

Foreword

by the ASEAN Secretary-General



Over the past ten years, the ASEAN region has emerged as a leader in criminal justice responses to trafficking in persons. Working both individually and collectively, Member States have made great strides towards the ASEAN goal of ending impunity for traffickers and securing justice for victims of this serious crime.

As Secretary-General of ASEAN I am very proud to introduce this publication: our *Progress Report on Criminal Justice Responses to Trafficking in Persons*. The Report tracks the achievements of the past decade and examines, very openly, the challenges that lie ahead. It sets out the seven essential components of an effective criminal justice response to trafficking:

- Strong and comprehensive legal frameworks;
- Specialist investigative capacity to investigate trafficking cases;
- Front line capacity to identify and respond to trafficking;
- Prosecutorial and judicial capacity with regard to trafficking cases;
- Victim identification, protection and support;
- Provision of special support to victims as witnesses; and
- International legal cooperation in trafficking cases.

Each of these components is the subject of a separate chapter of the Report. For each chapter, the authors have provided a detailed overview of the relevant standards that have emerged through a combination of international, regional and national law and policy as well as accepted good practices within and beyond the ASEAN region. Each chapter then considers the extent to which ASEAN Member States have reached those standards – as well as major obstacles and opportunities. At the conclusion of each chapter is a checklist, which can be used by ASEAN Member States to measure the quality of their response and to identify areas where further work is needed.

This very brief overview makes clear that the *Progress Report* is much more than a compilation of publicly available information. Its goal is much more ambitious: to describe and examine national and regional responses to trafficking in South East Asia with specific reference to the rules and standards which ASEAN Member States themselves have developed or freely accepted. To my knowledge, this is a unique innovation and one that may well provide a model for other countries and other regions.

The conclusions of the report give great cause for hope: affirming that ASEAN Member States are continuing to lead the way in developing strong and effective criminal justice responses to trafficking. However, while we have every right to be proud of our many achievements, it is essential to acknowledge that much remains to be done. The *Progress Report* confirms that in this part of the world, as in every other, traffickers are very rarely identified, prosecuted and convicted. Victims of trafficking rarely receive any form of justice or redress for the harms committed against them. National criminal justice systems are not yet fully up to the task of investigating, prosecuting and adjudicating this crime and the incidence of cross-border cooperation remains much too low.

In seeking to change this situation, we must be absolutely clear that trafficking in persons has no place in ASEAN society: that every man, woman and child in this region has a right to live in freedom and dignity. I call on the governments of all ASEAN Member States to continue their good work: to join together in realizing truly effective criminal justice responses to trafficking. Our countries, our communities and our people deserve nothing less.



Surin Pitsuwan
Secretary-General

Jakarta, July 2011