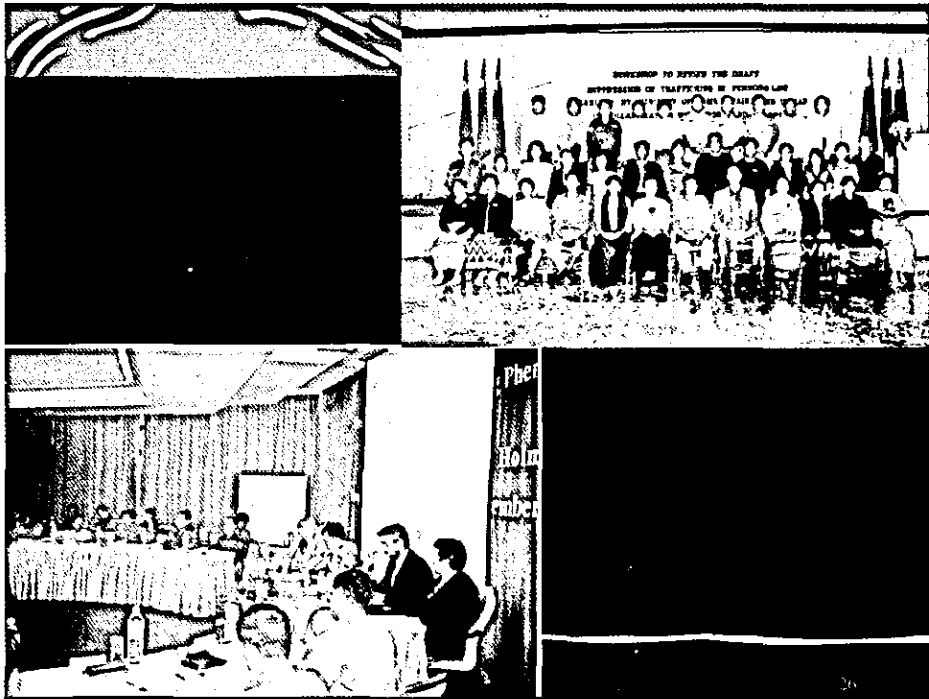
23



## Promulgation of Anti-Trafficking in Persons Law

- ① Since January, 2004 Drafting Group was formed and drafting the new law.
- ② Draft Law review workshop has been held in September 2004 with national and international experts.
- ③ The new law was promulgated in 13-9-2005.

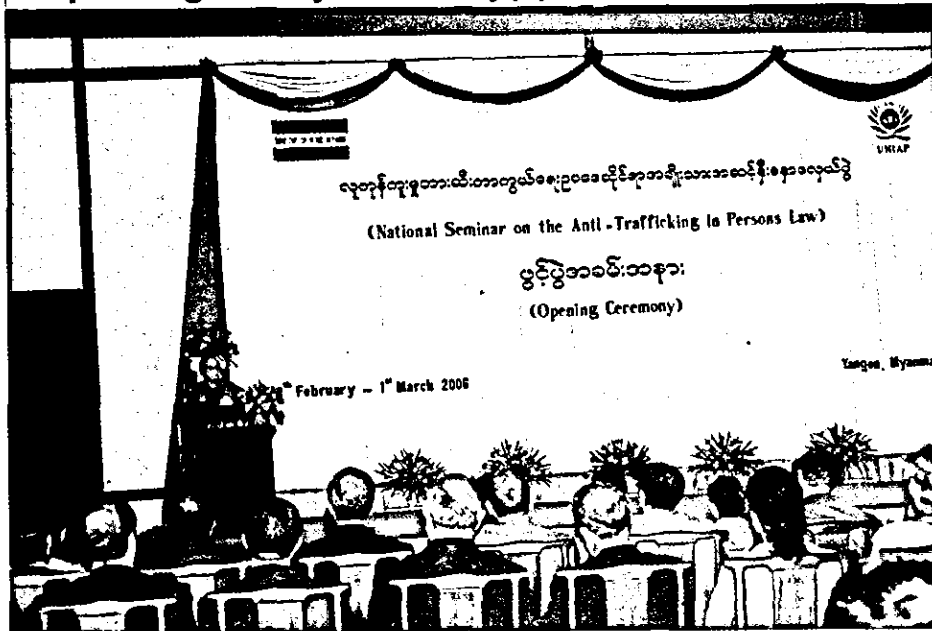
25



## National Seminar on Anti-Trafficking in Persons Law

- National Seminar on Anti-Trafficking in Persons Law held On 28 Feb to 1<sup>st</sup> March 2006
- Collaboration with MOHA and UNIAP
- Similar Workshops held in States and Divisions

