



**STOP**

**SEX TRAFFICKING  
OF CHILDREN & YOUNG PEOPLE**



# SEX TRAFFICKING OF CHILDREN IN MALAYSIA

## What is child trafficking?

The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation.

UN Convention against Transnational Organised Crime

A child is anyone under the age of 18 years.

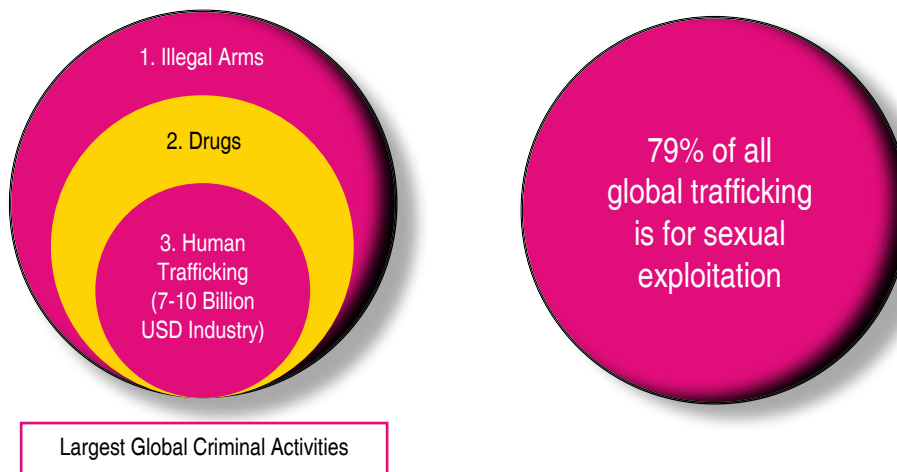
UN Convention on the Rights of the Child

## What's the problem?

### GLOBAL SEX TRAFFICKING

Human trafficking is a complex phenomenon fueled by the tremendous growth in the global sex market. Exploitation is driven by poverty, uneven development, official corruption, gender discrimination, harmful traditional and cultural practices, civil unrest, natural disasters and lack of political will to end it.

The number of child victims trafficked worldwide for sexual exploitation or cheap labour on an annual basis is 1.2 million.<sup>1</sup> Human trafficking, the third largest international crime, following illegal drugs and arms trafficking, is believed to be worth billions of dollars each year. Driving the trade is the demand for commercial sexual exploitation. Seventy-nine percent of all global trafficking is for sexual exploitation.<sup>2</sup>



## CHILD SEX TRAFFICKING IN MALAYSIA

Although the trafficking of children for sexual purposes has been covered in the news and in other reports in Malaysia, statistical data on the number of trafficked children to and from the country is very scarce. A church study estimated that there are approximately 30-32,000 trafficked persons in the Sabah area alone,<sup>3</sup> although the data did not disaggregate the number of trafficked children from adults. The United Nations Office on Drugs and Crime (UNODC) reported that from 2003 to 2006, about 160 people were convicted of child abduction and child trafficking. The majority of them were involved particularly in trafficking of children for sexual exploitation.<sup>4</sup>

