

## GLOBAL SHEPHERDS FROM THE PROVINCE OF SINGAPORE-MALAYSIA

### 1<sup>st</sup> NATIONAL CONFERENCE AGAINST TRAFFICKING IN PERSONS

5-6 August, 2019

*'End Human Trafficking: It Starts With Us'*

In early 2019 a network of eight NGOs formed a coalition known as JHAMS (Joining Hands Against Modern Slavery) to bring together a collective and stronger voice to push for systemic changes in addressing modern day slavery in Malaysia.

This same coalition led by Global Shepherds collaborated with MAPO, the National Council for Anti-Trafficking in Persons, under the Ministry of Home Affairs, to organized Malaysia's first National Conference against Trafficking in Persons.

The conference was partly sponsored by funding from the EU-UNICEF, C&A Foundation and MAPO.



### Objectives of the Conference

- i. To present and exchange views on progress, issues and challenges in the elimination of trafficking in persons in Malaysia;
- ii. To raise awareness on issues relate to trafficking in persons, and to explore ways to enhance collaboration and partnership between different stakeholders to address it at scale; and
- iii. To provide an opportunity to discourse and relate current national anti-trafficking initiatives and policy inputs with the emerging issues and initiatives at regional and international spheres.

### Attendees

The conference attracted two government ministers, Minister of Home Affairs and Minister of Human Resources, and ambassadors from the EU, USA and Australia. There were more than 350 participants from the corporate sector, non government organisations and international organisations. The

government sent 120 officials mostly from the enforcement agencies who have a large role to play in stemming trafficking in persons.

## **Content of the Conference**

On the first day of the conference, the first session was a “Talk Show” that dealt with gender issues. This was led by ILO on the theme – Inter-relationship of Trafficking, Forced Labour, and Violence Against Women.

This was followed by a Plenary session that looked into ‘Forced Labour’ and how the corporate sector had a role to play in being responsible businesses by implementing good practices and ethical hiring. Speakers were selected from four industries that were part of the supply chain, namely Transportation, Manufacturing, Plantations and the Hotel industry.

The session was moderated by a JHAMS consultant, Dr. Andika Ab. Wahab. Dr Andika is a Fellow at the Institute of Malaysian and International Studies (IKMAS), University Kebangsaan Malaysia.

Following on the plenary were four breakout sessions that were run concurrently. Some of the participants found difficulty in making a choice as they were all interesting. The following were the four sessions.

1. UNICEF – Harmonizing Malaysia’s Approach on Child Trafficking with International Law and Best Practices.
2. Responsible Business Alliance (RBA) – Ethical Recruitment in Global Supply Chains.
3. International Labour Organization (ILO) – The Forced Labour Component of the National Action Plan on Trafficking.
4. Business Social Responsibility (BSR) – Tech Against Trafficking (Cyber Security).

The second day was equally interesting with another four breakout sessions that were organized by the JHAMS members.

1. NCWO, UKM & Engender – Policy Direction on ‘Safe Migration’.
2. Project Liber8 – The Magic of Effective Campaigns.
3. Global Shepherds – Victim Care & Protection: Trauma-Informed Approach.
4. TENAGANITA – Enforcement & Prosecution.

The final session was another plenary session – ‘Malaysia’s Response to Trafficking-in-Persons: Where Are We Heading?’, moderated by Mr Edmund Bon, a lawyer and Human Rights Advocate. The speakers for this session were senior officials from the Ministry of Home Affairs, the Attorney General Chambers, Immigration, Police, Human Rights Commissioner of Malaysia and a JHAMS representative.

Arising from all the sessions, our rapporteurs recorded more than 200 recommendations and from these key recommendations were identified and presented to the government.

All the recommendations are being collated for the next Trafficking in Persons National Action Plan and a policy paper by the JHAMS network.



**Figure 1 JHAMS network**



**Figure 2 Global Shepherds staff and volunteers**

**Left to Right** Ms Carol Augustine, Ms Angie Gan, Ms Khamistra Prabakaran, Ms Margret Penafort, Ms Beatrice Wong, Ms Jacqie Yip, Ms Anbumoly Kuppusamy, Sr Dorothy Khaw (Chairperson of Global Shepherds), Ms Jaclyn Victor (professional singer who agreed to advocate for the TIP cause), Ms Karen Tai (key person in organising the event), Sr Sandra Masilang, Ms Carol Fernandez, Ms Dionetta David, Ms Harbans Kaur.