### Speech given by Secretary(1) at National Seminar



## **Enacted the Anti-Trafficking in Persons Law and formed new Central Body**

- Anti-Trafficking in Persons Law was promulgated on 13-9-2005.
- Formation of new Central Body chaired by Minister of Home Affairs as National Institution.
- Formation of 3 Working Groups under Central Body chaired by Deputy Ministers and Deputy Attorney General.

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## **Existing Laws related to Trafficking in Persons**

- ❖ 1947 - The Myanmar Immigration (Emergency Provisions) Act
- ❖ 1948 - The Suppression of Corruption Act
- ❖ 1949 - The Suppression of Prostitution Act
- ❖ 1960 - Myanmar Penal Code
- ❖ 1993 - The Child Law
- ❖ 2002 - The Control of Money Laundering Law
- ❖ 2003 - The Blood and Blood Products Law
- ❖ 2004 - The Mutual Assistance in Criminal Matters Law
- ❖ 2004 - The Body Organ Donation Law

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# **International Cooperation**

*To enhance combating Trafficking in  
Persons*

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## **Regional Cooperation**

- **ASEAN Declaration**
- **Bali Process**
- **ARCPPT/ARTIP**
- **BIMSTEC**
- **COMMIT**

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## ARCPPT/ARTIP Project

- ❑ Myanmar-Australian government signed ARCPPT - MoU on 22 December 2003.
- ❑ The three years long Phase-1 project has been terminated in March 2006 .
- ❑ The Project covered Cambodia, Laos, Myanmar, Thailand .
- ❑ The Phase -2 started in September 2006 for five years planning.
- ❑ Included Indonesia in Phase 2 project.

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## COMMIT

(Coordinated Mekong Ministerial Initiative against Trafficking)

- ⊙ COMMIT MoU was signed on 29 Oct 2004 in Yangon.
- ⊙ GMS 6 countries ( China, Cambodia, Laos, Myanmar, Thailand, Vietnam )
- ⊙ Sub-Regional Plan of Action (SPA) has adopted in March 2005 in Hanoi.
- ⊙ GMS countries will show the world and challenge the traffickers.

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## Bilateral/Multilateral Cooperation

- ❖ Myanmar-Thailand signed the MoU on cooperation in regulating the employment of illegal migrant workers in 2003.
- ❖ Myanmar-China signed an agreement on combating Transnational Crime and to maintain Peace in the border areas on 15 January 2005.
- ❖ Myanmar signed the ASEAN treaty on Mutual Assistance in Criminal Matters in January 2006.

35

## Member of the UNCTOC and its Protocols

- ① Myanmar became a member country on 30 March 2004.
- ② Working to combat Trafficking in Persons with provision in line with the convention.

