

Supporting the COMMIT Process and COMMIT 3rd Sub-Regional Plan of Action

January 2011 to December 2013

Proposal submitted by the United Nations Inter-Agency Project on Human Trafficking (UNIAP) as COMMIT Secretariat

7 January 2011 Revision

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Human Trafficking: The Problem

Human Trafficking in the Greater Mekong Sub-Region (GMS)

As a cross-border crime, human trafficking can only be effectively combated through government collaboration and coordination across borders. It is essential to build the frameworks to make this coordination sustainable and prevent this exploitation.

Human trafficking – essentially the recruitment, transport, receipt and harboring of people for the purpose of exploiting their labour – affects almost all parts of the world and is widely believed to be increasing in both scale and gravity. In the Asia-Pacific Region, the International Labour Organization (ILO) estimated that 9.49 million people were in forced labour (2005), with a significant proportion thought to be in the Greater Mekong Sub-Region (referred to as the Mekong Region from this point on), which includes Cambodia, China, Lao PDR, Myanmar, Thailand and Vietnam. Although trafficking has existed for centuries, the uneven effects of globalization have, in recent times, contributed to an environment in which trafficking has been able to flourish into a highly profitable and generally low-risk criminal business.

The Mekong Region compared to many other parts of the world contains very diverse patterns of human trafficking, e.g. internal and cross-border; highly organized and also small-scale; sex and labour, through both formal and informal recruitment mechanisms; and involving the victimization of men, women, boys, girls, and families. Thus, within the Mekong Region, there is not so much a single pattern of trafficking in persons as a range of different patterns, with various victim and criminal profiles. Examples include:

- Trafficking of men, women, children, and families into Thailand from neighboring Lao PDR, Myanmar and Cambodia – against a background of widespread irregular migration – for forced prostitution, domestic servitude, or forced labour into sweatshops or onto fishing boats, construction sites, plantations, or farms;
- Trafficking of children from Cambodian or Myanmar border areas or rural Vietnamese or Chinese areas to beg or sell flowers on the streets of larger cities;
- Trafficking of Vietnamese girls and young women for sexual exploitation and virginity selling in Cambodia; and
- Trafficking from rural China, Myanmar, or Vietnam into the interior of China for forced marriage leading to domestic servitude

Victim Profile: Beng

Beng is 17. She was tricked into migrating to a foreign country to work as a waitress, but on arrival was locked in a room with six other girls.

That night and each night after she is taken to a brothel in town, where she is forced to have sex with up to eight men per night. All of the money paid is taken by the owner of the brothel. She is told that once she pays off the US\$3,000 debt she owes from what she earns, she will be free. But each day, more debt is added to this amount, making it impossible for her to buy her freedom.

She dreams of escaping this nightmare. But she despairs when she thinks about what to do after, as she cannot return home and face her family, particularly not empty-handed and with an outstanding debt to gangsters.

and/or sexual exploitation and Internal trafficking for sexual exploitation and domestic servitude.

Trafficking also occurs from the Mekong countries to destinations further abroad. For example, women and girls from Thailand, Cambodia, Myanmar, and Vietnam are increasingly being found in forced prostitution or domestic servitude in Malaysia. Many utilized formal labour recruitment agencies in the hopes of migrating safely and legally, but were still deceived and exploited at destination.

Trafficked Thai women are also found in the sex trade in Hong Kong, Chinese Taipei/Taiwan, Japan, South Africa, the Middle East, the US, and western European countries. Western Europe, especially the UK, is reporting increasing numbers of trafficking cases involving Chinese, Thai, and Vietnamese women.

Extra-Mekong Region trafficking is not confined to women or to sex work – in fact, extreme exploitation and slavery of Cambodian, Myanmar, and Thai men in factories and on fishing boats from which they cannot escape extends into the South China Sea area as well as the Middle East. Refer to *Figure 1* for a summary of key trafficking patterns both within and outside the Mekong Region.

Victim Profile: Aung

Aung works in a seafood processing factory. He paid a recruiter to help him find him a job, but what he was put into was not anything he could have imagined.

Aung works seven days per week, 17 hours per day. He is forced to live inside the confines of the factory, where he is charged for food and lodging that greatly exceed his daily earnings. Thus, every day he works, he goes more into debt. He is not allowed to leave until he repays this debt, which the employer keeps increasing at whatever rate he likes. Armed guards, closed-circuit TV, and locked gates keep him trapped inside, along with dozens of other workers suffering a similar fate.

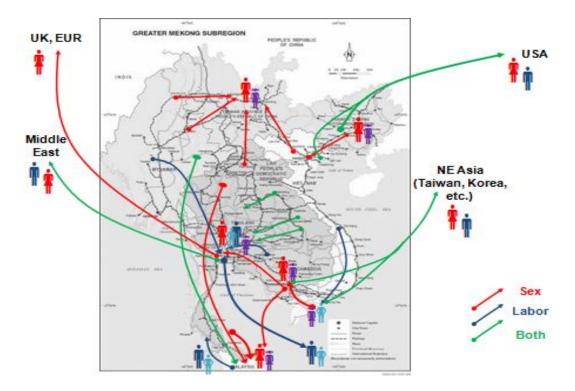


Figure 1: Key trafficking patterns within the Mekong Region and beyond.

Common Human Trafficking Myths

Over the years, human trafficking has become increasingly complex and sometimes confusing for many, including those who work to address the problem as well as those who fund the response. There are several important myths that have influenced our collective anti-trafficking responses in Southeast Asia but, thanks to recent empirical research, they have been shown to be incorrect – based on assumptions or outdated data. Some of the "busted" myths include:

- Myth: Trafficking is primarily caused by poverty and a lack of education.
 - **Reality:** Being at risk of human trafficking is often not as simple as poverty or lack of education, in terms of what motivates people to migrate or look for opportunities to improve their lives. The common assumptions often do not fully apply in this region, or perhaps others. The real risk factors inability to access or afford formal migration mechanisms, a desire to utilize education and skills but no local opportunities to do so, lack of citizenship, or inability to access emergency medical loans or quick money when family members fall ill need to be examined and proven before any intervention is designed.
- Myth: Large, organized criminal networks drive the human trafficking problem in Southeast Asia.

Reality: Throughout much of Southeast Asia, human trafficking criminal networks are loosely organized, with often difficult to trace linkages. While larger-scale organized trafficking rings certainly do exist in the Mekong, moving both sex and labour trafficking victims, the vast majority of networks that do exist are more typically small-scale, loosely connected, and opportunistic.

• Myth: Human trafficking relates mostly to women and girls being exploited within the sex industry.

