

M'sia upgraded in US human trafficking report

MalaysiaKini.com

July 27, 2015

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Malaysia has obtained an upgrade in the US Trafficking in Persons (TIP) Report confirming weeks of speculation and removing a possible deal-breaker for America's ambitious 12-nation Trans-Pacific Partnership Agreement (TPPA) trade agreement.

It is now placed on the report's Tier 2 Watch List (WL) compared to Tier 3 last year, the lowest possible level.

While noting human trafficking-related issues in Malaysia, the report lauded the government's efforts to tackle the issue.

"The government of Malaysia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so," said the report unveiled by US Secretary of State John Kerry in Washington DC today.

Among others, the report claimed the Malaysian government had consulted civil society groups to draft and propose amendments to anti-trafficking laws and to address issues raised in the 2014 TIP report.

In addition, it said the government has implemented a pilot programme that allows a limited number of human trafficking victims to work outside of government facilities.

"Authorities continued to provide assistance to foreign victims housed in government facilities for one to six months while under protection orders; these victims had limited freedom of movement and could not work outside the facilities," it said.

The report organises countries into tiers based on trafficking records :-

- Tier 1 for nations that meet minimum U.S. standards;
- Tier 2 for those that are making significant efforts to do so;
- Tier 2 'Watch List' for those that deserve special scrutiny; and
- Tier 3 for countries that fail to fully comply with the minimum US standards and are not making significant efforts to do so.

The reporting period of the current report is from April 1, 2014 through March 31, 2015. In May this year - escaping the report's ambit by a narrow margin - Thai and Malaysian authorities discovered mass graves of suspected human trafficking victims along the Malaysia-Thai border.

Reuters quoted US Undersecretary of State for State for Civilian Security, Democracy, and Human Rights Sarah Sewall rejecting speculation that Malaysia's ranking had been influenced by political consideration.

Instead, she said it was based on how well Malaysia has been tackling the issue through victim-protection programs and legal changes, as well as an increase in the number of trafficking investigations and prosecutions compared to 2013, but other concerns still remain.

"We remain concerned that low numbers of trafficking convictions in Malaysia is disproportionate to the scale of Malaysia's human trafficking problem," she was quoted as saying today.

'Trade politics'

South Sudan, Burundi, Belize, Belarus and Comoros were downgraded to the lowest rank, Tier 3, where Thailand remains while Cuba and Uzbekistan were also upgraded to the Tier 2 Watch List.

Malaysia - but not Thailand - is one of 12 nations in the controversial TPPA. The nations' trade ministers meet in Hawaii this week aiming to reach a final agreement after years of often confidential negotiations which activists have protested against.

The US Congress had approved legislation in June giving Obama expanded trade negotiating powers for the TPPA but this did not extend to Tier 3 countries such as Malaysia.

In an immediate reaction, Human Rights Watch Asia Division deputy director Phil Robertson said Malaysia's upgrade was not justified based on the country's record for stopping trafficking in persons.

"Migrants are being trafficked and abused with impunity, Rohingya victims' bodies are being pulled from shallow graves at the border and convictions are down this year compared to last year - so how can the State Department call this 'progress'?" he said.

"This upgrade is more about the TPPA and US trade politics than anything Malaysia did to combat human trafficking over the past year.

"Sadly, this action also does significant damage to the credibility of a report that is a critical part of global efforts to combat slavery," said Robertson.

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