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## TRAFFICKING IN PERSONS: SINGAPORE'S EVOLVING RESPONSES

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*For a long time, sending countries have been the focus of efforts to combat trafficking in persons (TIP). However, in recent years, destination countries such as Singapore have also stepped up their efforts. This is timely because improved recognition and management of the threat and challenges of TIP will do much to prevent the abuse and commercial exploitation of adults and children. This NTS Alert discusses the TIP phenomenon, focusing on Singapore and the significant new developments in Singapore's policies on the issue. In particular, it highlights the establishment of Singapore's Inter-Agency Taskforce on TIP and the development of its National Plan of Action.*



*Singapore: An El Dorado for human traffickers? Rising concern over trafficking in persons (TIP) has prompted the country to develop new measures to tackle the issue.*

*Credit: Someformofhuman / Wikimedia Commons.*

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### Introduction

Trafficking in persons (TIP) is one of the most serious of transnational crimes. It violates human rights, promotes social breakdown, fuels organised crime, deprives countries of human capital, undermines public health, subverts and undermines government authority, and imposes economic costs. As a result, significant attention has been given to the problem, and combating TIP has become an increasingly important political and policy priority for many governments around the world. This NTS Alert investigates this global phenomenon and the efforts under way in Singapore to tackle the issue.

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### Human trafficking: A global phenomenon

The term 'trafficking' first emerged during the late 19th and early 20th century in response to the issue of white slavery. 'White slavery' variably described licensed and unlicensed prostitution, as well as prostitution based on coercion and fraud (Brysk, 2009). Concerns over this

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phenomenon led to the adoption of the International Agreement for the Suppression of the White Slave Traffic (1904) which focuses on the trafficking of women and girls for the purpose of sexual exploitation.

In the 1990s, concerns over the perceived rise of transnational organised crime and the continued prevalence of people living in conditions akin to slavery gave rise to the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (also referred to as the Trafficking Protocol) which entered into force on 25 December 2003.

The Trafficking Protocol was significant in many ways. First, it helped establish a common understanding of TIP through a universally agreed upon definition (Box 1). Second, it helped to frame TIP as a crime that affects not just women and girls but also men and boys.

*Box 1: Definition: 'trafficking in persons' and 'forced labour'.*

**Trafficking in persons** is defined by the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (Trafficking Protocol) as:

[t]he recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat, or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. (UNGA, 2000)

**Forced labour** is defined as:

all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily. (ILO, 1930)

Types of forced labour include those imposed by states and rebel groups, such as compulsory participation in public works and forced prison labour; forced labour imposed by private agents for commercial sexual exploitation of men, women and children; and forced labour imposed by private agents for economic exploitation, including bonded labour, forced domestic work, or forced labour in agriculture and remote rural areas.

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## TIP in Singapore: Scope and magnitude

TIP is reported to be one of the fastest growing illegal businesses in the world, with annual profits estimated at USD32 billion (ILO, 2009). This makes it the second most profitable transnational crime after drug trafficking (Suarez, 2011; Haken, 2011). The true scope and nature of TIP are difficult to assess because of its clandestine nature and because populations relevant to the study of human trafficking constitute hidden populations whose size and boundaries are unknown (Tyldum and Brunovskis, 2005: 18). The US Department of State (2005) estimates that between 600,000 and 800,000 people are trafficked across international borders each year.

Singapore has long argued that it does not have a serious TIP problem. However, there is increasing attention given to the phenomenon and an appreciation of the threats that it poses to the country. This is due to the following.

First, Singapore is thought to be an attractive destination for TIP. The general assumption is that Singapore is an El Dorado (Lainez, 2011) for would-be migrants and for trafficking syndicates that prey on those who are most vulnerable. This was highlighted by Mr S. Iswaran, Minister in the Prime Minister's Office, and Second Minister for Home Affairs as well as Trade and Industry, in 2011 in the following statement:

Trafficking in persons is a significant transnational crime. As people increasingly move across borders in search of economic opportunities, this creates an opportunity for traffickers to exploit individuals with promises of good jobs and financial gain. Singapore is an attractive hub of economic activity with high people flows. Hence, Singapore is no less vulnerable than other countries and would be seen as an attractive destination country by human trafficking syndicates.

Singapore's vulnerability to TIP is further heightened by the presence of a rich pool of potential migrants – and thus potential victims of TIP – and trafficking syndicates in its immediate neighbourhood. Indeed, Southeast Asia is identified as a major TIP hot spot with an estimated 200,000 to 250,000 women and children believed to be trafficked from the region each year (Silverman et al., 2009). It is probable that some of them would end up in Singapore.