Reality: A significant portion of trafficking is for the purposes of labour exploitation, victimizing men, women, and children. Trafficking is not only for sexual exploitation. Forced labour and slavery-like practices exist within a number of labour settings including exploitative factories, domestic servitude, fisheries, construction and plantations. Despite this, some national laws in Southeast Asia still limit the definition of trafficking to women and children.

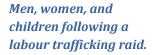
• Myth: If we could catch all of the 'traffickers' and put them in jail, the problem would go away.

Reality: Focusing mostly on those who trick, deceive and transport a person into an exploitative situation will only solve a portion of the problem. To address the real demand related to human trafficking, the response has to include more of an emphasis on actual exploiters and enslavers – those who own and run the establishments that enslave trafficking victims, and who make the most profits from slave labour.

Key Lessons Learned related to Human Trafficking

After years of anti-trafficking programming in the Mekong Region, some key lessons learned have emerged that have helped policy makers and practitioners to better understand the issue and what is required to address it. A summary of some of the key factors include:

- Much of the trafficking in the Mekong Region is for labour exploitation. Counter-trafficking efforts should address **both labour and sexual exploitation**, with the understanding that this exploitation makes victims of human beings, whether **men, women, or children**.
- Interventions should be **empirically based** and **targeted** at the most exploitative destinations and the most vulnerable communities and victim populations, rather than taking a *comprehensive and holistic* approach that may spread efforts and resources too thin.
- Objective **impact assessments** are needed to ensure that interventions are targeted and having the intended positive impacts at addressing the problem.
- **Exploitation** and enslavement should be our target, recognizing that the transportation in human trafficking is often a peripheral factor in Southeast Asia and sometimes not a factor at all.
- **Law enforcement** should be targeted at those perpetuating the trafficking crime and all related crimes, with sentences commensurate with the crimes.
- Victim support should be tailored to the **needs of the individual victim first** and the needs of the criminal justice process (and any others) second.







About UNIAP:

The United Nations Inter-Agency Project on Human Trafficking (UNIAP)

UNIAP's History and Objectives

The United Nations Inter-Agency Project on Human Trafficking (UNIAP), the Project submitting this proposal in its role (among others) as COMMIT Secretariat, was established in June 2000 to facilitate a stronger and more coordinated response to human trafficking in the Mekong Region. UNIAP is managed by a regional management office in Bangkok, with country project offices in the capitals of Cambodia, China, Lao PDR, Myanmar, Thailand and Vietnam. The seven UNIAP offices have a combined staff of approximately 35. To date, UNIAP has had three phases:

- **UNIAP Phase I (2000-2003):** This phase concentrated on creating linkages between the different organizations involved in combating trafficking, using a broad and responsive mandate to address emerging issues, and supporting new small-scale pilot counter human trafficking initiatives.
- UNIAP Phase II (2003-2006): In this phase UNIAP facilitated the development of the COMMIT MOU – a regional Memorandum of Understanding to combat human trafficking between the six governments of the Mekong Region. The COMMIT process provides an overall multi-sectoral framework for counter trafficking work at the regional level. (COMMIT is described in detail in the section that follows.)
- **UNIAP Phase III (2007-2013):** UNIAP's current phase focuses on increasing its technical service provider role to the counter-trafficking sector, as well as facilitating the overall transition from policy development to anti-trafficking action on the ground. Key functions of UNIAP in Phase III can be summarized as:
 - o Inter-agency strategic and operational coordination, at the regional and country levels;
 - o Information sharing and analysis on trafficking patterns, trends, and programs;
 - High-quality training and technical assistance in various anti-trafficking interventions to government agencies, UN partners, NGO and CBO partners; and
 - Support to the development and piloting of innovative responses to new and emerging issues.

UNIAP's overall goal is to make a *tangible and sustained impact on human trafficking in the Greater Mekong Sub-region through continued advancement of a more cohesive, strategic and incisive response.* UNIAP's modus operandi is to be service-oriented and responsive to identified gaps, needs, and development opportunities within the human trafficking sector. The four main objectives of UNIAP's Phase III are oriented towards key constituencies:

- **Objective 1: Services to governments:** To support governments in the institutionalization of effective multi-sectoral approaches to combat trafficking, primarily through support to the COMMIT Process in the role of Secretariat;
- **Objective 2: Services to UN partners:** To maximize the UN's contribution to the overall counter- trafficking response, including the COMMIT Process;
- Objective 3: Services to the broader counter-trafficking sector, including donors: To facilitate optimal allocation and targeting of counter-trafficking resources, particularly through information and data collection, analysis, and dissemination; and

• Objective 4: Services to the broader counter-trafficking sector, including donors: To play a catalytic role in the counter-trafficking response by identifying and supporting special projects to address new and emerging issues in human trafficking.

To achieve these objectives, UNIAP has six key initiatives that are managed in service to the anti-trafficking community in the Mekong Region.

- Coordinated Mekong Ministerial Initiative Against Trafficking (COMMIT) Process: As
 Secretariat to the COMMIT Process, UNIAP provides on-going technical and financial
 assistance to this inter-governmental alliance. UNIAP also supports the monitoring and
 implementation of programs and activities under the COMMIT Sub-regional Plans of Action
 (COMMIT SPAs), working closely with UN and civil society partners to align additional
 technical and financial resources.
- 2. Strategic Information Response Network (SIREN): The aim of SIREN is to produce high-quality, reliable research and case analyses to the anti-trafficking sector, through various formats, including events and special reporting (in all six Mekong languages plus English). UNIAP's strategic surveillance and data collection systems are designed to inform, monitor, and increase the effectiveness and responsiveness of anti-trafficking interventions region-wide.
- 3. **Support to Under-served Victim Populations:** Working closely with grassroots organizations through the provision of financial and technical support as well as crossborder networking, UNIAP mobilizes rapid and effective assistance for under-served victims of cross-border trafficking, for example, Cambodian men and boys trafficked onto Thai fishing boats.
- 4. **Worst Offenders Project:** UNIAP and its partners (primarily police and select NGOs) identify and track some of the worst human trafficking offenders, exploiters, employers and brokers in the Mekong Region, to assist law enforcement with investigating trafficking cases, developing cases for successful prosecution in the courts, and securing compensation for victims. Support to government law enforcement links with COMMIT as well.
- 5. **Shelter Self-Improvement Project:** With a host of government and non-government partners, UNIAP is providing targeted technical, financial, and networking assistance to build the capacity of shelter managers, counselors, and other personnel -- helping them strengthen service referral networks and improve the conditions of shelters and transit centers for victims of trafficking. Support to government social welfare ministries links with COMMIT as well.
- 6. **Ethics and Human Rights in Counter-Trafficking:** In September 2008, UNIAP launched a *Guide to Ethics and Human Rights in Counter-Trafficking* and associated training package. Since then, ethics trainings have been provided to police, journalists, victims service providers, researchers, and programmers to help them integrate ethical practices into their day-to-day human trafficking research and programming.

