Contents

2

	ace X nowledgments XI
	of Abbreviations XIII
	Challenger of Various Recognition of Assay Member Reports
Intro	oduction 1
1.1	The Statement of Problem and the Objectives of the Research 1
1.2	The Reasons of Examining Cambodia, Thailand, and Vietnam
	as Case Studies 4
1.3	The Significant Substance and Structure of this Book 5
	rview of ASEAN and Its Influence on Community-Building between
	rnal and External Regions 8
2.1	Establishment of ASEAN 10
2.2	The Origin and Evolution of ASEAN 11
2.3	Actual Political Influence of ASEAN 14
	2.3.1 Vietnamese Invasion of Cambodia 14
	2.3.2 South China Sea Dispute 16
2.4	Potential Human Rights Influence of ASEAN 19
	2.4.1 Three-Pillar Community Integration 20
	2.4.2 ASEAN Way 25
2.5.	Debates on Human Rights Approach of ASEAN 25
	2.5.1 Discussion of the "ASEAN Way" 26
	2.5.2 Achievements and Challenges of ASEAN Regional Forum 32
2.6	ASEAN'S Mobilization on Human Trafficking 47
	Conclusion 50
ASE	AN's Struggle to Combat Human Trafficking 52
3.1	Inadequacy of Counter-Human Trafficking Law of ASEAN 53
	3.1.1 Lack of Common Counter-Human Trafficking Norms 53
	3.1.2 Deficiency of Current Counter-Human Trafficking Law 61
3.2	Dysfunctional Counter-Human Trafficking Structure of ASEAN 72
	3.2.1 Background of Counter-Human Trafficking Structure 72
	3.2.2 Critique of the Separation between Human Trafficking and Labou
	Migration 74
	3.2.3 Need for Collaboration among Human Rights Bodies 79
3.3	Insufficient Powers of Existing ASEAN Human Rights Bodies against
	Human Trafficking 84

- 3.3.1 The Lack of Monitoring, Evaluation, and Data Collection on Achievements and Challenges of the National and Regional Policies 85
- 3.3.2 The Lack of State or Individual Complaints Admission 92 Conclusion 95
- 4 Challenges of National Responses of ASEAN Member States to Human Trafficking: Case Studies of Cambodia, Thailand and Vietnam 97
 - 4.1 Background of Cambodia, Thailand, and Vietnam 98
 4.1.1 Origin of Human Trafficking Phenomenon in Cambodia, Thailand, and Vietnam 98
 - 4.1.2 Membership of Cambodia, Thailand, and Vietnam 105
 - 4.2 Arguments of Legal Commitments of Cambodia, Thailand, and Vietnam to Counter-Human Trafficking and National Anti-Human Trafficking Law of Cambodia, Thailand, and Vietnam 107
 - 4.2.1 Discussion over the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children 108
 - 4.2.2 National Anti-Human Trafficking Law of Cambodia, Thailand, and Vietnam 112
 - 4.2.3 Counter-Human Trafficking Practice in Cambodia, Thailand, and Vietnam 128

Conclusion 150

- 5 A Proposal for ASEAN Regional Reform: The Establishment of ASEAN Declaration of the Promotion and Protection of Trafficking Victims (ADTV) and ASEAN Commission on The Promotion and Protection of Trafficking Victims (ACTV) 152
 - 5.1 Recommendations of the Selective Measures of ASEAN
 Declaration on the Promotion and Protection of the Rights
 of Trafficking Victims (ADTV) 153
 - 5.1.1 Necessity of Creating ADTV: Deficiency of Existing ASEAN
 Regional and National Anti-Human Trafficking Laws 153
 - 5.1.2 The Selective Measures of ADTV 156
 - 5.1.3 Feasibility of ASEAN'S Acceptance of ADTV 176
 - 5.2 Recommendations of the Selective Qualification and Power of ASEAN Commission on the Promotion and Protection of the Rights of Trafficking Victims (ACTV) 179
 5.2.1 Need for Forming ACTV 181

5.2.2 Analysis of Selective Qualification and Monitoring Power of ACTV 185
5.2.3 Possibility of ASEAN'S Admission of ACTV 207
Conclusion 209

6 Conclusion 210

APPENDIX A: Comparative Table of Trafficking Law Provisions of the UN Palermo Protocol and the National Anti-Human Trafficking Laws of Cambodia, Thailand and Vietnam 215

APPENDIX B: ASEAN Member Countries on Corruption 241

Bibliography 242

Index 279