36

### **Myanmar's ratification status on the International Conventions related to Human Trafficking**

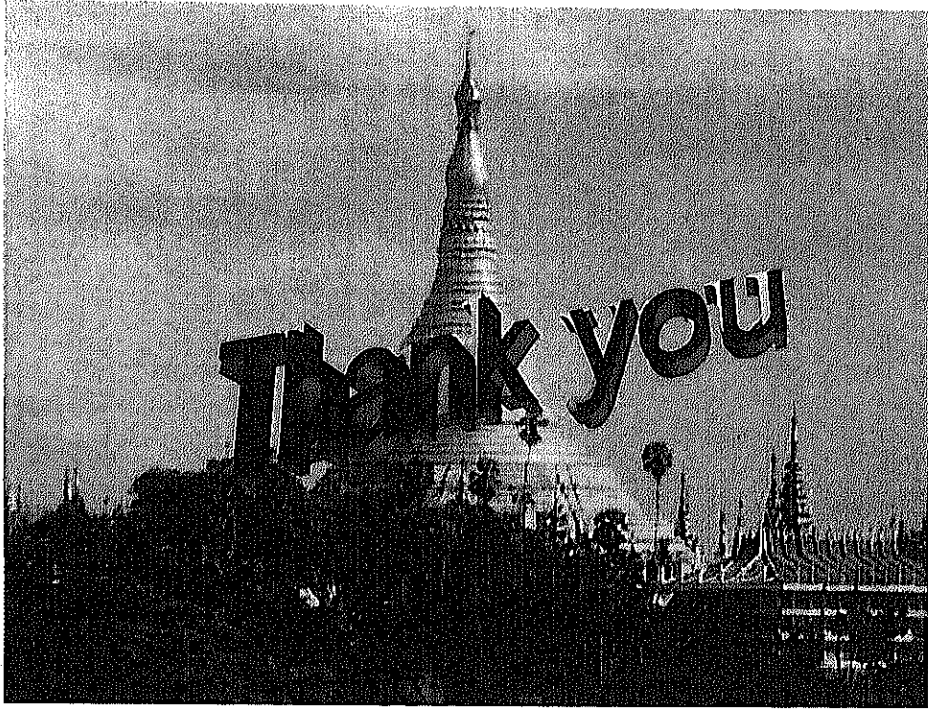
- ❑ Convention on the Rights of the Child (CRC) (1991)
- ❑ Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) (1997)
- ❑ Forced Labour Convention No.29(1955)
- ❑ UN convention against Transnational Organization Crime (CTOC) (2004)
- ❑ Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (2004)
- ❑ Protocol against the Smuggling of Migrants, Land, Sea and Air
- ❑ UN Convention against Corruption
- ❑ Myanmar is a member in the Treaty on Mutual Assistance in Criminal Matters and is implementing with the closed International Cooperation

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## **Conclusion**

- Myanmar has done a lot of significant steps to combat Trafficking as presented on above.
- Myanmar is one of the most effective countries that have effectively eradicated human trafficking.
- Myanmar can never condone human trafficking.
- Myanmar would continue to cooperate with neighbours and other humanitarian organization relying on our own social environment and inter strength, in combating this threat.

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## Violence Toward Women: Human Trafficking

Keiko Otsu  
Former Director of HELP  
Representative of Japan Network  
Against TIP (JNATIP)

## Asian Women's Shelter HELP

- Started in 1986 on the 100th anniversary of the Japan Christian Women's Kyofukai, HELP marked 20 years of operation in 2006.
- HELP provides emergency shelter, warm food and support to women and children in need of assistance, regardless of nationality.
- Residents include Japanese women and those of foreign nationality. HELP works to provide for the various needs of survivors of trafficking and domestic violence as well as homeless women.
- Many of the trafficked women who come to HELP arrive via the police or from the embassies to which they fled their imprisonment with the help of customers.

2




## Patterns of Survivors' Emigration, Immigration and Stays in Japan

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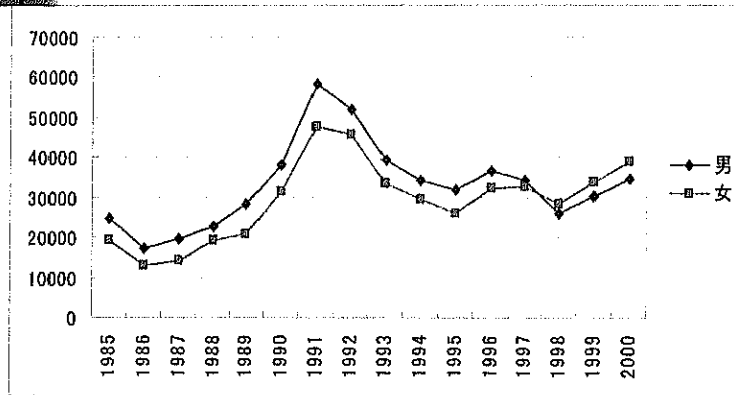
- The latter half of the 1980s saw the numbers of Philippine women leveling off as Thai women's numbers began to increase.
- The beginning of the 1990s saw a dramatic increase in the Thai immigrant population in general. The peak came in 1991, and by 1995 that number had dropped to about half. From 1991 to 1993, HELP provided refuge for an average of 240 women. From 1996 the number ranges annually to 25 or 30.