The first three programs listed above – COMMIT, SIREN, and Support to Under-served Victim Populations, are UNIAP's three main programs and constitute over 80% of UNIAP's total program efforts. They support and feed into each other as illustrated in *Figure 2*, below.

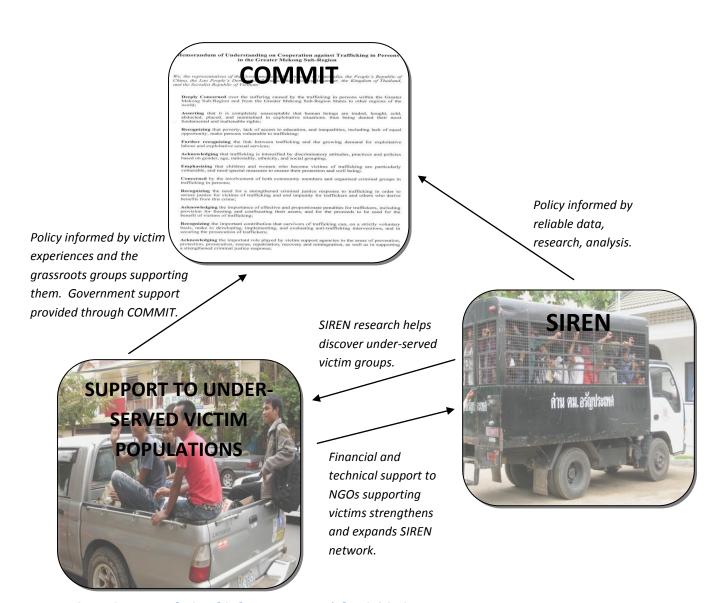


Figure 2. Inter-relationship between UNIAP's key initiatives.

As an inter-agency project, UNIAP works with governments, UN, and civil society partners at all levels – regional, national and community. UNIAP has over 250 local and international partners across seven countries, including well-known international partners ILO, IOM, OHCHR, UNDP, UNESCAP, UNESCO, UNFPA, UNHCR, UNICEF, UNIFEM, and UNODC within the UN; and ARTIP, ECPAT, Oxfam International, Save the Children, SEARCH, and World Vision from the NGO sector.

UNIAP's Funding for Phase III (2007-2013)

To date, UNIAP has raised US\$10.5 Million to cover the period January 2007 to December 2011. *Figure 3*, below, summarizes the funding sources by donor agency.

A December 2010 UNIAP Management Board meeting determined that UNIAP Phase III should be extended to run to December 2013, an additional two years past the previous end date of December 2011, in part to ensure continuous support to the 3rd COMMIT Sub-Regional Plan of Action (COMMIT SPA III, 2011-2013). Thus, approximately US\$6,600,000 will be needed to cover UNIAP's full implementation requirements between January 2011 and December 2013 – including COMMIT programming as well as programming across the other five program areas.

This proposal seeks to raise US\$2.1 million to cover shortfalls needed to fully fund the COMMIT component of UNIAP's work only.

Donors' Contribution - UNIAP PhaseIII

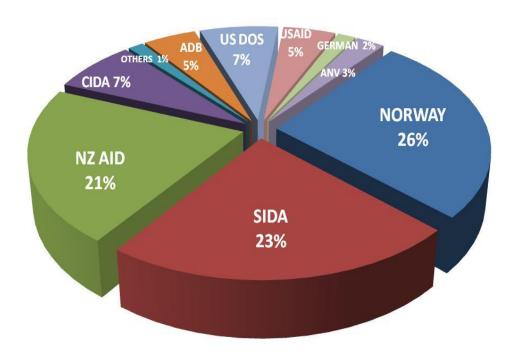


Figure 3. Donor contributions to UNIAP Phase III to date.



The COMMIT Process:

Coordinated Mekong Government Action Against Human Trafficking



[COMMIT is] a global best practice that demonstrates that governments can effectively work together to address human trafficking as one.... COMMIT continues to gain momentum even after seven years in existence something that is rare in this world of starts and stops.



Joy Ngozi Ezeilo, United Nations Special Rapporteur on Trafficking in Persons. Dakar, Senegal, 4 October 2010.

What is the COMMIT Process?

The Coordinated Mekong Ministerial Initiative against Human Trafficking (COMMIT)

represents one of the most successful regional counter trafficking efforts in the world today, a six-Government collaboration (Cambodia, China, Laos PDR, Myanmar, Thailand and Vietnam) set up to sustain cross-border cooperation and collaboration in addressing human trafficking in the Mekong Region. The Process is governed by a Task Force of senior government officials from various ministries in each country who meet on a regular basis to coordinate anti-trafficking policies and interventions both nationally and regionally. The COMMIT Process reaffirms that an inter-ministerial and inter-governmental approach is the most



effective way to tackle the broad and complex issue of human trafficking that goes beyond the mandate of any one ministry or one country.

In broad terms, the objectives of the COMMIT Process are to:

- Promote and strengthen systems and arrangements of inter-country and regional cooperation against human trafficking;
- Establish a holistic regional response, covering all aspects of the human trafficking problem and ensuring that concern for the victim is at the center of all interventions;
- Identify and adapt successful models in one country to be shared with others as appropriate;
- Enhance national capacities to address human trafficking in order to facilitate each country's engagement at the sub-regional level, building on existing strengths in each country.

How did the COMMIT Process Evolve?

The COMMIT Process first began as a series of informal discussions between representatives from several of the governments within the Mekong Region. The possibility of a regional mechanism was first officially raised by the Royal Thai Government at UNIAP's Annual Project Steering Committee meeting in June 2003 (Bangkok, Thailand). They proposed the establishment of a multi-lateral agreement that would link the six Mekong countries together with a unified vision and approach for addressing human trafficking in the region. During this meeting, it was clear that there was support for this concept among the six attending governments. At the end of this milestone consultation, UNIAP was invited to provide secretariat support to help coordinate further discussions between the governments. In addition, inter-agency COMMIT Taskforces were established in each country. These Taskforces, which included high-level government representation from ministries and departments working on human trafficking, were set up to review the various COMMIT MOU drafts, both in-country and at a series of regional consultations.



