

12th August 2011



Editor

ST Forum

We refer to the ST article dated August 7, “Vice raid nabs 160 women” which reported that those arrested “included suspects - male and female aged between 17 and 60...” We are concerned that among those arrested are trafficked victims and should not be criminalised but protected and their traffickers prosecuted.

We also refer to an ST article dated August 3, where an Indonesian woman “told the police that she was here voluntarily, she was sent back to her country as is the usual practice – and what might have been a case of human trafficking went unreported”. It's really important to understand that ‘trafficking in persons’ as defined by the UN Trafficking Protocol states that “the consent of a victim of trafficking ... shall be irrelevant... where any means involving threat of or use of force or other forms of coercion including abduction, fraud (etc.) is used to achieve the consent of a person”. The consent of the victim does not alter an offender’s criminal liability. We urge the police therefore to investigate such cases and prosecute traffickers, rather than repatriating exploited victims without redress.

Another point of clarification is that human trafficking takes place for a wide range of purposes including domestic service, forced marriage and forced labour (e.g., of fishing vessels or in factories), not only sexual exploitation. Mary a FDW, was physically abused, passport confiscated, not paid her salary and disallowed to contact her family for ten months. Despite her abject misery and loneliness, she was forced to work because of her ‘debt bondage’. The police closed her case of abuse (despite evidence of a black eye) and MOM, after settling her salary claim, secured her repatriation. Mary’s case involved harbouring of a person, by means of coercion, and an abuse of power for the purposes of exploitation. This seemed yet another unreported case of human trafficking.

Desi, an under aged Indonesian DW, was recently convicted and sentenced to 33 months’ imprisonment for child abuse. She came with falsified documents and was placed in domestic servitude under debt bondage. Meanwhile as she is serving a prison sentence, her agents are not as yet been penalised for child trafficking.

We therefore urge the State not to delay the ratification of the UN Trafficking Protocol and to enact specialised Anti-Human Trafficking Legislation ‘in order to better identify victims and prosecute offenders and to ensure the protection and rehabilitation of trafficking victims’.

Bridget Tan

Founder & President