

EMMAUS Actions on the Prevention of THB in Australia
and Identified Needs

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Introduction

The twelfth Newsletter focused on the global level of EMMAUS actions on fighting trafficking in human beings worldwide.

This Newsletter focused on displaying the extent and dimensions of the problem of THB in Australia, where you could find information, facts, statistics and all available data on the problem of THB on the Australian continent

In this Newsletter, focus will be on the problem of trafficking in human beings in Australian continent, the extents of

it, the most common ways and forms of trafficking in human beings, statistical findings and measures of prevention and reaction, because Australia is essentially a goal nation for individuals trafficked from Asia, especially Thailand, Korea, the Philippines and Malaysia.



International Forum of Solidarity EMMAUS celebrates its first year of membership within ECPAT International—an expanding global network of local civil society organisations, coalitions and with individuals working together on one common goal – to end the sexual exploitation of children around the world, to eliminate child prostitution, distribution of child sexual abuse material and the trafficking of children for sexual purposes. ECPAT supports protection of children and empowerment of 95 members in 86 countries, including IFS-EMMAUS, BiH since 2016. Within the ECPAT network, The Association of Southeast Asian Nations (ASEAN) Regional Education campaign promotes the message 'Child Sex Tourists - Don't Turn Away, Turn Them In' and encourages responsible tourists and local citizens to join the fight against child sex tourism by reporting suspicious behaviour to hotline numbers in Asian countries.

Trafficking human beings in Australia



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Human trafficking in Australia is unlawful under Divisions 270 and 271 of the Criminal Code. In September 2005, Australia approved the Protocol to Prevent, Suppress and Punish Trafficking in Persons, particularly Women and Children, which supplemented the United Nations Convention against Transnational Organized Crime. Amendments to the Criminal Code were made in 2005 to actualize the Protocol.

The degree of human trafficking in Australia is hard to quantify. However, it has been gauged that in the vicinity of 300 and 1000 people are victims of trafficking a year. The United Nations Office on Drugs and Crime (UNODC) records Australia as one of 21 trafficking goal nations in the high goal category.

Most common forms of THB

- Servitude
- Slavery
- Forced labour
- Debt Bondage
- Forced marriage, or
- Organ harvesting



Domestic Servitude

Employees working in private homes are forced or coerced into serving and/or fraudulently convinced that they have no option to leave.



Sex Trafficking

Women, men or children that are forced into the commercial sex industry and held against their will by force, fraud or coercion.



Forced Labor

Human beings are forced to work under the threat of violence and for no pay. These slaves are treated as property and exploited to create a product for commercial sale.



Bonded Labor

Individuals that are compelled to work in order to repay a debt and unable to leave until the debt is repaid. It is the most common form of enslavement in the world.



Child Labor

Any enslavement – whether forced labor, domestic servitude, bonded labor or sex trafficking – of a child.



Forced Marriage

Women and children who are forced to marry another without their consent or against their will.

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LEGISLATION ON PEOPLE TRAFFICKING IN AUSTRALIA

Trafficking-related legislation was first introduced in Australia in 1999 through amendments to the *Criminal Code Act 1995*. The *Criminal Code Amendment (Slavery and Sexual Servitude) Act 1999* (Cth) created the offences of slavery, sexual servitude and deceptive recruiting but failed to define trafficking in persons.

In August 2005, the relevant trafficking legislation underwent significant reform and a range of new offences were created under the *Criminal Code Amendment (Trafficking in Persons Offences) Act 2005* (Cth). Offences of trafficking in persons, trafficking in children, domestic trafficking in persons and debt bondage were created under this legislation (see Joudo Larsen, Lindley & Putt 2009)

EXTENT OF PEOPLE TRAFFICKING IN AUSTRALIA

As with most crimes, an exact figure for the number of persons trafficked into Australia is impossible to obtain. There exists a wide discrepancy between officially detected cases and estimates on the number of victims. This discrepancy, in part, reflects high levels of under-reporting, with trafficked persons often fearful of authorities and the possible repercussions for themselves and their families should they be detected. Further, trafficking matters may not be identified as such; instead, offenders may be charged with a range of other offences including kidnap/abduction, assault and domestic violence among others. This discrepancy has also raised concerns for the validity and reliability of the methodologies used to calculate reported estimates (US GAO 2006).

The available aggregate statistics from Australian Government agencies indicate that between January 2004 and June 2011:

- 305 investigations and assessments of trafficking-related offences were conducted by the AFP's Transnational Sexual Exploitation and Trafficking Teams;
- 184 victims of trafficking had been provided with assistance through the government funded Office for Women's Support for Trafficked Persons (STP) Program; and
- 13 people convicted for people trafficking-related offences (9 of the 13 defendants were convicted of slavery offences, 3 of sexual servitude and 1 of people trafficking).