COMMIT Senior Officials Meeting 4 in Phnom Penh, Cambodia, 2006.

Based on inputs from these taskforces over a sixteen month period, a Memorandum of Understanding (MOU) was prepared, negotiated and signed at the second Senior Officials Meeting (SOM 2) in Myanmar in October 2004. The MOU, which acts as the conceptual foundation for the COMMT Process, was based on the United Nations Office of the High Commission for Human Rights document *Recommended Principles and Guidelines on Human Rights and Human Trafficking.* Its signing marked the formal initiation of the COMMIT Process.

COMMIT Components

Essential components of the COMMIT Process include the following:

- **COMMIT MOU:** The COMMIT MOU, which was signed by the six governments at the ministerial level in October 2004, is the foundation manifesto for the COMMIT Process. This six-page document commits the governments to work together at both the national and regional levels to meet international standards in addressing human trafficking, and specifically highlights the need for governments to collaborate with NGOs, UN and other international organizations to counter the problem. It contains five sections, with a total of 34 articles under the following headings: policy and cooperation; legal frameworks; law enforcement and justice; protection, recovery and reintegration; prevention; and monitoring and evaluation. Refer to Annex A for a copy of the MOU.
- **COMMIT Sub-regional Plans of Action (SPAs):** The Sub-Regional Plans of Action represent, in essence, the implementation plans for the COMMIT Process. The six COMMIT countries use this document annually to create their national and regional workplans to combat human trafficking in the Mekong Region, covering areas such as training, victim protection, prosecution, prevention, and multilateral and bilateral partnerships. To date, two versions have been used by the six countries: SPA I (2005-2007) and SPA II (2008-2010). A third SPA is presently being finalized (2011-2013). Each activity area has an objective, a set of measurable targets and a set of national and regional activities to draw from. The SPAs are prepared through an extensive participatory process that includes inputs from governments, UN, and civil society partners.
- COMMIT Taskforces: As noted above, each country has a COMMIT Taskforce comprised of 10-20 senior policy-makers and technical government officials from relevant ministries, representing police, justice, social welfare, foreign affairs, labour, education, women's affairs, tourism, and others. The Taskforce, which acts as the national governing body for the COMMIT Process, meets on a regular basis to coordinate and prioritize anti-trafficking policies and interventions. In some countries, these taskforces include UN, civil society and donors as well. On an annual basis, the COMMIT Taskforces carry out the following roles: national workplan development, implementation of workplan activities, inter-governmental coordination and collaboration, and policy development.
- **COMMIT Workplans:** On an annual basis, each national COMMIT Taskforce develops a COMMIT Workplan through an inter-ministerial review process, with consultation with implementing partners. The Taskforces select activities from the SPA totalling up to US\$100,000 to be supported by the Secretariat and funds raised by the Secretariat in support of the COMMIT Process. Further consultation on the workplan with UN and civil society partners builds in additional technical and financial resources from partnerships with those agencies.
- Regional COMMIT Taskforce Meetings: Approximately six months into each year, COMMIT Taskforce delegations (two members per country) meet to review the annual COMMIT implementation process, and begin planning for the Senior Officials Meeting

at the end of every year. This forum is an important part of the COMMIT governance process.

- Senior Officials Meetings (SOMs) and Inter-Ministerial Meetings (IMMs): Annual COMMIT Senior Officials Meetings (SOM) constitute a high-level forum to discuss and strategize, as well as to monitor and review progress made in combating human trafficking throughout the year. Six to ten delegates from each country attend these three-day events, along with UN, donor and civil society representatives from throughout the region. Every third year, an Inter-Ministerial Meeting (IMM) also takes place to bring Ministers from the six countries together to reaffirm their support to the COMMIT Process. These meetings are hosted by each of the COMMIT governments on a rotational basis and tend to take place at the end of a calendar year.
- COMMIT Secretariat: Per Section V of the COMMIT MOU, UNIAP was entrusted by the governments to act as Secretariat to COMMIT. UNIAP's country offices take the lead role in working with government counterparts on a day-to-day basis to coordinate all COMMIT meetings, consultations, and trainings; provide expert technical assistance; manage the funding; and coordinate interagency inputs. In this role, UNIAP is able to draw on its extensive network of partners throughout the region to provide the technical and financial assistance needed to meet the highest international standard. At the regional level, UNIAP's Regional Management Office coordinates all of the major international events, and provides regular technical and training assistance, and fundraises for the COMMIT Process.

How do these Components Come Together Annually?

On an annual basis, the six COMMIT Taskforces follow a series of steps to design, schedule and implement an operational workplan that includes between 15 and 25 relevant counter trafficking initiatives per country. Following a comprehensive review of progress made in the previous year and existing opportunities, gaps and needs within the human trafficking sector, these initiatives are selected from the SPA II document. A budget of US\$100,000 is allocated to each country. The standardized workplan format links and harmonizes activities, resources and technical support requirements available into a comprehensive blueprint for action (refer to Annex B). UN and civil society partners participate in this process by identifying collaborative relationships and contributions that are complementary. Once completed, the workplans are reviewed by the COMMIT Secretariat and implementation begins.

In addition to the six national workplans, the COMMIT Secretariat works with UN and civil society development partners to plan and develop a complementary regional workplan that outlines activities and events that bring together two or more countries to address specific bilateral or multilateral needs.

Implementation of the regional and national COMMIT workplans is done in partnership with all relevant stakeholders in a truly collaborative manner. The multi-dimensional nature of human trafficking makes this multi-disciplinary response essential. As the COMMIT Secretariat, UNIAP project offices based in each of the six countries play a lead role in coordinating the day-to-day technical, administrative and financial requirements to ensure that all activities are cost effective and meet the highest international standard.

Approximately six months into the year, the six COMMIT Taskforce delegations come together to review the implementation process. At the end of the year, a major Senior Official Meeting (SOM)

is held to bring high-level officials together to review progress made in combating human trafficking across the countries, exchange ideas and lessons learned, and make recommendations for the future. Policy makers and technical officials from each country attend these three-day events.

An annual report is provided to compare the implementation of the six countries related to the targets and timelines outlined in the SPA document. Since all of the workplans are developed based on the same core document, this allows for comparisons to be made between and among country programs. *Figure 4* illustrates this cycle below.