## Who gets trafficked?

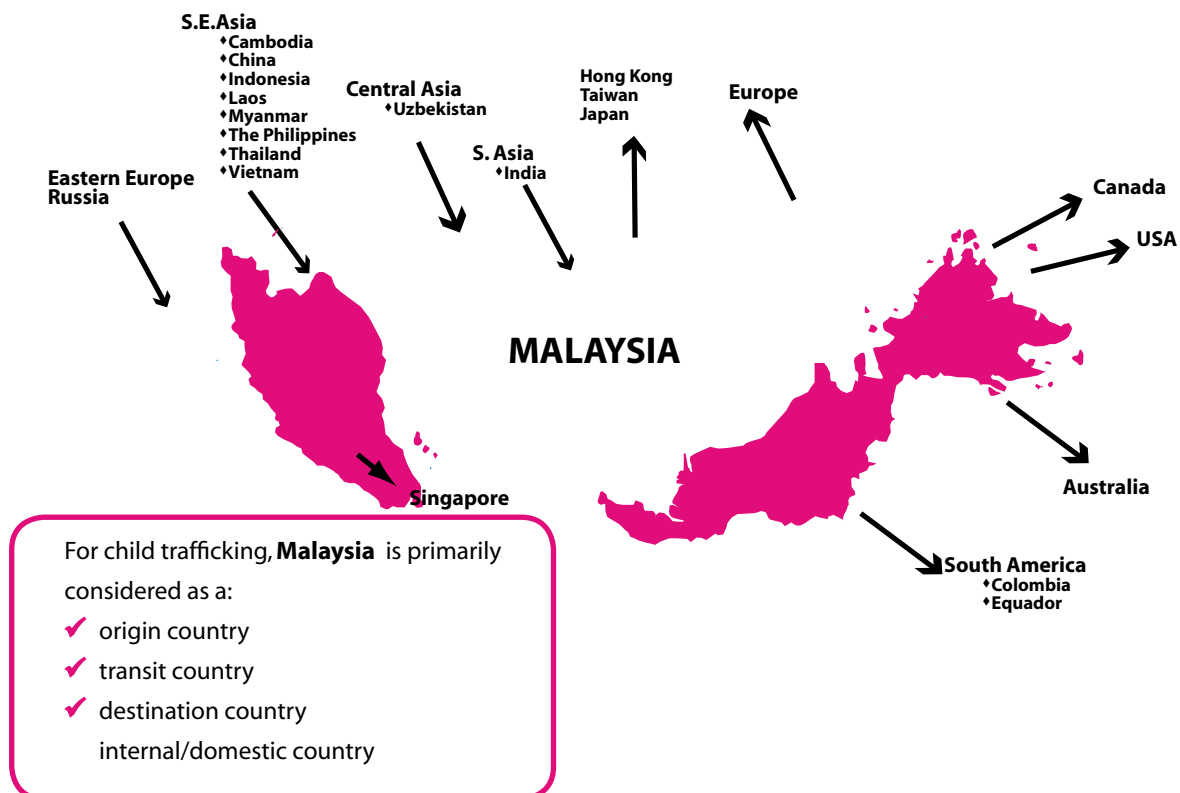
Malaysian children and women are trafficked to Singapore, Hong Kong, Taiwan, Japan,<sup>5</sup> Canada, USA, Europe and Australia<sup>6</sup> for prostitution. Likewise, women and children from Cambodia, China, Colombia, Ecuador, India, Indonesia, Laos, Myanmar, the Philippines, Russia, Thailand, Uzbekistan and Vietnam are trafficked to Malaysia<sup>7</sup> for commercial sexual exploitation and forced labour. Girls from indigenous groups and rural areas in Malaysia are also internally trafficked for the same purposes.<sup>8</sup>

The demand for sex drives child sex trafficking globally while poverty, domestic violence and abuse, discrimination and the desire for a better life makes children vulnerable. Children are especially vulnerable to being trafficked because they are often uneducated, easy to overpower and easy to convince. Children may also be in a position where they feel they must help to support their families and may be sold or sent abroad by family members to do so. Street children, children in refugee camps, children whose family and community life has been disrupted and do not have someone to look out for them are all especially vulnerable to human trafficking.

Children may be at greater risk of trafficking from places where they are less protected. This may be because the law is weak or not properly enforced or because children are less aware of the risks of trafficking and are more easily deceived. Countries are considered:

- 'Sending' or 'origin' – from where children are sent;
- 'Transit' - where the children might be moved through and temporarily kept on the way to their final destination; and
- 'Receiving' or 'destination' - where the children finally end up.

Depending on the reason for trafficking, some countries might be only sending, while others might be both sending and transit. Some countries can be all three. Malaysia is a source, transit and destination country for trafficking of women and children.<sup>9</sup>



### CASE STUDY

Three young women aged from 18 to 23 were sent back to Cambodia on 3 July 2007 after being rescued by Malaysian police from a brothel in November 2006. They were forced into prostitution in Malaysia for several years; one of the three was tricked by her sister, while she was in Cambodia, into getting a job in Malaysia in 2006 and then sold into prostitution (information on the other two was not immediately available). Deputy Minister of Women’s Affairs of the Royal Government of Cambodia stated that “at least 51 Cambodian girls and women were rescued from brothels in Malaysia from 2005-2007”.<sup>10</sup>

## Who creates demand?

Traffickers prey on children and young people to meet the sexual demands of paedophiles and people who pay for sex. Any person who patronises the commercial sex market may end up sexually exploiting a child. There is no common profile of perpetrators who sexually exploit children – they may be young, old, married, single; they come from all types of socio-economic backgrounds and work in all kinds of professions.

