

## EXECUTIVE SUMMARY

From mid-March 2020 onwards, the COVID-19 pandemic has minimally impacted how we are delivering the ASEAN–Australia Counter Trafficking (ASEAN-ACT) program. While many foundational activities have continued as staff work from home, we have had to postpone some planned workshops and meetings. However, our justice sector partners are facing significant resource and logistical constraints implementing their counter–trafficking in persons activities. In consultation with partners, we revised our annual work plan for the second half of 2020 and will further develop our response to supporting them during the planning process for the 2021 annual work plan.

### REGIONAL IMPACT OF COVID-19

Among ASEAN member states, Indonesia, the Philippines and Singapore have recorded the highest numbers of confirmed cases of COVID-19, although testing rates have varied across the region. While confirmed cases in Cambodia, Lao PDR and Myanmar remain low, widespread outbreaks would place considerable strain on those countries' healthcare systems. Vietnam has been a standout success in suppressing the virus. In response to the crisis, ASEAN has facilitated cooperation and knowledge sharing among member states and with non-ASEAN countries and organisations.

### ECONOMIC AND SOCIAL IMPACTS

The Asian Development Bank (ADB) forecasts Southeast Asia's GDP growth to decline from 4.4% in 2019 to 1.0% in 2020 and estimates that between 11.6 million and 18.4 million jobs will be lost due to the pandemic. All economies in the region will experience contractions due to the effects of social distancing, declining international trade and tourism, disrupted supply chains, decreased investment and restricted financial flows.

The economic crisis is having a serious impact on poverty and welfare, as illness, death and lost incomes lead to increasing inequality. ASEAN countries have rolled out various social support and economic stimulus measures to address immediate challenges and prevent long-lasting downturns. Some groups are likely to suffer more than others, including the elderly; women, children and youth; refugees and migrant workers; people with a disability; and people who fall outside social protection systems. These groups may face increased barriers to accessing essential health care and other essential services. Those living in poor neighbourhoods of the region's large urban centres may be impacted by local authorities' reduced capacity to maintain essential water and sanitation services.

### IMPACT ON REGIONAL COUNTER-TRAFFICKING EFFORTS

The root causes that make people vulnerable to trafficking in persons (TIP) – poverty, lack of social and economic opportunity, and limited labour protections – have been exacerbated during the pandemic. Higher unemployment and pursuit of lower production costs are increasing the number of potential targets for trafficking in Southeast Asia and beyond. Trafficking victims are likely to face greater exposure to the virus, are less equipped to prevent being infected, have less access to health care, and have less chance of escaping or being rescued.

While new TIP cases may have decreased during the lockdowns, more cases may be going undetected and traffickers are changing their modus operandi. For example, observers have seen an increase in online sexual exploitation of children.

At the same time, the pandemic has made the task of identifying victims, and prosecuting traffickers, even more difficult. New public health measures have made it harder to provide support to victims, and many countries have relegated counter-trafficking efforts to a lower-order priority in the face of resource constraints. The United Nations Office on Drugs and Crime has urged countries to continue their important counter-trafficking work – for example, by ensuring public health measures respect human rights, by safeguarding access to justice, and by maintaining vigilance in law enforcement.

## IMPACT ON IMPLEMENTING THE ASEAN CONVENTION AGAINST TRAFFICKING IN PERSONS

Many ASEAN regional meetings were cancelled as a result of the pandemic, and ASEAN has temporarily shelved regional-level policy agendas not related to COVID-19, including implementation of the ASEAN Convention against Trafficking in Persons (ACTIP). The ACTIP has no specific provisions for crisis situations that would trigger an emergency response from ASEAN. A concerted effort will be needed at the regional and national levels to reinvigorate counter-trafficking initiatives once the crisis has eased.

The ASEAN Senior Officials Meeting on Transnational Crime (SOMTC) has postponed meetings that were scheduled for the first half of 2020 and placed plans for the rest of the year on hold, which will have knock-on effects for 2021. Nevertheless, the SOMTC is showing willingness to conduct its work online – for example, the Lead Shepherd on Trafficking in Persons has attended online meetings with ASEANACT. The Philippines, which was due to host the 20th SOMTC in June, continues to work on an initiative to establish national ACTIP representatives, with support from The Asia Foundation and inputs from ASEAN-ACT. Foundational work continues on reviewing the Bohol Trafficking in Persons Work Plan 2017–2020, with technical advice from ASEAN-ACT.

