

PREVENT PEOPLE TRAFFICKING CONFERENCE 2013



Prevent People Trafficking Conference report

April 11-12, 2013

**Author
Chris Frazer**

**“You may choose to look the other way but you can
never say again that you did not know.”**

William Wilberforce

**Prevent People Trafficking Conference
11-12 April 2013**

**Conference report
May 2013**

**“Victims are everywhere, should you choose to look.”
—Jim Ink**

Preamble

111 delegates and guest speakers assembled for the two day conference with the sole focus of recognising and preventing the trafficking of people within New Zealand and the wider Pacific: a national focus with global implications, as trafficking in people is a globalised profit-driven crime which leaves no country untouched.

The conference was hosted by The Salvation Army’s Social Policy and Parliamentary Unit, ECPAT Child Alert New Zealand and the US Embassy, and drew together a diversity of people from within New Zealand, Australia and Fiji, including a significant number of staff from various government agencies.

The diversity and quality of the speakers, which included the Minister of Immigration Michael Woodhouse, Human Rights Commissioner David Rutherford, UN legal advisor Dr Anne T Gallagher AO, renowned activist Matt Friedman, and US Embassy Deputy Chief of Mission Marie Damour, ensured the conference maintained a high level of presentations and discussions.

Furthermore, with a range of academic, NGO and government representatives taking part the delegates had the chance to network with other practitioners working in immigration, law, social justice and community groups.

The conference offered two practical, action-packed days, giving rise to a greater understanding of people trafficking in all its forms as well as a widening perception as to the complexities surrounding exploitation of people purely for financial profit. The conference finished with some clear directives towards possible on-going action: delegates

were challenged to examine their own respective roles as members of communities in which trafficking will exist, as well as charged with the task of taking the knowledge and understanding gained during the two days back to their respective organisations .

This report provides a detailed summary of each main presentation, and endeavours to capture some of the key comments made. Also contained within this report are the transcripts of the break out groups, and a copy of the conference programme which shows the range of topics covered.

Day 1

Purpose: To address the challenges of trafficking in New Zealand and in the region

Opening speech by the Hon. Michael Woodhouse, Minister for Immigration

The Minister began with a welcome and acknowledgement.

‘Thank you for inviting me to be here today. I want to start by acknowledging the co-hosts of the Prevent People Trafficking Conference—The Salvation Army, ECPAT Child Alert, and the U.S. Embassy.

I would like to take this opportunity to thank U.S. Embassy Chargé d’Affaires Marie Damour, for the American Government’s significant contribution to tackling this extremely critical issue. America takes the issue of people trafficking very seriously. So does New Zealand.’

The Minister reconfirmed New Zealand’s commitment to fighting all forms of trafficking and asserted that while the government believed incidences of trafficking may be low, there was no room for complacency. In outlining recent steps taken Minister referred to the training being delivered by Immigration New Zealand for NGOs and service providers, which is happening in partnership with The Salvation Army and STOP THE TRAFFIK Aotearoa New Zealand. ‘Raising awareness among officials and targeted community groups on people trafficking indicators and anti-trafficking procedures is one of the key goals of the New Zealand Plan of Action to Prevent People Trafficking. This package of training is critical in ensuring that the very people most likely to come across victims of people trafficking have the necessary skills and expertise to deal with the situation.’

Minister Woodhouse acknowledged that New Zealand's definition of people trafficking, due to the cross border requirement, does vary from other international jurisdictions, though the Minister stated he believes New Zealand fully complies with its international obligations as a signatory to the United Nations convention against Transnational Organised Crime and its associated Protocol to Prevent and Suppress Trafficking in Persons. He pointed to recent work undertaken which affirms New Zealand's commitment to tackling the crime, and drew attention to the present comprehensive legislation that covers offences associated with people trafficking crimes.

The issue of the poor treatment of crews on some foreign chartered fishing vessels and New Zealand's response to tackling these issues was used as an example of the work being presently carried out. 'As you will know, all foreign-owned vessels will be reflagged to New Zealand by 2016, meaning they will be subject to the full range of New Zealand law, including employment relations and workplace health and safety law.'