## TRAUMA ORGS CHALLENGES

- HIERARCHY
- CONFLICTS
- COMMUNICATION BREAK DOWN
- UNCLEAR IDEAS
- LACK TRUST
- LABELS

## STAFF TRAUMA

- A PERSONAL HISTORY
- B DEMORALISED
- C BURN-OUT
- D AGGRESSION
- E PUNITIVE ENVIRONMENT

## 1 REALISE POTENTIAL for RECOVERY

## 2 RECOGNIZE SYMPTOMS

## 3 RESPOND WITH Knowledge

## TRAUMA INFORMED

### INTERVIEWS

- 1 ASK SIMPLE QUESTIONS: NEED SOME WATER?
- 2 DON'T EXPECT LINEARITY WHAT CAN YOU RECALL?
- 3 FOCUS ON PHYSICALS HOW/WHEN DID YOU FEEL?



TRAUMA IS A NORMAL REACTION TO AN ABNORMAL EVENT  
PSYCHOLOGICAL + PHYSICAL = SAFETY

- \* INFORM SWITH @ POINT OF RESCUE
- \* FAMILY CONTACT WITH SUPERVISION
- \* PSYCHOLOGICAL SAFE SPACES
- \* ENGAGE PROFESSIONALS
- \* TRANSLATION NETWORK NATIVE TONGUES

## VICTIM CARE

## RECOMMENDATIONS

- UPSKILL & Train
- ENFORCEMENT OFFICERS
- POLICE OFFICERS
- LAWYERS
- SHELTER STAFF
- COUNSELLING FOR SUPPORT
- SURVIVOR ADVOCATE
- WATCH TONALITY WHEN SPEAKING



## **ACTIONS**

### **National Plan and Strategy (Policy)**

1. To fully implement Malaysia's National Action Plan on Trafficking in Persons (NAP-TiP) (2016-2020); and to take stock of its implementation for effective formulation of the next five-year national action plan.
2. To strengthen labour trafficking section in the next five-year NAP-TiP. This should include having measurable, time-bound and actionable indicators to track and evaluate progress of the labour trafficking efforts.
3. To strengthen inter-agency collaboration in combating modern slavery.
4. To allocate adequate resources for the effective and sustainable implementation of existing services and assistance offered to victims of trafficking.
5. To provide legal clarity on the elements of trafficking and raise awareness of the distinction between cases of trafficking and other situations, including irregular migration, labour disputes and prostitution to facilitate accurate identification of victims by front-line officers.
6. To develop appropriate methodology and nation-wide data collection strategy and analysis on exploitation against women and girls, and labour trafficking cases.
7. To prioritize business' accountability and transparency including encouraging public disclosure.

### **Prosecution and Conviction**

1. To increase the number of trafficking prosecutions and convictions, including that of complicit officials and forced labour crimes.
2. To reduce court delays and increase judicial familiarity with the full range of trafficking crimes, particularly in cases involving forced and bonded labour.
3. To increase transparency by making public the results of investigations involving corrupt officials and ensure officials are accountable when they violate the law.
4. To address specific obstacles faced by migrant women to ensure they have access to justice and recourse to effective remedies.

### **Protection**

1. To widen labour protection for domestic workers investigate allegations of worker abuse, and eliminate wage theft.
2. To facilitate the approval for freedom of movement for trafficked victims.
3. To facilitate the approval for employment for trafficked victims.
4. To establish effective SOP to ensure safety and security at shelters.
5. To establish a national referral system with a comprehensive SOP for effective victim identification and support services.
6. To ensure migrant domestic workers are guaranteed the same level of protection and benefits as other migrant workers in law and in practice, and that they have access to effective remedies and redress against abuse by employers.

7. To ensure that appropriate procedures are in place to evaluate the best interests of the child during the stage of identification, protection and assistance and before making any decision on the eventual repatriation of the child.

### **Capacity Building and Partnership**

1. To ensure meaningful and effective government-CSO partnership across all areas of policy formulation and implementation.
2. To increase the capacity of law enforcement agencies with a victim-centred approach across all phases of case management.
3. To increase the capacity of labour inspectors to identify trafficking victims among vulnerable groups, such as migrant workers, and young workers.
4. To improve case management and communication with trafficking victims, strengthen collaboration with NGOs and implement plans to provide more services for victims.

### **Awareness towards Prevention**

1. To enhance awareness raising initiatives that target workers, including domestic workers, of their basic rights to accommodation, wages and freedom.
2. To enhance awareness raising activities targeting all levels of society, empowering them to take necessary action to eliminate trafficking in persons, including online cyber security threats.
3. To take measures to strengthen regional and international cooperation, including partnership with industry to prevent and combat trafficking in persons.

**We urge** all parties to accelerate efforts to provide equal social protection and access to public services; guarantee free and fair access to justice for all, especially those victims of trafficking in persons.

The participants express their appreciation to MAPO of the Ministry of Home Affairs (MOHA) and “Joining Hands Against Modern Slavery” (JHAMS) for hosting this Conference, and welcome the Government of Malaysia’s intention to bring these recommendations to the highest level of authority for further consideration and necessary action.

***The MAPO-JHAMS Organizing Committee  
6 August 2019***