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The Australian Institute of Criminology

An Australian Institute of Criminology (AIC) provide details regarding Labor Trafficking, propelled in November 2010 by the Minister for Home Affairs, inspects "what is thought about work trafficking in Australia, in view of rates of revealed violations, yet in addition by drawing on data about unreported wrongdoing. It gives an appraisal about the known or likely frequency of trafficking in people that can happen in the farming, cleaning, friendliness, development and assembling ventures, or in less formal parts, for example, residential work and home-help."

Vagrant sex specialists focused by hostile to trafficking policing in Australia have had their human rights abridged and their work environments have been affected in negative ways. Trafficking in people violations have additionally been recognized outside of the sex business. Practically speaking, these violations have a tendency to be alluded to as "work trafficking".

Associated casualties with trafficking are in a remarkable position. Like different casualties of wrongdoing, they might be profoundly influenced by their experience; at the same time, dissimilar to different casualties of wrongdoing, they may likewise have a dubious movement status in an outside nation, where they may talk little of the dialect and know just the general population who have misused them.

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Australian Government

Australian Institute of Criminology

Statistical findings on THB in Australia

The quantity of individuals trafficked into Australia is obscure. Appraisals given to a 2004 parliamentary investigation into sexual subjugation in Australia went from 300 to 1000 trafficked ladies annually.

The request found that the majority of the ladies trafficked into Australia are enlisted from South East Asia and China for the sex business. As per the request report, traffickers encourage the ladies' entrance

to Australia by a scope of fake means, including giving visas (generally understudy or occasion visas), false international IDs and assets. The ladies are then sent to houses of ill-repute around the nation where their developments are generally limited. It isn't obscure for ladies to be compelled to reimburse obligations of over A\$40 000.

Table 1: Clients on support for trafficked persons program by country of origin/citizenship (n)

Country of origin/citizenship	2009–10	2010–11	Total since 2004
Thailand	31	32	78
Malaysia	16	17	32
South Korea	9	7	31
Philippines	a	9	10
Other ^a	9	15	33
Total^b	65	80	184

The Asia region is the essential hotspot for people trafficked into Australia. It is likewise a typical source area for trafficking all inclusive and has high rates of intra-provincial trafficking. Of the people accepting help through the Support for Trafficked Persons (STP) program between January 2004 and June 2011, 70 percent started from southeast Asia. More than 40 percent of all customers on the STP Program amid this time started from Thailand, with littler quantities of people from Malaysia, South Korea and the Philippines, among different nations

Roughly 300 victims of trafficking in people have gone to the consideration of Australian specialists since record-keeping began in January 2004. This gauge depends on figures identifying with AFP examinations and the quantity of people who have acquired particular government bolster accessible to casualties of trafficking in Australia. By 30 June 2015, an aggregate of 273 people had been alluded to the Australian Government's Support for Trafficked People Program since the program's commencement in 2004. Official figures affirm that the immense larger part of known casualties of trafficking in people in Australia are ladies. Trafficking including male casualties or kids are extremely uncommon by examination.

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Financial year	New clients entering the Support Program	Number of clients on the Support Program		
		Total	Male	Female
2014-15	38	88	18	70
2013-14	21	76	11	65
2012-13	21	83	11	72
2011-12	9	77	9	68
2010-11	29	80	9	71
2009-10	24 ^[10]	65	3	62
2008-09	not available	59	not available	not available
2007-08	not available	60	not available	not available
2006-07	not available	48	not available	not available
2005-06	not available	41	not available	not available

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Real Life Stories

These following stories illustrate only some of the many forms of trafficking and the wide variety of places in which they occur. Many of the victims' names have been changed and uncaptioned photographs are not images of confirmed trafficking victims. Still, they illustrate the myriad forms of exploitation that comprise trafficking and the variety of situations in which trafficking victims are found.

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First story is about father who trafficked and sexually abused surrogate twin baby daughters. A Victorian man who paid an abroad surrogate to give birth to twin little girls, conveyed the young girls to Australia where he recorded himself sexually abusing them and imparted the recording to different pedophiles. This 49-year-old father was imprisoned for a long time in the wake of confessing to 37 charges including 20 tallies of incest and two of trafficking.

He manhandled his girls on a week after week for eight months from when they were one month old and they were drugged so he could film himself taking part in sex acts. Also, he started mishandling his nieces when they were four and six. The court was told the man took on the appearance of a lady when he went online to search out and share kid abuse material, including movies and pictures he created of himself with his girls and nieces. Victorian County Court Judge Susan Cohen said: "You deliberately entered into an agreement whereby your own children would be born and brought to Australia (for sexual exploitation)"

Before they turn 18...