## Who are the traffickers?

Traffickers can be a stranger or someone the child knows, such as a relative or a friend. Traffickers are often part of an organised criminal network that ‘recruits’ children and supplies them with fake identification. They may also pose as boyfriends

or girlfriends in order to convince children to leave for a new life. In Malaysia, transnational organised crime groups are believed to be involved in the trafficking of Malaysian children to other countries<sup>11</sup> and arranging illegal entry into Malaysia.<sup>12</sup>

## CASE STUDIES

- Following a two-month joint operation between Indonesian and Malaysian police, a Malaysian businessman and three Indonesians belonging to a trafficking network were arrested for trafficking teenage girls from Jakarta to Malaysia through Borneo Island using false travel documents. Achmad Rifai, head of the Jakarta City Police Women and Children's Division, stated that the group confessed to transporting 25 teenagers. The girls, aged 14 to 17, were promised jobs in Jakarta as domestic workers, but were instead forced into sex work. Only six of the 25 girls had been rescued at the time of the report.<sup>13</sup>
- A woman known as Khun Thea was sentenced to 85 years' imprisonment for luring Cambodian girls into prostitution. Two of the trafficked victims revealed that they were 16 years old at the time of the incident. They were looking for pocket money for the New Year and were told by their neighbour that they would get good pay for washing dishes in a Bangkok restaurant. They were trafficked across the border in the back of a pick-up truck, covered by a tarpaulin. Once in Bangkok, they were taken to an apartment before being trafficked again to Kuala Lumpur. One was forced to work on the streets, the other in a karaoke bar. After a few months on the streets, one of the girls was arrested. She spent a year in prisons and detention centres in Malaysia and Thailand and was finally deported back to Cambodia. The other girl asked the Malaysian police for help but was sold across the border to a Thai police unit. There she was forced to work off her debt to the police in another bar, before finally finding her way home. The United Nations has hailed the case as a breakthrough since it was the most substantial sentence ever given in South East Asia as punishment for engaging in human trafficking.<sup>14</sup>

## How can we stop the trafficking of children?

### LAW AND LAW ENFORCEMENT

- While the Government of Malaysia has anti-trafficking legislation in place and has developed support services for trafficked victims, it needs to fully implement and enforce the law to tackle multi-dimensional aspects of trafficking by discreetly distinguishing trafficked victims from migrant workers and people arrested for prostitution.<sup>15</sup>
- Ensure trafficking victims are protected from threats and punishment related to acts committed as a result of being trafficked.<sup>16</sup>
- The Government must increase efforts to prosecute and convict state officials who receive benefits from or are involved in trafficking and/or exploit potential victims.<sup>17</sup>
- Malaysia should ratify the *Optional Protocol on the sale of children, child prostitution and child pornography* and *Optional Protocol on the Involvement of Children in Armed Conflict*.<sup>18</sup>

International Conventions/Laws	Date of Ratification by Malaysia	Date of Reports Submitted	UN Committee on the Rights of the Child Recommendations for Malaysia <sup>19</sup>
Convention on the Rights of the Child (CRC)	1995	Initial Report - 2006	<p>The Committee recommends that the State party:</p> <ul style="list-style-type: none"> <li>• Ratify the <i>Optional Protocol on the sale of children, child prostitution and child pornography</i>;</li> <li>• Conduct a comprehensive study to assess the nature and magnitude of trafficking in children for exploitative purposes, and develop and adopt a national anti-trafficking law as well as a comprehensive national plan of action against all forms of trafficking;</li> <li>• Conduct a national study on the commercial sexual exploitation of children in order to design and implement appropriate policies to prevent and combat CSEC, taking into account the Global Commitment adopted at the First and Second World Congress against CSEC;</li> <li>• Use the recommendations of the Regional Consultation for East Asia and Pacific on Violence against Children (held in Thailand in June 2005) as a tool for actions to ensure the protection of children from all forms of physical, sexual and mental violence; and</li> <li>• Establish an effective child-victim identification process and ensure all trafficking cases are investigated and prosecuted.</li> </ul>
Optional Protocol on the sale of children, child prostitution and child pornography	Not yet ratified	N/A	N/A
The Protocol to Prevent, Suppress & Punish Trafficking in Persons, Especially Women & Children	2009	N/A	N/A
ILO Convention No. 182 on the Worst Forms of Child Labour	2000	N/A	N/A

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## PREVENTION OF CHILD TRAFFICKING AND VICTIM PROTECTION AND ASSISTANCE

- The Government of Malaysia needs to develop protection mechanisms for victims of trafficking by providing psychological consultation and rehabilitation/reintegration support.
- The Government must conduct awareness campaigns on human trafficking to increase the public's understanding about the issues, and provide simplified and concise information about penalties for committing the crimes.
- The Government must develop concrete measures to tackle demand for commercial sexual exploitation of children, especially on the increase of sex tourism in the region and harms of children on the Internet.
- The Government needs to establish a free helpline, 24-hour services for children experiencing violence, abuse and neglect and ensure that all child victims receive adequate care and counselling, recovery and rehabilitation assistance.

