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Human trafficking, forced labour and land grabbing

Europe's share of responsibility

Barbara Lochbihler, foreign policy and human rights spokesperson of the Greens/EFA group, visited Thailand and Cambodia from 12 to 20 February to follow up on the group's work on human trafficking and land grabbing. This included a short film produced by Greens/EFA staff in 2012.

Land grabbing in Cambodia

Based on the so-called Everything But Arms programme of the EU, Least Developed Countries including Cambodia have been offered free access to the European market for all their conventional products. This has led to massive investments, in the Cambodian sugar sector, among others – nothing objectionable in itself. However, most investments are operated by foreign investors who, with the support of government agencies, have secured ever-more extensive land strips which had previously been managed by indigenous communities.

NGOs and Cambodian parliamentarians confirmed that land grabbing continues to be systematic, and that the situation remains tense – the government in Phnom Penh has not only failed to investigate individual cases, but also failed to establish a licensing system that would protect indigenous communities from losing their traditional land to European or other foreign companies. At the same time, European governments and firms seem equally reluctant to even acknowledge the issue of land grabbing, let alone tackle it.

The Cambodian government needs to urgently find a way to speed up land registration processes in indigenous areas. It must investigate all individual cases presented to the authorities, and immediately free all imprisoned peaceful land activists. The EU, in turn, should consider sending a fact-finding mission, in order to examine the consequences that Everything But Arms has on human rights in Cambodia.

What is more, the government in Phnom Penh should at last reform its asylum system and stop illegally rebuffing asylum seekers at its borders. Whoever reaches Cambodia, on whichever path, has the right to request asylum, and must be given access to a fair and effective asylum procedure. The principle of *non-refoulement*, which forbids returning any potential victim of persecution to their persecutor, applies globally – including in Cambodia, where dozens of Vietnamese asylum seekers have recently been driven back at the border. The government has, on the other hand, accepted refugees from Australia in exchange for money.

Lastly, on an equally important note, the work on Cambodia's past has to continue. When I last visited Cambodia some months ago, I did so to attend a historic court ruling against two of the few remaining Khmer Rouge leaders. This was an important step for the country; but numerous citizens continue to suffer from the consequences of the Khmer Rouge regime. Victims have to live side-by-side with their tormentors, and there is little to no public debate on the Khmer Rouge regime in Cambodian society – which, according to experts, helps explain why the country shows the highest level of domestic violence against women and children. Here, too, the EU has a role to play. It must continue to financially and logistically support the Khmer Rouge tribunal and the NGOs working on those topics. The EU should also support Cambodia in intensifying de-traumatisation programmes and psycho-social care, as well as in establishing an independent judiciary system, based on the experience gathered through the Khmer Rouge tribunal.

As Greens in the European Parliament, we will continue to stand up for these, and other, objectives.

Human trafficking and forced labour in Thailand

When **Prum Vannak** jumped into the water off the Malaysian coast, he left three years of forced labour on a Thai fishing boat behind him – only to be seized by police forces, who sold him to palm oil producers. It is not the first time that the young Cambodian, who in the meantime managed to flee to Phnom Penh, tells his story; otherwise, he wouldn't be so calm. But it is the first time I hear it. And it is shocking, to say the least.

Yet, according to the experts and NGOs who I met during my delegation visit to Cambodia and Thailand, Prum Vannak's case is no exception. Human trafficking, forced labour and modern slavery are huge issues in South-East Asia, including in the Thai fishery sector. Thailand is the third largest seafood exporter in the world, with exports valued at 7 billion US dollars in 2013 by the UN Food and Agriculture Organisation. More than 1 billion US dollars' worth of seafood is exported to the European Union.

What is Europe doing?

Given these statistics, it comes as no surprise that the European Commission has started planning a free trade agreement with Thailand. Some say this might be a good opportunity to put pressure on the Thai government, by conditioning the conclusion of such an agreement on a more intensive fight against human trafficking and forced labour. And the first signs of hope are there: the Thai government has presented a new law, scheduled to be adopted in June of this year. Among many other measures, it foresees stricter working conditions, on the boats as well as in the factories, and increasingly regular inspections on the vessels.

Some experts, including most of the NGOs whom I talked to on the ground, are more sceptical, however. They fear that the reforms will not be implemented, as has happened previously, ultimately failing to bring about any tangible change for the workers – who, most of the time, are undocumented trafficked migrants from Myanmar or Cambodia. In any future trade or political deal with Thailand, therefore, the EU should include human rights clauses and clear control and sanctioning mechanisms. The EU must clearly state that it won't accept mere promises. Be that as it may, experience has shown that EU trade negotiators tend to be hesitant when it comes to human rights conditionality. It thus remains to be seen whether the legal reforms announced by the Thai government will be implemented correctly.

In any case, with or without a trade agreement, Thailand needs to drastically improve its labour standards in the fishery sector, in particular on the vessels at sea. More inspections must be conducted, and more frequently: in the factories, on the trawlers, but also vis-à-vis the numerous agencies responsible for trafficking undocumented migrants and Thai workers into slave-like working conditions. The Thai government must also step up its efforts to fight organised crime, corruption and human trafficking –

ideally with the support of its ASEAN (Association of Southeast Asian Nations) partners. Granted ASEAN countries are already working together on a binding convention against human trafficking, scheduled to be adopted by the end of 2015. In this context, governments in the region need to intensify their efforts to make this process a success. All ASEAN countries, including Thailand, must furthermore tackle the lack of funding in the fight against human trafficking, while thoroughly investigating where all the criminal money is going. Attacks against NGO activists working on human trafficking and forced labour must be stopped, while support systems for the many female victims of human trafficking need to be stepped up.

Lastly, since the military coup in May 2014, martial law has remained in place and has been used to justify online censorship and large-scale curtailing of media freedom. Bloggers and journalists are regularly interrogated by military police about their work, which has led to wide-spread self-censorship – and which explains why the bloggers and writers I could talk to expressly insisted on remaining anonymous.

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