1 in 6 boys experience some form of sexual abuse

1 in 4 girls experience some form of sexual abuse



Second story is about Dulu Ram when he left his better half and two kids in India to go to Australia to start working in Eastwood in Sydney in August 2007 in one restaurant. He spent the following 16 months working 12-hour days in the eatery with only one day off on Christmas and Mr Ram was kept as a slave because he had no entrance to his international ID. He slept over a bedding in the dry storeroom, and showered utilizing water from a basin.

“And while that trafficking debt and the threats associated with it hung over his head, there was really nowhere for him to go. He was horrendously exploited in a way that Australian law just does not permit for anyone,”

Mr Ram was practically ignorant and could not communicate in English and he was afraid but soon the restaurant was closed, and the Government let him to stay in Australia and bring wife and kids and to give evidence against his employer.



Reactions of the Government

The Australian government declared extra against trafficking measures with a \$20 million bundle, focusing on sex trafficking in particular. The bundle included: another Australian Federal Police (AFP) unit, the Transnational Sexual Exploitation and Trafficking Team (TSETT), new visa courses of action for trafficking victims and victim bolster measures, including guiding and lawful and medicinal help, to be controlled by the Office for Women (OFW), proposed changes to enactment, making individuals trafficking deserving of up to 20 years imprison, and a guarantee to confirm the UN Protocol to Prevent, Suppress and Punish trafficking in People, particularly Women and Children.

In 2004, the Attorney General s Department delivered an Action Plan to Eradicate Trafficking in Persons in help of the 2003 declaration. In this arrangement the Australian Government fortified its responsibility regarding perceiving that trafficking in people is a worldwide concern and that there is a need to work together with territorial accomplices keeping in mind the end goal to address the issues locally. Advancements since 2004 include: The approval by Australia in 2005 of the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, particularly Women and Children. Australian government subsidizing for the Australian Institute of Criminology (AIC) for examine into provincial trafficking activities.

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International Calendar of Anti-trafficking Events

February 2017						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1	2	3	4
5	6	7 Safer Internet Day, 2017 Theme : "Be the change"	8	9	10	11
12	13	14	15	16	17	18
19	20 International Day of Social Justice	21	22	23	24	25
26	27 International NGO Day Human Trafficking Academy Training for Professionals, St. Thomas University School of Law, Miami, USA.	28	Notes:			

March 2017						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1 Zero Discrimination Day	2	3	4
5	6	7	8 International Women's day	9	10	11
12	13	14	15	16	17	18 Conference Theme: "Break Every Chain" Antrim High School, Greencastle, USA
19	20	21 International Day for the Elimination of Racial Discrimination	22	23	24 International Day for the Right to the Truth concerning Gross Human Rights Violations and for the Dignity of Victims	25 International Day of Remembrance of the Victims of Slavery and the Transatlantic Slave Trade of Victims
26	27	28	29	30	31	Notes:

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EURC
Cekalusa 66
71000 SARAJEVO
Bosnia and Herzegovina
E-mail: info@eurcenter.net
Web: www.eurcenter.net
Phone: +387 33 263 385
Fax: +387 33 263 386

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- *Different AusAID (formally the **Australian Agency for International Development**) tasks are helping with averting trafficking in the Pacific district, for example, the Asia Regional Trafficking in Persons Project*
- *Participation by Australia at the UNs Vienna Forum to Fight Human Trafficking held in February 2008*
- *In June 2008, the Minister for Home Affairs, Bob Debus, led the principal National Roundtable on People Trafficking to counsel with government and non-government agencies*

Enactment

Administrative measures go back to 1999 when the Criminal Code Amendment (Slavery and Sexual Servitude) Act 1999 revised the Criminal Code Act 1995 to embed offenses identifying with subjugation, sexual bondage and tricky selecting for sexual administrations. It was recognized at the time that the issue was a huge one for Australia, with a developing and exceedingly lucrative global exchange individuals into Australia for the motivations behind sexual exploitation.

Changes to the current enactment, proposed in the administration s hostile to trafficking bundle in October 2003, included acquainting extra offenses with criminalize all parts of individuals trafficking. On 21 June 2005, the Minister for Justice and Customs, Chris Ellison, reported the fruitful entry of the Criminal Code Amendment (Trafficking in Persons) Act 2005 in the Senate. The Act makes new offenses criminalizing the trafficking of people into and out of Australia. These offenses incorporate obligation subjugation and youngster trafficking offenses with punishments of up to 25 years detainment. They fortify the current administration of offenses managing subjection, sexual bondage and individuals smuggling

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