



Gender Issues in Migration & Trafficking in ASEAN

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in

*The Role of Parliamentarians on the Protection and Promotion of
the Rights of Migrant Workers in ASEAN*

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Kinds of Movements



TRAFFICKING OF WOMEN AND GIRLS IN ASEAN

Increasing recognition that trafficking is not only sexual exploitation, but different forms of labour exploitation

Forced labour , modern forms of slavery also include victims of trafficking

Migration – act with person’s consent

Trafficking – will & intent to exploit by coercion, force, deception

Trafficking occurs within migration by:

Manipulation of persons who decide to migrate

Manipulation of legislations, norms, rules & procedures

TRAFFICKING OF WOMEN AND GIRLS IN ASEAN

Country	Status in TIPs report 2010
Brunei Darussalam	Tier 2 Watch List
Cambodia	Tier 2
Indonesia	Tier 2
Lao PDR	Tier 2 Watch List
Malaysia	Tier 2 Watch List
Myanmar	Tier 3
Philippines	Tier 2 Watch List
Singapore	Tier 2 Watch List
Thailand	Tier 2 Watch List
Vietnam	Tier 2 Watch List

TRENDS IN TRAFFICKING

- ❖ Increasing magnitude & global reach

- ❖ Newer source & destination sites

- ❖ Diverse & sophisticated mechanisms

- ❖ Varied purposes

- ❖ Linkages to crime industry & corporate enterprise (transport, tourism)

- ❖ Gross human rights violation

- ❖ Trafficked persons: men & very young children too

- ❖ Hefty profits; connections

DOMINANT DISCOURSE AND INTERVENTIONS

- ❖ Not normally gender responsive
- ❖ Largely lacking rights based sustainable development orientation
 - Embedded in morality, law and order, natural security paradigms
 - Marked by class, gender, ethnic, nationality concerns & punitive strategies
 - Reactive; focus on immediate post-trafficking assistance
 - Inadequate focus on factors generating demand
 - Preventive projects are microlevel, not gender/market responsive, unsustainable
 - Lacking multi-sectoral linkages

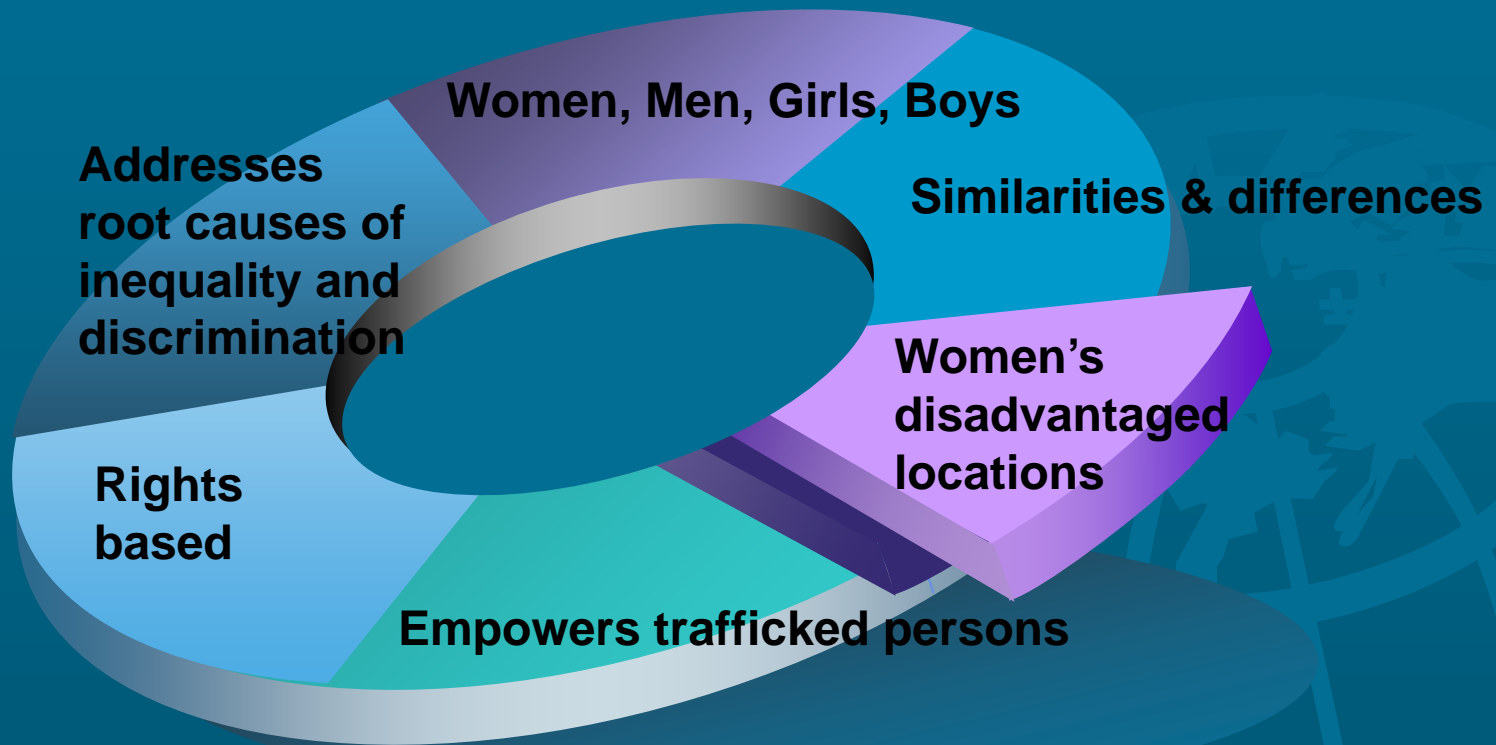
WHAT IS A GENDER PERSPECTIVE?