## COUNTER-TRAFFICKING EFFORTS IN ASEAN-ACT PARTNER COUNTRIES

The COVID-19 pandemic has disrupted national efforts to counter trafficking in persons in the seven ASEAN-ACT partner countries.

### CAMBODIA

The ADB expects Cambodia's GDP to grow by just 2.3% in 2020, down from 7.1% in 2019. Unemployment is expected to increase significantly due to the closure of garment factories and other businesses, the collapse in tourism, and the return of up to 90,000 Cambodian migrant workers from Thailand (although many more have been unable to return). The increase in unemployment will make more people vulnerable to falling victim to trafficking, while school closures under the country's lockdown have led to an increase in online sexual abuse of children, according to campaigners.

A 50% budget cut imposed on most government agencies, including in the justice sector, as well as the redirection of police and other resources to the pandemic response, will have a negative impact on counter-trafficking efforts. For example, scant resources are available to assess whether returning migrant workers are victims of trafficking. We expect that our key partners will request ASEAN-ACT support to pursue key activities under Cambodia's national plan of action against TIP. While courts are continuing to operate, our partners in the justice sector generally lack the capacity to undertake online work arrangements and will potentially need support in this area. The Cambodian government has established a number of working groups to address the socioeconomic impacts of COVID-19, and it will be important to coordinate counter-trafficking efforts with the relevant working groups.

### INDONESIA

The ADB forecasts that Indonesian economy will grow by just 2.5% in 2020 – half the growth rate of 2019 – due to declines in commodities exports and tourism. The pandemic's wider socioeconomic effects are making some groups – including the growing number of unemployed – more vulnerable to trafficking. As a result, trafficking in persons in Indonesia appears to be intensifying during the pandemic. Children are continuing to be trafficked for prostitution in Bali and increasingly for online sexual exploitation, and the large number of returned migrant workers are at risk of being approached by traffickers or subjected to unlawful practices by private recruitment agencies.

A presidential instruction requires all government agencies to refocus activities on mitigating the health and economic impacts of COVID-19, and to reallocate budgets accordingly, which will divert resources from counter-trafficking efforts. The pandemic has slowed investigations and prosecutions by the Anti-Trafficking Unit within the Indonesian National Police, although the unit has shifted some

work to online. Many frontline officers are anxious about the risk to their personal health while undertaking their duties. The Attorney General's Office has adjusted its work arrangements and handling of criminal cases in response to the pandemic. Criminal cases are continuing in the courts, although judges can postpone trials and limit the number of people in the courtroom. Delays in the justice sector will likely cause a post-pandemic backlog in criminal cases, including TIP cases.

### LAO PDR

The ADB forecasts that Lao PDR's economic growth will suffer a sharp downturn as a result of the pandemic, from 7.2% in 2019 to just 1.3% in 2020. More than 100,000 Lao migrant workers are estimated to have returned from Thailand, swelling the ranks of the unemployed. These returned workers, who often need to pay off debts, are vulnerable to trafficking. Reports indicate that school closures have made girls more vulnerable to trafficking for forced early marriage (especially in China), and that children are working to pay parents' debts. Cases of sexual exploitation of vulnerable groups have also been reported, with women being enticed to work in entertainment venues in the cities, only to be forced into prostitution. Rescuing and repatriating victims of trafficking has been delayed due to the pandemic, and victim identification at Lao PDR's border checkpoints has become more difficult due to the priority focus on COVID-19 health checks and quarantine.

Counter-trafficking efforts have been limited as budgets are cut and justice sector agencies divert resources to controlling the pandemic. As a result, implementation of the national plan of action against TIP has been set back significantly. Investigations, arrests and prosecutions have become largely inactive, although the Anti-Human Trafficking Department and the courts continue to work on existing cases. Justice sector officials have limited capacity and knowledge to adopt online working arrangements and have identified a need for donor support in this area. A donor-sponsored forum on strategic responses to the impact of COVID-19 on TIP would benefit key justice partners.

### MYANMAR

The ADB has predicted that Myanmar's GDP growth will slow from 6.8% in 2019 to 4.2% in 2020 as a direct result of COVID-19. The downturn will make more people susceptible to falling into poverty, including among the tens of thousands of migrant workers returning from Thailand, creating new opportunities for traffickers to exploit vulnerable groups. While it is not clear whether victim identification processes are still being conducted when migrant workers pass through checkpoints, Myanmar authorities have managed to detect a number of TIP cases during the pandemic, including cases involving forced marriage, prostitution and forced labour.

