

Position Paper #5

Smuggling of migrants, trafficking in persons and contemporary forms of slavery, including appropriate identification, protection and assistance to migrants and trafficking victims

Republic of Korea

The Republic of Korea fully recognizes the importance of countering migrant smuggling, trafficking in persons and contemporary forms of slavery and established intergovernmental mechanisms to prevent them. The Korean government also attaches importance to the sustained implementation of existing normative frameworks. We ratified the *United Nations Convention against Transnational Organized Crime* and three protocols thereto in 2015, including the *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children*. The Republic of Korea also amended the *Criminal Act* to introduce a universalistic perspective¹, and distinctively identified aiding and abetting as crimes to be severely punished. Furthermore, the Korean government has been actively participating in the regional efforts to prevent trafficking in persons, including the *Bali Process on People Smuggling, Trafficking in Persons and Other Related Transnational Crime*.

Believing the establishment of national mechanisms is crucial to preventing smuggling of migrants, contemporary forms of slavery and slavery-like practices such as forced labor, the Government established a task force that focuses on prevention of prostitution with eighteen governmental ministries. The Korean government has been operating the *Employment Permit System (EPS)*, according to which national agencies, instead of private employment offices, direct the labor migration process to enhance transparency and prevent the possibility of smuggling, forced labor, debt bondage and any other forms of slavery. Moreover, we allow migrant workers under the system to change employers should their rights be violated. Also, we carry out an intensive crackdown on labor rights abuse against migrant workers every year in order to better identify, protect and assist those in vulnerable situations.

¹Article 296 bis of the Criminal Act provides basis for imposing punishment even on foreigners who perpetrated trafficking in persons in a foreign country

The Republic of Korea believes that the capacity-building of front line actors such as criminal justice practitioners and labor inspectors is important to rooting out trafficking in persons and contemporary forms of slavery. In this vein, the Korean government has been assisting developing countries to better address trafficking in persons and observe international labor standards. For instance, last year, the Government provided training courses to the officials from 12 developing countries in charge of helping victims to sexual exploitation. Also, the Korean government has been implementing *Korea/ILO partnership program* to support capacity-building of developing countries in the field of employment policy, social protection and occupational safety and health. /END/