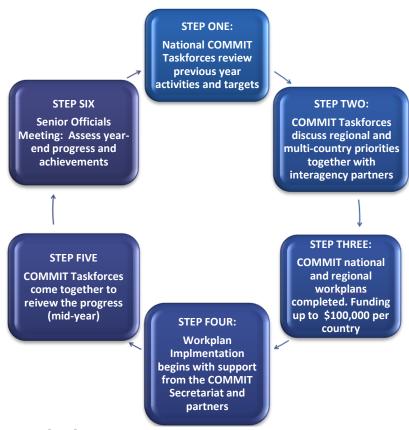


Figure 4. COMMIT annual cycle.

Key Results from the COMMIT SPA II (2008-2010): A Summary

Due to its comprehensive coverage and sound empirical foundation, the COMMIT Process has provided an unprecedented opportunity to advance a united, regional response to human trafficking in the Mekong Region. No other region of the world has a system in place that has provided more measurable, tangible results. Selected milestone achievements include:

 More comprehensive legal and cooperation frameworks in place that are compatible, functioning, and consistent with the prevention, protection, and prosecution objectives of the COMMIT MOU;

- The development and honing of a comprehensive regional training program on countertrafficking for government and non-government officials, providing state-of-the-art information delivered by recognized experts in the field. The course has also been translated into the six COMMIT languages and localized for maximum relevance;
- The development and strengthening of National Plans of Action and bilateral cooperation mechanisms between many of the COMMIT countries, with sound monitoring and evaluation frameworks to track progress, and Standard Operating Procedures in place;
- The advancement of more refined victim protection systems to ensure that victims are able to access protection services across the region that meet international standards;
- Observable improvements of national legal frameworks and the criminal justice response to human trafficking, as it is practiced on the ground to protect trafficked persons and bring offenders to justice. This includes securing compensation as well as justice for victims, and better witness protection over time;
- Better understanding of human trafficking through newly developed and tested empiricallybased data collection techniques (such as sentinel surveillance) which help to reduce trafficking incidence through targeted vulnerability reduction and increased access to non-exploitative employment; and
- Regional guiding principles on victim protection and labour recruitment established, setting an international standard for all GMS national and cross-border mechanisms handling trafficked persons and migrants.

Under the second COMMIT Sub-Regional Plan of Action (COMMIT SPA II 2008-2010), the 6 Mekong Governments committed themselves to aim to achieve 31 key targets by 2010. Progress against these targets in each country is reviewed annually. Please refer to the 2008 and 2009 COMMIT annual reports for a comprehensive listing of activities and achievements by each of the six Governments during this two year period. Note that these annual reports compare the progress of each country across the targets set in the COMMIT SPA II.

For a general sense of the number and type of activities being carried out in each country under the COMMIT Process, according to each countries' priorities and needs, please refer to *Table 1*. Note that each country makes its own choices about which activities are required. This ensures that the COMMIT workplans serve each countries' unique requirements, needs and gaps. These numbers represent the growing breadth, depth, and extent of engagement of numerous ministries in anti-trafficking, in each of the governments. Compared with the beginning years of the COMMIT Process, where activities were confined to biannual regional meetings and intermittent regional training programs as fundamental political will and capacity was being built, over the years the countries have clearly taken on more diverse, concrete, and practical actions against to work together to combat human trafficking, beyond regional senior-level government meetings.

Table 2 provides an excerpt from the 2008 COMMIT Annual Report showing how comparisons are made between countries. This process allows COMMIT taskforces to gauge their own achievements against others. UNIAP has found that that process offers a major motivating factor to prompt future implementation forward.

Table 1: COMMIT Activity Summary for 2009 by Country

Activities	Cambodia	China	Laos	Myanmar	Thailand	Vietnam	Total
Training	12	7	4	3	3	3	32
NPA	3	3	0	8	1	1	16
Multi-Lateral	1	1	5	10	9	1	27
Legal	0	1	4	4	6	2	17
Protection	0	0	2	3	3	3	11
Prevention	4	0	2	12	0	0	18
Private Sector	1	0	3	1	0	1	6
M&E	1	3	2	3	2	1	12
Total	22	15	22	44	24	12	139

Note: Number of activities are based on UNIAP internal approval process. The scale of each activity is different from country to country

Table 2: Sample of 2008 Achievement summary by country for PPC 1 (Training and Capacity Building)

= Achieved = In Progress No Activity Yet							
Indicators	Cambodia	China	Lao PDR	Myanmar	Thailand	Viet Nam	Regional
1.1 The Regional Training Programme will continue to provide training to government officials and non-government partners from the six GMS countries quarterly or as appropriate							
 All countries will have adapted and piloted the regional curriculum at the national level 							
1.3 National training assessments will be completed in all countries, with action plans completed based on these assessments							
1.4 Needs for more targeted and specific operational training will be identified, and the appropriate training will be provided as necessary							
1.5 All countries will have a cadre of government and non- government trainers to run regular training programmes							
1.5 All countries will have functional trainer certification and trainer refresher programs							
1.6 Innovative remote learning materials and approaches will be tested and implemented to complement overall country and regional capacity building efforts							

What Contributes to COMMIT's Effectiveness?

From its beginning, the COMMIT Process has been built upon a strong foundation of "good development practice." This is reflected in the eight *Guiding Principles* adopted by the six governments to articulate the main priorities of the COMMIT Process. They include:

- 1. Support partner ownership and implementation
- 2. Be collaborative at all levels by linking efforts together
- 3. Ensure that all programs and initiatives are empirically-based
- 4. Ensure that all programs have the technical support needed for interventions to meet an international standard
- 5. Instill a sense of urgency -- move initiatives forward at a pace that allows the process to show tangible results
- 6. Maintain quality and precision
- 7. Demonstrate a measurable impact
- 8. Serve those in need those who are vulnerable and/or those who have been trafficked

A comprehensive analysis of the COMMIT Process has indicated that there are 10 special and unique factors that contribute to its overall effectiveness and success, including:

- 1. **Government Ownership:** COMMIT represents a truly government-controlled and implemented process. The six governments take the lead in identifying the problem of human trafficking and implementing policies, activities and timelines to address it. The UN and civil society partners follow this lead by offering technical support in programming and gap-filling, when appropriate;
- 2. **High-Level Commitment:** From the beginning of COMMIT, there has always been a sustained, high-level commitment from the relevant government ministries that focus on human trafficking to tackle this cross-border issue. This has allowed the COMMIT Process to maintain a strong, sustained power base;
- 3. **Emphasis on One Issue:** The COMMIT Process only focuses on one issue human trafficking. Other regional forums that focus on too many activities (migration, health, trafficking, etc) tend to get watered down over time. COMMIT's focus on human trafficking is done in a comprehensive way, in accordance with all international standards;
- 4. **Collective, Comprehensive Action:** Unlike many other regional forums, one of the truly unique factors of the COMMIT Process is that Government, UN, and Civil society partners work from one workplan template (SPA) creating a truly collaborative and complementary partnership; it covers the policy, protection, prosecution, and prevention aspects of anti-trafficking comprehensively, and engage government and non-government actors from across these specialized areas;
- 5. **A Sustained Vision:** The six countries have adopted a common, shared vision that is directly relevant to the problem. This is reflected in the MOU and all supporting processes and procedures;