3

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- 
- The trends in male and female immigration from Thailand are similar throughout the period shown, but from 1998 the number of female immigrants begins to exceed that of males.
  - Areas with high numbers of Thai immigrants on record include Tokyo, Ibaraki, Kanagawa, Nagano and Saitama.

4

## Immigration from Thailand



taken from annual statistics of the Immigration Authority

5

## Circumstances of Trafficking Survivors at HELP I

### Debt

3 million yen	2
3 million to 4 million yen	3
4 million to 5 million yen	23
5 million to 6 million yen	15
over 6 million yen	1

- Of the women surveyed, the average amount of 'debt' reported, the amount that they would have to ostensibly pay off to gain their freedom, was over 4 million yen. As collateral to the debts, the women are often faced with dire threats: 'Run and you're dead,' 'Your home in Thailand will burn,' 'Your parents' lives are at stake,' as well as violence, imprisonment and other forms of coercion.

6

## Age

17years or less	5
18~24	25
25~29	21
30~34	16
35~39	2
40~44	2

- Five of the respondents were youth of 17 and under, while the majority were between 18 and 35 years of age.

7

## Circumstances of Trafficking Survivors at HELP II

- For many of the women, less than one month elapsed from the time they entered the country to returning home. Many were able to escape their captors in a relatively short period. All faced conditions they had never imagined before leaving home: forced into prostitution, receiving not the least amount of the money made off their bodies.
- "If you don't work and start to pay off some of that money, within four months the 20% interest will come into effect."
- "I had to take at least ten customers a day." "If I had to keep working light that I was sure I'd go mad."

8



## Circumstances of Trafficking Survivors at HELP III

- Confinement, constant monitoring, and other forms of emotionally extreme circumstances were not uncommon.  
"Wherever you went it felt like you were being watched."  
"Work time was at night, with only three or four hours' break."  
"I was made to work day and night."  
"I was forced to solicit customers on the street with the yakuza watching."
- Some, on arriving at HELP, mistake the place for yet another brothel they've been sold off to and, unable to believe that they have finally arrived somewhere safe, will turn sharp objects on themselves or staff members trying to protect themselves.

9

## The Survivors' General Condition

Placed in coarse surroundings  
Emotionally, subject to physical ailments including HIV infection and drug dependency

Women are discriminated after going back to their home countries as they had worked in the sex industry. Since they cannot find work easily, they go to other prefectures and then to overseas relying on their brokers. Receiving countries and sending countries need to think about what they should do to avoid the women to become victim to human trafficking again. They need to first come up with the measures to ensure physical safety and financial life security. Re-assimilation after repatriation is an important issue.

10




## **Plan of Action to Counteract**

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### **Human Trafficking (Dec, 2004) and the New Criminalization of Human Trafficking (June, 2005)**

- **In December of 2002, Japan ratified the international treaty criminalizing human trafficking and signed the prohibition protocol**

11



## **The three aims of the protocol are as follows:**

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- 1) **Providing a structure for protection and Prevention and eradication of the trafficking of women and children,**
- 2) **support of survivors, and**
- 3) **Cooperating to meet these ends.**

12




## Definitions:

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- 1) Objects: Exploitation—Sexual exploitation, forced labor, slavery, organ harvesting
- 2) Measures: Coercion, rights abuses, abuse of disadvantaged situation, control
- 3) Actions: Human abduction, transport, removal, concealment, trading for subjects under 18 years of age, definition applies without the presence of 2).

13



**The 2004 US State Department annual report listed Japan as not meeting the minimum requirements of vigilance.**

14

## Specific Countermeasures


- 1) Punishment of Assailants
  - In bringing about the arrest of assailants, the safety of the women who act as witnesses must be ensured. However, this must be recognized as a long-term process.

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## 2) Aid to Survivors

- Native-language counseling, provision of information, issuance of valid residency status, as well as measures to ensure welfare support are all necessary. For the women themselves, having fled from severe situations, many suffer from anxiety and sleeplessness and are in need of psychological care. For this reason as well native-language counseling is essential.