Second, a review of existing reports on TIP in Singapore points towards Singapore being a destination country. The US Department of State's annual *Trafficking in persons (TIP) report*, for example, has consistently classified Singapore as a destination country for both sex and labour trafficking. Singapore was placed on the Tier 2 Watch List in the 2010 edition of the report (this drew strong responses from the Singapore government who argued that it does not have a serious TIP problem (GOS, 2010)). Although the country was upgraded to Tier 2 in the 2011 edition of the TIP report, its status as 'a destination country for men, women and girls subjected to sex trafficking and forced labor' remained unchanged (US Department of State, 2011). The report drew attention to the more than 1.1 million foreign workers in the country who represent over one-third of the country's total labour force. The majority of these workers are unskilled and semi-skilled labourers employed in domestic households and the construction, hospitality and service industries. It is this category of workers that is believed to be the most vulnerable to exploitation and abuse.

One of the first attempts to examine the nature and scope of TIP in Singapore is a study undertaken by ECPAT International (ECPAT stands for End Child Prostitution, Child Pornography and Trafficking of Children for Sexual Purposes). Its 2010 report titled *Commercial sexual exploitation and trafficking of children and young people in Singapore* identifies Singapore as a destination country for children and young people trafficked into the sex industry. The report also throws light on other forms of exploitation such as child prostitution, child pornography and online sexual exploitation of children, as well as sexual exploitation of children in other countries by Singaporean tourists.

While these observations and reports do shed some light on the nature and scope of TIP in Singapore, they by no means offer a comprehensive picture, and the true nature and scope of TIP in Singapore remains unknown. Nevertheless, the reports have helped to increase national awareness of the problem. This, together with the recognition that TIP is increasingly prevalent at the global level, has spurred Singapore to develop a national action plan (this is discussed in greater detail in the next section). The reports also point to the need for more research on the TIP issue.

Table 1: Assessment of forms of trafficking and exploitation in Singapore.

	US Department of State (2011)	ECPAT (2010)
<b>Forms of trafficking</b>	<ul style="list-style-type: none"> <li>• Sex and labour trafficking.</li> </ul>	<ul style="list-style-type: none"> <li>• Sex trafficking of children and young people in Singapore.</li> </ul>
<b>Forms of exploitation</b>	<ul style="list-style-type: none"> <li>• Inability to terminate contracts.</li> <li>• Confiscation of passports.</li> <li>• Restrictions on movement.</li> <li>• Restriction on seeking alternative employment and changing employers.</li> <li>• Illegal withholding of pay.</li> <li>• Debt bondage.</li> <li>• Threats of forced repatriation without pay.</li> <li>• Physical or sexual abuse.</li> </ul>	<ul style="list-style-type: none"> <li>• Child prostitution.</li> <li>• Child pornography.</li> <li>• Online sexual exploitation of children.</li> <li>• Sexual exploitation of children in tourism.</li> </ul>

Finally, as a matter of maintaining its international standing and reputation, it is imperative that Singapore acknowledge the problem associated with TIP and undertake measures to address it. Singapore has always prided itself on scoring high on a number of indices. For example, the country is one of the most highly regarded in the travel and business sectors. It has been conferred a number of top rankings, such as World's Easiest Place To Do Business (World Bank, 2012), Top Convention City (STB, 2011), Best Business City in Southeast Asia (Business Traveller Asia-Pacific, 2011) and the second most competitive country in the world (WEF, 2011). In contrast, Singapore ranked medium to low in reports that measure the country's effort to combat TIP, such as the US Department of State's annual *Trafficking in Persons* report. It is the combination of the factors discussed above that has compelled Singapore to acknowledge the TIP problem and to take action to combat it.

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Singapore has for a long time relied on a plethora of laws to deal with TIP cases as it did not have a comprehensive and coordinated strategy. Some of these laws have direct implications for TIP. For example, the Women's Charter 1961 (Singapore) and the Children and Young Persons Act 1949 (Singapore) criminalised the 'trafficking of women and girls' and the 'sexual exploitation of children and young persons and the importation of a child by false pretences' respectively.

Other laws, such as the Immigration Law and the Employment Act, while not having specific provisions on TIP, have ramifications for TIP. For example, illegal entry into Singapore and illegal employment (of foreigners) are criminal offences and their strict implementation has led to a drop in TIP-related figures. The Police Coast Guard reported that between 2009 and 2011, the number of illegal boats entering Singapore waters for the purpose of smuggling people declined by half, to 170 (Nurul Syuhaida, 2012). Also, the number of people caught harbouring and employing immigration offenders decreased from 77 in 2010 to 40 in 2011. In addition, the number of employers arrested fell from 26 in 2010 to 23 in 2011. In all, the number of immigration offenders arrested in the country dropped from 1,430 in 2010 to 930 in 2011 (Number of immigration offenders, 2012).