As government agencies absorb budget cuts and focus limited resources on dealing with the health and economic effects of the pandemic, justice sector partners have cancelled or postponed many counter-trafficking activities. The reduced activity will significantly delay implementation of Myanmar's national plan of action against TIP. The immediate challenge of the Anti-Trafficking in Persons Division (ATIPD) of the Myanmar Police Force is to raise awareness about the risk of trafficking, given the increased vulnerability among those who have lost jobs and income. The ATIPD is also concerned about the health and safety of its frontline officers.

### PHILIPPINES

The ADB predicts a decline in the Philippines' GDP growth from 5.9% in 2019 to 2.0% in 2020 as a direct result of COVID-19. The increasing number of unemployed, including returned Filipino migrant workers, is expected to lead to an increase in TIP. Revictimisation patterns may worsen, with former victims of trafficking returning to risky situations or behaviours due to increased vulnerability. Child rights activists are concerned that the lockdowns have contributed to a spike in online sexual exploitation of children in the Philippines. Significant numbers of Philippine National Police (PNP) officers have contracted the virus and/or been placed in quarantine, raising concerns about the health and safety of frontline officers.

Overall, the Philippines has significantly reduced its counter-trafficking efforts as a result of budget cuts and the diversion of resources to suppressing the virus. The PNP's Anti-Trafficking Unit has had to perform non-trafficking-related functions, and the PNP and National Bureau of Investigation have taken on fewer trafficking cases. As a result, the Department of Justice has filed only a handful of trafficking cases in court during the pandemic. Meanwhile, the courts have suspended many hearings, including TIP cases. The Philippines' strategic plan for countering TIP will need to be adjusted to address the effects of COVID-19 on trafficking. Similarly, delivery of victim support services has slowed during the pandemic, and different approaches (such as new health protocols) will be needed.

## THAILAND

The ADB predicts a decline in Thailand's GDP growth from 2.4% in 2019 to -4.8% in 2020 as a direct result of COVID-19. Poverty and unemployment rates are expected to rise, making vulnerable groups more susceptible to being lured into trafficking rings. Migrant workers make up a sizeable proportion of Thailand's workforce, and those remaining in Thailand during the pandemic are at increased risk of exploitation, as they are not covered by the social security system. While trafficking cases in the form of sexual exploitation may decrease in the short term due to the closure of entertainment businesses and tourism, online sexual exploitation of children is likely to increase. In the medium to long term, as borders reopen and migrant workers begin returning to Thailand, ASEAN-ACT's justice partners anticipate renewed exploitation in the form of forced labour, slavery and begging.

In the short to medium term, counter-trafficking efforts will be secondary to economic recovery and public health, and many activities will be delayed. As far as possible, justice sector agencies have sought to continue their activities during the pandemic by adopting new work arrangements, such as using online platforms. For example, the Department of Special Investigation in the Royal Thai Police has interviewed victims of trafficking using videoconferencing. The police, including the Anti-Trafficking Unit, have been assigned new duties to combat COVID-19, and concerns have been raised about the health risks faced by frontline officers. Support for trafficking victims in shelters continues, but with new health protocols. Thai authorities are seeking to prevent the spread of COVID-19 in prisons, and non-serious offenders may face fines, probation or house arrest as alternatives to short prison terms.

## VIETNAM

While Vietnam has won acclaim for its handling of the pandemic, its economy will feel the impact of supply chain disruptions, falling demand and fewer tourists, with the ADB expecting GDP growth to decline to 4.8% in 2020, from 7.0% in 2019. The COVID-19 shock will have a serious negative impact on poverty reduction, and traffickers will seek to take advantage of people's vulnerabilities. Temporary school closures and poverty have resulted in higher vulnerability among children to trafficking, including the risk of Vietnamese girls being forced into early marriages abroad. Undocumented migrants and seasonal workers are faced with more precarious living and working conditions, resulting in greater vulnerability to falling prey to criminal networks.

While the pandemic caused some delays and setbacks to counter-trafficking efforts, such as rescuing victims abroad and providing them with shelter and other support, ASEAN-ACT's justice sector partners are now back to normal work arrangements and activities are continuing as planned. During the height of Vietnam's pandemic response, additional duties for police reduced law enforcement resources available for counter-trafficking work. Delays occurred in collecting evidence on trafficking cases and sharing information between agencies and with other countries, while at the same time traffickers moved increasingly online to lure victims. Most court trials were postponed, and the courts are having to work through a backlog of hearings.