Foreign crews will be protected during the four-year transition period with stronger monitoring and enforcement, safety monitoring on vessels and increased and enhanced on-board observer coverage. Tough new Immigration Instructions, which replaced the Code of Practice for Foreign Fishing Crew, also mean better protection for employees and much closer monitoring of employers. The decision to require reflagging was a bold but necessary step taken by this Government, in response to the reports of exploitation and abuse on board foreign owned fishing vessels operating in New Zealand waters.

Another area of concern to this Government has been the poor treatment of international students by some employers. Officials have been looking at policies surrounding international students working in New Zealand to see if anything needs to be changed. The purpose of the review was to gather information on the nature and extent of the problem, not to locate or punish international students who are working unlawfully. The Government is considering the recommendations right now and will announce its findings soon."

One issue raised was the importance of New Zealand legislation being up to date, to make certain that any measures against people trafficking are effective. Also raised was the importance on keeping the focus on preventing and detecting people trafficking.

In concluding the Minister said, 'it is for this reason that officials within the Ministry of Justice are currently working on legislative reforms to expand our anti-trafficking legal framework, including how we define the trafficking of people. Any reforms are expected to provide Police and Immigration with yet more tools to bring prosecutions for trafficking. This all shows that the Government is committed to protecting the most vulnerable people

in our society, being a strong and cooperative partner at an international level, and taking decisive action to deal with any issues identified in this area.”

**Introductory remarks—U.S. commitment to addressing a global issue by
U.S. Embassy Deputy Chief of Mission, Marie Damour**

***‘We need to suck the profit out of it’
Marie Damour***

Ms Damour began by saying, ‘It’s great to see such a diverse and engaged group of individuals here—I know that it will be a valuable yet challenging two days. I encourage everyone to ask the hard questions to speakers and to your peers, take advantage of the break-out sessions to delve deeper into the details of the topics, and leave this conference tomorrow afternoon with a better sense of what needs to be done, and how you, personally, can contribute in the fight against modern slavery.

‘Now, I know that this is the ‘Prevent People Trafficking Conference’ not the ‘Preventing Modern Slavery Conference’ but it’s still helpful, I think, to make perfectly clear what it is we’re talking about.

‘The Palermo Protocol, the UN instrument adopted in the year 2000, saddled us with the term, ‘trafficking in persons’. The word ‘trafficking’ sounds benign, but we all know that at its core, trafficking in persons is a crime of exploitation. Trafficking in persons, human trafficking, people trafficking—they’re all synonymous. Or as President Obama would say, ‘let’s just call it what it is: modern slavery, plain and simple.’ And when we talk about this issue—modern slavery—without using the latest euphemism, our mandate to combat and prevent it becomes much clearer.

‘And that helps explain why the United States is absolutely committed to combating this abhorrent crime and why we partnered with The Salvation Army and ECPAT to develop this conference in New Zealand.

Ms Damour continued by outlining the key issues the US is committed to addressing, including:

- continuing to build robust relationships globally
- the provision of training and workshops
- the allocation of grants to enable innovative approaches to combating the crime

- Continuing dialogue with governments, civil society and key stakeholders as to the need for appropriate legislation, coupled with proactive efforts to identify and protect the victims, is essential.

Ms Damour acknowledged that while some good work has been done, all countries have much work still to do. Furthermore simply prosecuting the perpetrators and protecting the victims will never truly bring slavery to an end, but rather much more focus must go on to all of us to examine and change the structures, policies, and practices that sustain forced labor practices across the globe today.

In concluding Ms. Damour commented, “we all know that New Zealand—like the United States—is committed to combating trafficking in persons. However, we also understand that this isn’t an easy fight to win. It is my deep personal hope that this conference is another strong step on the long path to eliminating this terrible reality. I thank you all for coming here today, where we can learn more about each other’s best practices to put us on the path to the elimination of modern day slavery.’