- ❖ Distinguishes between sex & gender
- ❖ Refers to relative status & position of men & women
- ❖ Recognizes women's disadvantaged position is socially determined
- ❖ Prevalent stereotypes & less valued social roles marginalize women from ownership & control over resources
- ❖ Links gender to class & ethnicity

WHAT IS A GENDER PERSPECTIVE?

- ❖ Being change oriented; works to end inequality & usher in mutuality and partnership with men
- ❖ Though woman-centered is not woman exclusive
- ❖ May include short term affirmative action to compensate historical disparity
- ❖ Women targeted not necessarily gender responsive

GENDER PERSPECTIVE ON TRAFFICKING



Suggested Action Points

Criminally prohibit and prescribe punishment for labor trafficking offenses; criminally prosecute those involved in forced labor, the recruitment of persons for the purpose of labor exploitation, or fraudulent labor recruitment; develop formal procedures for the identification of labor trafficking victims, relying on recognized indicators of forced labor,

Hold labour recruitment companies criminally responsible for illegal acts committed during the recruitment – develop/implementation of code of conduct.

Implementation of anti trafficking laws in line with international human rights standards, stricter punishments for violators.

Gender sensitive treatment of trafficked persons

Migrant workers (especially women) who flee their abusive employers are charged as “runaways,” should have access to labour courts, services (gender sensitive)

Suggested Action Points

Laws against withholding workers' passports need to be enforced— a common practice that restricts the mobility of migrant workers and contributes to forced labour

Have a strong Labour migration policy or framework at ASEAN level which is rights based, which is gender sensitive and which has legally enforceable measures against violators and support for trafficked persons/

Need to have clear gender sensitive labour migration policies and capacities for implementation

Syndicates and networked which operate within labour migration groups and are in the business of trafficking; -monitored and prosecuted

Provide positive aid to trafficked women- legal alternatives , immigration relief for foreign victims of trafficking to participate voluntarily in investigations and prosecutions of trafficking offenses. Allow them to find work

From Victims to Agents of Change



Expanding women's voice, leadership and participation

Ending violence against women

Strengthening implementation of the women, peace and security agenda

Enhancing women's economic empowerment

Making gender equality priorities central to national, local and sectoral planning and budgeting