- 6. **Foundation Documents that meet an International Standard:** From its inception, the COMMIT Process has had an excellent foundation the Memorandum of Understanding and the Sub-regional Plans of Action meet international standards;
- 7. **Incorporation of Funding into the Model:** UNIAP, as the COMMIT Secretariat, was tasked with the responsibility to raise funds for the COMMIT Process from the beginning. This funding is essential to provide the governments with the means to move important counter trafficking activities forward. Regional forums that do not offer funding of this type tend to lose their momentum as they quickly end up being a series of meetings, without any implementation taking place between events.
- 8. **Strong Emphasis on Networks and Networking:** The relationships nurtured and developed as part of regular regional and bilateral meetings and joint trainings have evolved into a strong network of counter trafficking practitioners across the Mekong Region, which has helped to forge effective cross border collaboration;
- 9. **Emphasis on the Transnational Dynamic of Human Trafficking:** COMMIT is innovative in its approach to combating human trafficking by recognizing the difficulties caused by the transnational nature of the crime, and acknowledging the need to have a strong and effective transnational response to address it. This is demonstrated by the COMMIT Taskforces' active bilateral partnerships with counter trafficking agencies and programs in each country.
- 10. **Building Sustainability:** COMMIT is not a stand-alone process. From its beginning, it has incorporated, built upon, and complemented other initiatives and commitments to fight human trafficking in the Mekong Region. For example, in some countries, the COMMIT Process has been formalized and integrated into the existing government processes and procedures (Myanmar and Vietnam). Likewise, many COMMIT workplans and National Plans of Action have been unified as one to reduce overlap and redundancies. This also offers more future sustainability.

COMMIT SPA III Proposed Activities and Targets (2011 to 2013)

Below is a summary of activities and targets that will be carried out by the six countries within the COMMIT Process as part of the COMMIT SPA III (2011 to 2013), which is currently in draft and awaiting finalization by the COMMIT Governments at the next COMMIT Senior Officials Meeting/Inter-ministerial meeting in early 2011. Each country will attempt to achieve as many of these targets as they can over the SPA three-year implementation period.

COMMIT Sub-regional Plan of Action III: Proposed Activity Areas and Targets						
ACTIVITY AREAS	TARGETS					
Area 1: Policy and Cooperation						
 Support to National Plans of Action (NPAs) Training and capacity building for national responders and policy makers Operationalization of cross-border agreements, including creation and implementation of Standard Operating Procedures (SOPs) Support to cooperation beyond the COMMIT region Cross-border information exchange Engagement and consultation with persons affected by human trafficking 	 Comprehensive regional and national training programs are established for government and non-government anti-trafficking responders and policy makers, run by cadres of regional and national trainers. Cross-border agreements are formalized and monitored where trafficking flows indicate that such mechanisms are a priority need. Action plans and standard operating procedures for these cross-border agreements are in place, and implementation plans are reviewed on an annual basis. Anti-human trafficking cooperation with relevant states and multilateral bodies outside of the COMMIT member countries are in effect, as appropriate. Effective cross-border cooperation is supported and underpinned by functioning mechanisms for collaboration between ministries, governments, and with the public. Persons affected by human trafficking, including victims of trafficking, are engaged and consulted with in the monitoring and evaluation of the effectiveness of national antitrafficking programs. 					
Δτρα 2. Ι	egal Frameworks, Law Enforcement and Justice					
 Human trafficking legislation with international definition of human trafficking, and application of other laws against traffickers Strengthen specialist anti-trafficking law enforcement units Supporting proactive investigations Strengthening coordination of the criminal justice response with victim protection Specialist training and networking for criminal justice agencies Monitoring of human trafficking cases to ensure due diligence and process in prosecutions Strengthening victim access to justice and compensation through civil remedies 	 Comprehensive human trafficking legislation, in accordance with international definitions, are developed, enacted and fully implemented. Other relevant laws are also applied in human trafficking cases, and investigators consider prosecuting for the full range of committed offenses. Law enforcement officials are well-trained and functioning in their respective roles, including anti-trafficking specialist units, and general duties police and immigration officers in trafficking hotspot areas. This includes effective victim identification and human trafficking case investigation techniques. There is investigation and punishment of complicity and corruption within law enforcement. Investigators and prosecutors involved in the criminal justice response to human trafficking are trained on the relevant technical aspects of the crime, with support to multi-disciplinary collaboration, joint capacity building mechanisms, and networks of law enforcement, prosecutors, and judges. The quality of the CJ response to human trafficking measurably increases, including (a) better integration with the victim service response; (b) international standards of due process and fairness exercised in the investigation and prosecution of trafficking cases; (c) civil law remedies utilized as a complement to criminal justice efforts, offering additional options to victims seeking legal recourse, and (d) judges understand their role as an independent and unbiased arbiter in human trafficking cases, with an emphasis on the introduction of credible evidence in cases and proving charges beyond a reasonable doubt. 					

Area 3: Protection, Recovery, and Reintegration

- Victim identification guidelines and Standard Operating Procedures (SOPs)
- Monitoring and reporting on detention of victims of trafficking
- Victim return/repatriation and protection guidelines and Standard Operating Procedures (SOPs)
- Support to operational guidelines and capacity building for shelter management, alternative care, and referral mechanisms
- Effective (re)integration assistance
- Monitoring the effectiveness of victim assistance and incidence of re-trafficking or victims becoming brokers / traffickers
- Specialist training and technical support for rights-based, individualized approaches to victim protection and support

- Systems and guidelines are operationalized and functioning to ensure that victims of trafficking are identified and offered individualized, gender- and age-appropriate assistance after determining the best interests of the victim. Information is provided to victims in a language they understand, and improvements in victim identification over time measured through evaluation and gaining feedback from trafficked persons.
- Systems and guidelines are operationalized and functioning to ensure that victims of trafficking are not held in detention by law enforcement authorities, or other custodial facilities against the will of victims.
- Systems and guidelines are operationalized and functioning to ensure that victims of trafficking are offered safe and timely options for return and repatriation, with improvements in cross-border cooperation over time as measured through evaluation and gaining feedback from client trafficked persons.
- Systems and guidelines are operationalized and functioning to ensure that victims of trafficking are offered appropriate, individualized (re)integration options, including viable and appropriate livelihood options, with improvements in services over time as measured through evaluation and gaining feedback from client trafficked persons.
- Cadres of victim service providers are well-trained, networked, and functioning in their respective roles at an international standard, with regard to both quality of care and ethical treatment of people affected by human trafficking.