Dr. Anne Gallagher keynote address

The Global Movement against Human Exploitation: A Social and Political Revolution for the Twenty-First Century

‘Exploitation has built our world; it’s woven into our national economies’

In her keynote address, Dr Gallagher began by noting great progress and achievements: little more than a decade ago, human exploitation was not a serious issue for governments or the international community. On one level we were all aware of practices such as forced labour, bonded labour, servitude, sexual exploitation and forced marriage. However very little was being done, and at least in relation to these areas, the sovereignty of states appeared to be impermeable. All that has now changed: today, we know very well what is happening. We know who is suffering and who is responsible.

Today, it is politically impossible for any state to defend exploitation of foreigners or nationals within their territory as not being the business of other countries and the international community. These developments are revolutionary. They present a once-in-a-generation opportunity to transform the laws, structures and attitudes that encourage and facilitate the exploitation of human beings for private profit.

Dr. Gallagher then charted the changes that have taken place since the turn of the century and identified the gaps and weaknesses in current approaches.

Taking a snapshot over the past decade, she spoke of a recent time when some ASEAN countries didn't allow use of the word 'trafficking' as they did not recognize the existence of such a phenomenon. However, today it is 'politically impossible for any country to defend exploitation of migrants or citizens.' So attitudes are changing, Dr Gallagher says, and it's 'not at all far-fetched to say we are on the cusp of a social and political revolution that will rival the 19th century abolition of slavery.'

Dr. Gallagher emphasised that for responses to be effective they must have a global focus. While acknowledging the advances made in combatting the crime, such as coming to a globally agreed definition on what 'trafficking in persons' is, we must also accept that much still to be done. She noted the critical importance of a human rights approach to our work. Human rights should be central to how we think about trafficking and how we respond. We need to understand how and why human rights violations occur throughout the trafficking cycle.

Furthermore, a human rights response to trafficking is important because it helps identify and determine responses to very different and difficult issues, e.g. public sector corruption, lack of fair trial guarantees and inappropriate sentencing. As well, a human rights response to trafficking provides a benchmark for evaluating our own responses.

Dr Gallagher concluded her presentation by focusing on two particular challenges: the criminal justice response and the issue of trafficking in supply chains.

In relation to criminal justice responses she noted that there are still far too few prosecutions. This means that traffickers are continuing to operate with impunity. Very few victims participate as witnesses. This is a serious problem as victim cooperation is often essential to an effective prosecution. We need to look at how victims can be encouraged and supported to participate in the prosecution of their exploiters.

The presence of modern slavery and serious exploitation in supply chains is being increasingly acknowledged and documented. We need to appreciate that this situation is structural. Exploitation has built our world and is woven into our national economies. There is a need to increase supply chain transparency and to hold to account those companies that are deriving financial advantage from indirect exploitation. Consumers have a role to play as well but it is important to continue focusing on governments and their obligation to regulate, monitor and prosecute.

In concluding, Dr Gallagher emphasized the centrality of the idea of freedom and quoted the words of William Wilberforce who was instrumental in ending the transatlantic slave trade:

"You may choose to look the other way but you can never say again that you did not know."

Peter Elms
National Manager Fraud & Compliance Operations
Immigration New Zealand

Taking Action to Prevent People Trafficking

Peter Elms outlined the work undertaken by Immigration New Zealand and the Ministry of Business Innovation and Employment to address the issues surrounding the poor treatment of some foreign fishing crew in New Zealand, including steps taken to implement many of the recommendations from the 2012 Ministerial Inquiry. Mr Elms also provided an update on progress implementing the Government's Plan of Action to Prevent People Trafficking and explained how the Ministry is currently addressing the very serious allegations of migrant worker exploitation.

Beginning by outlining the proposed changes aimed at strengthening protection for foreign fishing crews, Mr Elms covered some of the background and measures to be implemented, including:

Background

- Foreign Charter Vessel (FCV) allegations: mistreatment and underpayment of crew, breaches of fisheries rules, unsafe vessels
- 2011 Ministerial Inquiry into the use and operation of Foreign Charter Vessels
- 2012 Government decisions include:
 - FCVs must re-flag to New Zealand by 2016
 - More fisheries observers on boats, with broader powers (after law change)
 - Better monitoring and enforcement regime by Ministry of Business, Innovation and Employment (MBIE) regarding crew conditions
 - Strengthening the Code of Practice applying to FCVs. E.g. Payment of wages to New Zealand bank accounts.

