UNIVESRITI TEKNOLOGI MARA

A LEGAL RESEARCH ON THE ADEQUACY OF THE ANTI-TRAFFICKING IN PERSONS AND ANTI-SMUGGLING OF MIGRANTS ACT 2007 IN PROVIDING THE REMEDIES TO VICTIMS OF TRAFFICKING

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Dissertation submitted in partial fulfilment of the
requirements for the degree of
Master in Enforcement Law

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AUTHOR'S DECLARATION

I declare that the work in this dissertation was carried out in accordance with the regulations of Universiti Teknologi MARA. It is original and is the results of my own work, unless otherwise indicated or acknowledged as referenced work. This topic has not been submitted to any other academic institution or non-academic institution for any degree or qualification.

In the event that my dissertation be found to violate the conditions mentioned above, I voluntarily waive the right of conferment of my degree and agree be subjected to the disciplinary rules and regulations of Universiti Teknologi MARA.

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ABSTRACT

Human trafficking is a complex global crime that exploits women, men and children. Due to the seriousness of the crime, the law of Anti-Trafficking in Persons and Anti-Smuggling of Migrants Act has been enacted in 2007. Despite the enactment of the law, the victim is still struggling in getting their compensation. It is compulsory for the provisions to provide the compensation to victims in order to reflect the heinous nature of the offence. Hence, the study attempts to provide an understanding of remedies law in the Act by comparing the remedies provision in Malaysian law and United States Law.

The study adopts qualitative research methodology which involves doctrinal research and semi structured interview. The target population of the study is government enforcement agencies who are involved in enforcing the Act, the public prosecutor who is involved in prosecuting the cases and the Protection Officer in shelter home, who are protecting the victims.

There is a gap in the Act on providing the compensation to victims of trafficking. Hence, this study contributes to the body of knowledge on human trafficking and the body work on implementation research.

This study indicates the needs to improve the compensation provision that obviously violates the rights of the victims.

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