## TO REPORT A SUSPECTED INCIDENT OF CHILD TRAFFICKING, CONTACT:

**24-hour hotlines operated by TENAGANITA, a local non-governmental organisation:**

**Tel: 6 012-3350512, 6 019-2456933**

## MORE INFORMATION

- ECPAT International: [www.ecpat.net](http://www.ecpat.net)
- The Body Shop and ECPAT Stop Trafficking of Children and Young People Campaign : [www.thebodyshop.com/stop](http://www.thebodyshop.com/stop)

## Endnotes

- <sup>1</sup> UNICEF. *UNICEF calls for increased efforts to prevent trafficking of children*. 16 June 2007. [http://www.unicef.org/media/media\\_40002.html](http://www.unicef.org/media/media_40002.html)
- <sup>2</sup> UNODC. *Global Report on Trafficking in Persons*. 2009. <http://www.unodc.org/unodc/en/human-trafficking/global-report-on-trafficking-in-persons.html>
- <sup>3</sup> “Young Girls Trafficked Through Sabah Forced into Prostitution”. *Blog at Wordpress.com*. Accessed on 6 March 2009 from: <http://ckcounterpunch.wordpress.com/2009/02/28/young-girls-trafficked-through-sabah-forced-into-prostitution/>
- <sup>4</sup> UNODC. *Global Report on Trafficking in Persons*. 2009. <http://www.unodc.org/unodc/en/human-trafficking/global-report-on-trafficking-in-persons.html>
- <sup>5</sup> UNESCAP. *Post-Yokohama Mid-Term Review of the East Asia and the Pacific Regional Commitment and Action Plan against Commercial Sexual Exploitation of Children (CSEC), 8-10 November 2004, Bangkok: MALAYSIA Country Progress Report*. Accessed on 5 March 2009 from: <http://www.unescap.org/esid/gad/issues/CSEC/Malaysia.pdf>
- <sup>6</sup> TENAGANITA, a local non-governmental organisation working on trafficking of women and children, April 2009
- <sup>7</sup> The Protection Project. *Malaysia*. 2008. Accessed on 6 March 2009 from: [http://www.protectionproject.org/human\\_rights\\_reports/report\\_documents/Malaysia.doc](http://www.protectionproject.org/human_rights_reports/report_documents/Malaysia.doc)
- <sup>8</sup> US State Department. *Trafficking in Persons Report 2008*. Accessed from: <http://www.state.gov/documents/organization/105658.pdf>
- <sup>9</sup> UNESCAP. *Post-Yokohama Mid-Term Review of the East Asia and the Pacific Regional Commitment and Action Plan against Commercial Sexual Exploitation of Children: MALAYSIA Country Progress Report*. 8-10 November 2004. Bangkok. Accessed on 5 March 2009 from: <http://www.unescap.org/esid/gad/issues/CSEC/Malaysia.pdf>
- <sup>10</sup> <http://e.sinchew-i.com/content.phtml?sec=2&artid=200707060007>, accessed March 2009
- <sup>11</sup> UNESCAP. *Post-Yokohama Mid-Term Review of the East Asia and the Pacific Regional Commitment and Action Plan against Commercial Sexual Exploitation of Children (CSEC), 8-10 November 2004, Bangkok: MALAYSIA Country Progress Report*. Accessed on 5 March 2009 from: <http://www.unescap.org/esid/gad/issues/CSEC/Malaysia.pdf>
- <sup>12</sup> Inter-Agency Group. *Report on the Post Yokohama Mid-Term Review of the East Asia and the Pacific Regional Commitment and Action Plan against Commercial Sexual Exploitation of Children*. UNICEF, East Asia and the Pacific Regional Office. Bangkok. 2005.
- <sup>13</sup> “Human Trafficking Ring Busted”. *Gulf Times*, 17 August 2006. Accessed on 6 March 2009 from: [http://www.gulf-times.com/site/topics/article.asp?cu\\_no=2&item\\_no=102933&version=1&template\\_id=45&parent\\_id=25](http://www.gulf-times.com/site/topics/article.asp?cu_no=2&item_no=102933&version=1&template_id=45&parent_id=25)
- <sup>14</sup> “Khmer Girls’ Trafficking Ordeal”. *BBC News*, 2 June 2005. Accessed on 6 March 2009 from: <http://news.bbc.co.uk/2/hi/asia-pacific/4599709.stm>
- <sup>15</sup> US State Department. *Trafficking in Persons Report 2008*. Accessed from: <http://www.state.gov/documents/organization/105658.pdf>
- <sup>16</sup> Ibid.
- <sup>17</sup> Ibid.
- <sup>18</sup> Ibid.
- <sup>19</sup> UN Committee on the Rights of the Child (CRC), *UN Committee on the Rights of the Child: Concluding Observations, Malaysia*, 25 June 2007. CRC/C/MYS/CO/1. <http://www.unhcr.org/refworld/docid/468912822.html>, accessed March 2009



## NOTES



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