Area 4: Preventive Measures and Vulnerability Reduction

- Vulnerability reduction initiatives
- Community and border protection and surveillance systems
- Public awareness
- Strengthening mechanisms against exploitation in labour and marriage trafficking
- Strengthening the role and capacity of nonpolice officials in enforcement of national laws to reduce exploitation
- Private sector cooperation and engaging corporate social responsibility

- Regional, national and local measures to identify and reduce human trafficking vulnerability are developed, tested, shared, and replicated where appropriate and cost-effective.
- Community protection and surveillance networks are developed and strengthened, particularly in empirically-demonstrated hotspot areas in source and destination countries, to identify and address the needs of at-risk populations.
- Public awareness and advocacy campaigns that address human trafficking, safe migration, and labour rights are developed, tested and replicated, according to assessments of their positive impact in changing behaviour.
- National labour laws and other relevant policies are in place to protect the rights of all workers based on the principles of non-discrimination and equality, with functioning labour inspection and complaints mechanisms to identify and punish labour exploitation.
- Cooperation with the private sector is strengthened, to expand their active role in the fight against trafficking. This could include but not be limited to businesses and business associations in the tourism, transport, entertainment, and export-oriented industries, or any sector with a social mandate to engage in anti-trafficking.

Area 5: Anti-Human Trafficking Data & Monitoring Systems

- Building anti-trafficking data systems and capacity
- Tracking official statistics
- Research on trafficking prevalence, routes, patterns, and trends
- COMMIT Monitoring, evaluation, and reporting

- Data systems collecting key anti-human trafficking data are developed, functioning, and eventually supported by government mandates and budgets.
- Anti-human trafficking work is strengthened by improved research and analytical work, including empirically-based identification of vulnerability factors, modus operandi of traffickers, and the effectiveness of anti-trafficking laws, policies, and measures.
- Annual monitoring reports are published, as well as a final evaluation of the progress of COMMIT Governments on the agreed targets and goals of the COMMIT SPA III (2011-2013).
- COMMIT SPA III impact assessment measuring the impact of multi-agency prevention, protection, and prosecution efforts across the Mekong region are completed within a year of completion of the COMMIT SPA III.

Sustainability and Cost-Effectiveness of the COMMIT Process

The COMMIT Process, and the support work of UNIAP as the COMMIT Secretariat, puts much focus on the coordination and support of existing structures, mechanisms, and activities, especially those grounded in national/other institutions and communities which are likely to continue in the years to come. In particular, the collectiveness of project activities with the COMMIT Process, which in itself is initiated by the six governments in the region, allows much needed multi-sectoral coordination mechanisms such as the National COMMIT Task Forces to become fully entrenched within government systems. The establishment of these Task Forces in all six GMS countries has greatly enhanced progress toward effectively combating such a complex issue as human trafficking within and across borders in a sustainable manner.

While this will greatly assist in promoting sustainability, it is important to note that another strength of the COMMIT Process lies in the COMMIT Secretariat's ability to add significant value to the anti-trafficking response through the promotion of other agencies' responses which are well targeted, and therefore more effective, while at the same time reducing duplication and overlap. In other words, while the anti-trafficking response is likely to require external support for some time into the future, the Secretariat's coordination and monitoring role helps to ensure that this support has the greatest possible impact. In this regard, COMMIT will continue to contribute to a growing momentum towards greater harmonization and alignment of development cooperation activities between donors and partner countries, among donors, and between technical agencies.

UNIAP aims to maximize the cost-effectiveness of COMMIT in a number of ways, both within the network of anti-trafficking interventions and within the Process itself. Within the network, UNIAP in its larger coordination/technical support role supports reduction in duplication and overlap through better mapping, information dissemination, and joint operational planning and priority setting with the broader anti-trafficking community. UNIAP's in-house technical expertise, providing training and technical assistance and services to government, UN, and non-government partners in a model that, compared to bringing on short-term external consultants, is less expensive and provides more continuity in technical service provision to all partners.

COMMIT's Gender-Sensitive, Rights-Based Response

Clearly, the gender and human rights dimensions of trafficking are profound, and the work of UNIAP and COMMIT is grounded in a gender and rights-based approach. Gender affects all aspects of the trafficking process, not only the factors which contribute to men and women being vulnerable to different patterns of trafficking, but also the nature of policies and programmes developed to deal with the crime, particularly victim assistance. In 2002, UNIAP and UNIFEM produced a Briefing Kit, *Trafficking in Persons: A Gender and Rights Perspective*, which covers these issues in more detail. The Briefing Kit highlights the point that gender issues are, in practice, very difficult to separate from those of human rights. The inseparability of gender and rights is clearly demonstrated by the fact that women – due to the lack of recognition of trafficking in men in several of the GMS countries – are, in fact, privileged in relation to men regarding the likelihood of being identified as victims rather than as criminals, and provided with appropriate protections and services. Yet, their situation is no less serious because of this.

The nature and severity of exploitation experienced by victims, and their underlying risk factors, is

also very gender-specific. Women and men have different familial roles and obligations and thus different push factors. They play different roles in the workforce and are recruited into different jobs with very different risks, dangers, and long-term medical and psychological effects, for example the labour and sexual exploitation in the isolation of domestic servitude that is faced by women and girls trafficked as maids, as compared with the physical abuses and psychological challenges to masculinity faced by men and boys trafficked onto fishing boats.

UNIAP is an anti-trafficking global leader in integrating a human rights-based approach to all anti-trafficking research and programming, having launched its *Ethics and Human Rights in Counter-Trafficking* initiative in 2008, and having globally disseminated the *Guide to Ethics and Human Rights in Counter-Trafficking Research and Programming* in several languages since 2008. Through this initiative, UNIAP has aimed to promote the application of more rights-based anti-trafficking methods in the Mekong region, and globally, addressing all groups and persons involved, including men, communities, and trafficked persons still in the harm environment.