However, there remains the key issue of individuals who arrive in Singapore to seek gainful employment, but who have been led here under false pretences and trafficked within Singapore. Such cases are handled through the Employment Agencies Act, an amended version of which was introduced on 1 April 2011 (MOM, 2011). The amended Act further tightened the government's control over unlicensed employment agencies/agents, persons involved in the illegal employment of foreigners, etc. This Act could help promote the accountability of employment agencies and prevent incidences of forced labour.

However, as Mr Tan Chuan-Jin, Minister of State for National Development and Manpower noted recently at the launch of Singapore's National Plan of Action (NPA) against TIP, while 'a targeted approach, in conjunction with tough laws and public awareness efforts, has helped keep the country safe and secure', that is no longer sufficient in view of the increasing TIP challenges (Tan, 2012). He said that 'criminals and human traffickers are becoming more organised and increasingly transnational', and this 'has made having a well-coordinated response all the more important' (Tan, 2012). Thus, Singapore has been making efforts to address TIP through a more comprehensive approach. Its initiatives in this regard can be thought of as comprising four prongs.

First, the Singapore government established the Inter-Agency Taskforce on TIP in 2010 (Iswaran, 2011). The Taskforce is co-chaired by the Ministry of Home Affairs and the Ministry of Manpower, and includes representatives from the Singapore Police Force, the Immigration & Checkpoints Authority, the Ministry of Community Development, Youth and Sports, the Ministry of Health, the Ministry of Law, the Ministry of Foreign Affairs and the Attorney-General's Chambers. This inter-agency collaboration is a reflection of the Taskforce's stated objective of adopting a whole-of-government approach against TIP. Such collaboration is vital to the success of any national strategy to prevent and combat TIP. However, unless properly coordinated, overlaps in roles and responsibilities could occur. Thus, there is a need to ensure a clear delineation of the respective roles of the various agencies involved.

Second, a stated objective of the Taskforce is to develop a holistic approach based on the 4P's strategy of prevention, prosecution, protection and partnership. This strategy encompasses the entire gamut of stricter border control and immigration checks; public education; prosecution of perpetrators; protection of victims through the provision of accommodation, medical care, counselling and translation services; and cooperation with other governments, embassies, the private sector and civil society to encourage reporting and information sharing.

Third, in order to guide the strategy and actions of the Inter-Agency Taskforce for 2012–2015, an NPA was developed. The process included several rounds of public consultation in early 2012 (MOM, 2012a, 2012b). The NPA was launched on 21 March 2012. It outlines 31 initiatives grouped under the categories of Prevention, Prosecution, Protection and Partnership (Singapore Inter-Agency Taskforce, 2012). Some of the key initiatives are a review of current legislation, a hotline for trafficked persons, training programmes for up to 10,000 frontline officers to identify trafficked persons, enhanced care services and the establishment of strong partnerships with various organisations and foreign governments.

On the whole, the NPA takes what is known as a victim-centred approach. This could have important consequences. For example, currently, foreigners who enter the country willingly to work illegally – as sex workers, for example – are considered a party to human smuggling and therefore an immigration offender. Under the NPA, they could be treated as victims of trafficking (if proven as such) and allowed to remain in shelters while their cases are investigated (Basu, 2011).

Fourth is Singapore's possible accession to the UN Trafficking Protocol. Mr Tan Chuan-Jin, in his speech at the launch of the NPA, said that he understood civil society's call to sign the UN Trafficking Protocol but suggested a cautiously engaged approach:

[W]e need to pace ourselves, conduct a thorough review and ensure that we can fulfil the obligations in an international agreement before we sign on the dotted line. Once we are ready, we will do so. (Tan, 2012)

In other words, Singapore's accession to the Protocol will depend largely on the progress of the NPA. Accession to the UN treaty is essential as it would help Singapore align its anti-trafficking efforts with international best practices and also enable it to coordinate its efforts with countries that have signed the Protocol in Southeast Asia and beyond – the NPA must thus be put into action immediately.

## Conclusion

This NTS Alert has provided an overview of TIP and the evolution of Singapore's response. While the country has to date relied only on piecemeal legislation, it has now embarked on comprehensive review of its TIP status. There is increasing appreciation of the threat that TIP poses to Singapore's socioeconomic security, and this has led to the adoption of whole-of-government and holistic approaches to effectively and comprehensively address the issue. This change is reflected in the NPA which outlines a number of measures aimed at preventing TIP.

The next challenge is to effectively implement the NPA without delay. If successful, the NPA could act as a guide for the formulation of a specific law on TIP and lead to Singapore's eventual accession to the UN Trafficking Protocol. Such developments would go a long way in not only effectively addressing TIP in Singapore but also in deterring its occurrence in the first place.

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