

Anti Trafficking in Persons Bill – 2007

May 2007 – A memorable month. We opened our shelter for trafficked survivors in May 2006. A year later, the Anti-Trafficking in Persons(TIP) Bill 2007 has just been passed in the Malaysian Parliament.

It has been more than a decade of struggle in fighting for an Act that will protect and give justice to trafficked survivors. Thank you to Malaysians, the government, SUHAKAM, NGOs and all civil society and to all the people regionally and internationally who have helped in one way or another towards the crafting of the Anti Trafficking in Persons Bill 2007.

Overall, it is a well written bill. However, Tenaganita's concern is on the implementation. Firstly, there is a need for a change in the mindset of the relevant enforcement agencies. In the past, enforcement officers tend to arrest, detain and then deport survivors. In the Malaysian scene, survivors were construed as offenders of immigration laws. Secondly, Tenaganita is concerned that the definition of Trafficking in the bill is too broad and there will be room for enforcement officers making different definitions on their own. The Bill is supposed to cover labour trafficking as well.

On the day the bill was passed in the Parliament, a 47 year old Sri Lankan woman, who is clearly a Trafficked victim was fined RM10,000 in Semenyih Court (a court set up in the Detention Camp to hear cases of migrant workers), failing which she will serve 5 months imprisonment, which she is currently serving.

Our other greatest concern is the contradiction between the TIP Bill 2007 and the Immigration Act. In the Immigration Act, migrant workers are dealt severely as illegals, sentenced and whipped up to six strokes. We are also concerned that the punishment meted out to the traffickers will not reflect the severity of their crime.

Tenaganita, will carry out awareness and training for people from all walks of life in Malaysia and in the region. In doing so, we will now be able to fight the 2nd biggest crime after Arms and protect all survivors of Trafficking.

Please contact Tenaganita by email at justice4ts@gmail.com for immediate action or rescue of trafficked survivors.