UNIAP and COMMIT have made groundbreaking programmatic breakthroughs in rights-based approaches to anti-trafficking in a number of ways, including directly addressing gender aspects of trafficking vulnerability and victim protection. These include:

- The COMMIT MOU contains a commitment by all countries to use the UN definition of human trafficking, which covers trafficking of all persons and all its forms. All national plans, anti-trafficking laws and MOUs developed prior to the COMMIT Process focused solely on women and children, facilitating the perpetuation of certain myths and stereotypes about the issue. However, the COMMIT Process, including the COMMIT SPA II (2008-2010), acknowledges the differential risk to exploitation in various gender-based labour sectors (for example, men trapped on fishing boats or women enslaved as domestic servants) and addresses gender-based vulnerability.
- One of the key weaknesses in addressing gender-based vulnerability to trafficking is victim identification. There are many gender-based misconceptions and biases that prevent authorities from identifying victims of trafficking and providing them with appropriate care and services, for example, the misconception that most foreign women in the sex trade are voluntary prostitutes, or that men who are exploited are ignorant migrants and not 'victims' per se. UNIAP's SIREN initiative has worked with SIREN network partners and grassroots service providers to provide case studies and clarity on the realities of trafficking and gender-based misconceptions, in English and the Mekong languages, so that victim identification and service provision can be improved. This knowledge informs COMMIT programming and discussions.
- UNIAP's Support to Underserved Victim Populations initiative has provided practical support to underserved victims, who often are misidentified as criminals due to the gender-based misconceptions outlined above. In addition to providing practical financial and logistical support to victims and their families, UNIAP staff also meet and interview these victims to understand their experience in being mis-identified as a criminal, and their experience in the trafficking situation more broadly. This aggregated information, fed into COMMIT advocacy channels as well as training, can play a significant role in improving COMMIT's policy and programming response to vulnerability reduction, victim identification, and victim protection and services.
- The COMMIT Regional Training Programme, and many other trainings that have 'spun off' from the Regional Training Programme, have all integrated gender and rights perspectives

thoughout the curriculum, which is provided to policy makers, government officials, and NGO sector workers region-wide.

Forging an Alliance Between COMMIT and ASEAN

In January 2010, the Myanmar Government, as the host of COMMIT SOM 7 and current Chair of the ASEAN SOMTC (Senior Officials Meeting on Transnational Crime), presented a proposal to the COMMIT Governments to begin forging an alliance between COMMIT and ASEAN.

The Myanmar Government stated that with its six years of existence, successful experience, and comprehensive coverage of the 4Ps that involve many ministries and agencies within member governments, COMMIT has a lot to offer and share with the broader ASEAN region (which includes five of the COMMIT Governments, plus five non-COMMIT Southeast Asian governments) regarding regional anti-trafficking cooperation. Since this milestone discussion, COMMIT and ASEAN – supported by both the COMMIT Secretariat and ASEAN Secretariat – have been collaborating to enhance opportunities to share experiences, collaborate, and possibly begin envisioning expanding COMMIT membership, given the protocols and structures of each of the multilateral bodies.

Challenges within the COMMIT Process

Like any other multi-lateral initiative, the COMMIT Process sometimes faces challenges between and among partners, including:

- Periodic political issues between governments unrelated to anti-trafficking, which have the potential to disrupt bilateral relations related to anti-trafficking;
- Over-caution related to information collection and dissemination sometimes slows down the process;
- Government and civil society relationships/partnerships/trust levels are sometimes fluid and unpredictable;
- There is sometimes a misplaced sense of competition among UN partners; and
- Personal and political factors sometimes get in the way of implementation.

When these challenges arise, the member countries often come together to identify what is needed to solve the problem to move the process forward. This emphasis on collective governance has helped to ensure that the COMMIT Process is never derailed by petty politics that can sometimes disrupt a regional collaboration.

The Future of COMMIT: Support for Implementation of the COMMIT SPA III (2011-2013)

Future Funding Requirements to Maintain the COMMIT Process

As noted above, the COMMIT Process represents one of the most successful regional anti-trafficking efforts in the world today. It is a global *best practice* that demonstrates that both government and non-government partners can effectively work together to address human trafficking as a unified force, with progress monitored according to international standards.

As UNIAP Phase III has just been extended from 2011 to 2013 and has thus received the mandate to fundraise for COMMIT beyond 2011, **this proposal seeks to fill a funding gap to ensure that the COMMIT Process is fully financed during the implementation period of the COMMIT SPA III (2011-2013).** Below is the proposed budget for COMMIT activities for the next three years. While UNIAP, as the COMMIT Secretariat, hopes to continue receiving funds supporting COMMIT from Norway, Sweden, and New Zealand, there is a projected shortfall of \$2,100,000 for this time period (\$700,000 per year). Funding will be used for:

- Implementing COMMIT activities outlined in the regional and country workplans US\$100,000 per country per year;
- Supporting major regional trainings, events, and consultations; and
- Supporting to the COMMIT Secretariat (staffing, office expenses, etc) to ensure effective financial, technical, administrative and monitoring support to the COMMIT Process.

Note that UNIAP welcomes support from one or more donors to help fill this gap in whatever amount is available. Likewise, funding can be tailored to address the specific needs and requirements of a given donor. For example, some UNIAP donors have restrictions in funding individual counties (e.g. Myanmar, China, etc) or would prefer to support a given area of emphasis (legal strengthening or victim protection). These refinements are easily accommodated.

Refer to *Table 3* for a summary of the overall COMMIT Budget for the period 2011 to 2013.

Table 3: COMMIT Funding Requirements for 2011 to 2013

PROPOSED COMMIT BUDGET	Funding Years						
(2011-2013)	2011	2012	2013	TOTAL			
Area 1. Policy and Cooperation Area 2. Legal Frameworks, Law Enforcement and Justice							
Area 3. Protection, Recovery, and Reintegration	\$700,000	\$700,000	\$700,000	\$2,100,000			
Area 4. Preventive Measures and Vulnerability Reduction							
Area 5. Monitoring, Evaluation, and Anti- Human Trafficking Data Systems							
Senior Officials Meetings and Annual COMMIT Taskforce meetings	\$100,000	\$100,000	\$100,000	\$300,000			
TOTAL COMMIT	\$800,000	\$800,000	\$800,000	\$2,400,000			
SECRETARIAT SUPPORT							
COMMIT Support Units (staff and office expenses 7 offices)	\$455,000	\$455,000	\$455,000	\$1,365,000			
TECHNICAL ASSISTANCE							
Technical Assistance	\$399,000	\$399,000	\$399,000	\$1,197,000			
Travel	\$30,000	\$30,000	\$30,000	\$90,000			
GMS	\$117,880	\$117,880	\$117,880	\$353,640			
GRAND TOTAL	\$1,801,880	\$1,801,880	\$1,801,880	\$5,405,640			