16



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### 3) Establishment of New Special Facilities: Shelters and Step Houses

#### 4) Cooperation with NGOs: Private Shelters

- All private shelters nationwide will admit survivors of trafficking and guarantee their safety using government funding.

17



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### 5) Guarantee of Civil Trial

- While the survivors can appeal to the criminal court against brokers, there must also be a means for them to claim the unpaid wages of their work as civilians. This is not a private but a national responsibility. Even if it is to take a long time, for the women to receive their earnings, they can extend their stay in Japan.

18



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#### 6) Covering the costs

- Japan pays the costs of repatriation.

#### 7) Societal Education

- Making various opportunities to appeal to males especially that the sex trade violates human rights, that the protection of women's sexuality and health is the protection of one's own health and that of one's family, through mass media reports

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#### 8) Children's Education

- Sex education from early youth from the perspective of sexuality as a human right is essential as a part of school guidance. Thailand's AIDS education programs and the sex education programs of other countries must be observed as models.

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## In closing---Private Shelter Tomorrow---

- In 2005, women consultation centers provided security for 121 human trafficking victims. Out of them, 6 were consigned to HELP, but there was no one transferred to HELP in 2006. We see less number of women who are temporarily housed in women consultation centers. Does it mean that the number of the victims decreased? Or does it just mean that more of them have become latescent? I think the latter is happening. The next question is if the private shelters are no longer needed as the women consultation centers are sufficient to accommodate them. I believe it is important for public and private institutions to work together to eliminate abuse of women.

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**Thank you**

22

## The situation of Supporting TIP victims after Action Plan combating TIP in Japan

SAITO, Yuriko  
Japan Network Against Trafficking in Persons (JNATIP)  
Keisen University

1

## What's JNATIP

- JNATIP is a non governmental network organization
- JNATIP has established in 2003
- A Networks of consisted by 27 NGOs and more than 100 individual members in Japan
- JNATIP's objectives are
  1. To prevent the trafficking persons
  2. To protect who have been victimized persons
  3. To support their social re-integration of victimized person

2



## Current Activities of JNATIP

1. Research on TIP especially support victims.
  1. 2003-2005 "The JNATIP/F-GENS joint research on the situation of TIP victims in Japan"
  2. 2006-2007 "JNATIP research to build cooperation beyond area and border to support TIP victims"
2. Lobbying for the proposal and to establishment of comprehensive Law against TIP
3. Campaigning for raising public awareness on the problem of TIP

3

## TIP situation in Japan

Trend of TIP situation in Japan			
	International Trend	Japan	Protection and Support TIP victims
1980			
1990		Murder cases had increased related TIP	
1996		Human Rights Watch's report on Thai TIP victims	protection and support TIP victims especially by NGO shelters and Human Rights oriented NGO groups.
2000	protocol TIP, clear definition of TIP	2004 US TIP report Tier 2 Watch List 2004 official letter from Ministry of Health, Labour and Welfare for public women shelter 2004 Action Plan against Trafficking in Persons by Japanese Government	
2005		2005 JNATIP/F-GENS TIP report in Japan 2005 Immigration law, The penal code were amended	TIP victims are protected and supported by public women shelters mainly.
		2007 JNATIP report	

by SAITO, Yuriko

4

## Distinctive points of JNATIP research on TIP

1. Research was carried out before(2004) and soon after(2006) the Action Plan against TIP in Japan has been practiced (2005).
2. Research has sensibility on human rights of TIP victims.
  - "The JNATIP/F-GENS research of victims of TIP in Japan" 2003-2004
3. Research promote partnership between GOs and NGOs on support TIP victims.
  - "The JNATIP research to build cooperation beyond area and border to support TIP victims" 2006-07

5

## Outline of JNATIP research 2006

1. Interviews using questionnaire were conducted with
  - 17 GO shelters
  - 10 NGOs (including 4 shelters)
2. Questionnaire research to Ministries relating TIP plan
  - Ministry of Health, labor and welfare, National Police Agency, Ministry of foreign affairs, Cabinet Office
3. Interview IOM on supporting returnees and social re-integration
4. A study visit to Thailand to observe NGO and GO partnership and support for TIP victims and their families in Thailand.
5. Review of relevant documents on the protection and support TIP for victims among TIP receiving countries.

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