Immigration instructions

The Code of Practice has been replaced by changes to the Immigration Instructions. Changes include:

- Set minimum conditions for employment of FCV, and crew for re-flagged FCVs.

- Based on minimum conditions set out in New Zealand employment law and immigration requirements:
- Employment agreements
- Keeping records for hours worked and payments of crew
- Payment of crew (minimum guaranteed)
- Crew welfare
- Immigration requirements for entry into and departure from New Zealand
- Immigration requirements for managing crew desertion

Changes in remuneration

- New Zealand bank accounts
- employer must make a bank account available to each crew
- direct credit is the default method in employment agreement
- only alternative allowed is cash, employees must 'opt out' in writing
- market rate / minimum remuneration
- deductions are limited to food, airfare and visa fees
- after deductions, pay can never be below: minimum wage x 42hours a week, for the period of engagement

Periodic payments

- Crew must receive at least minimum remuneration on a regular basis (monthly or per voyage) with amounts over minimum paid at wash-up.
- In finishing the presentation on the changes to better protect crews, Mr. Elms outlined the modifications in sponsorship, namely, foreign crew on work visas must be sponsored by their New Zealand employer.

The undertaking covers:

- 'Suitable accommodation for the sponsored person in New Zealand...
- 'The reasonable costs of essential provisions [maintenance] needed for the sponsored person's health and welfare in New Zealand... This may include but is not limited to food, clothing and medical treatment where required.'
- 'Any costs associated with the sponsored person leaving New Zealand [repatriation] at the end of the sponsorship period if the person does not have the means for their own departure (or refuses to pay for it); or,
- Any costs that are incurred during the sponsorship period in relation to the sponsored person's deportation....'

Plan of Action to Prevent People Trafficking 2009

Mr Elms emphasised that this plan is a living document which will continue to progress as necessary. When referring to recent developments he covered the following, namely the Train the Trainer workshops and on-line training tool. Mr Elms explained that this initiative is a government and non-government organisation partnership. The pilot was completed in December 2012 with the first regionally-based workshops in May, with the focus being to train frontline NGO staff.

Training frontline Government staff is on-going, with targeted workshops with Immigration Officers and Labour Inspectors, and online compulsory training being the initial focus.

Moving on to what has become a key concern for government—exploitation of migrant workers—Mr Elms covered what legislation was currently in place to address such exploitation as well as outlining the challenges in identifying possible victims of the crime. Namely:

- Under-reporting by reluctant victims / witnesses
- Distrust of authorities
- Complicity
- Fear
- Thirty victims / witnesses given visas to assist investigations in previous 12 months
- Case-by-case decision
- Not widely known
- Lack of public transparency

There is a policy review underway which covers:

- Review of Immigration Instructions relating to migrant workers alleging exploitation
- Principle of 'no disadvantage' to complainants
- review policies surrounding international students working in New Zealand
- Recommendations from the review are currently being considered
- The purpose of the review was to gather information on the nature and extent of this problem, not to locate or punish international students who are working unlawfully

Recent enforcement was also outlined, namely:

Sept—Dec 2012

- Operations into the education sector targeting education providers and links to unlawful work
- Four Private Training Establishments (PTEs) are the subject of visa suspension
- Public awareness through media
- Valuable insight into relationships between agents, PTEs and employers
- Phase II is pending

Exploitation

- In January 2013, a Vietnamese horticulture contractor convicted on 9 charges relating to employment and underpayment of six illegal workers.
- Six individuals currently before the courts on charges relating to the alleged exploitation of 13 victims.
- Case dismissed on legal technicality against Thai people smuggler facilitating illegal movement of workers into New Zealand—legislative gap to be fixed with urgency.
- Multiple investigations underway.

Farida Sultana (founder) and Shasha Ali, Shakti Community Council Inc.

'Half the community will know but nobody will talk about it'

Forced marriages within New Zealand

'Forced marriage is the earthquake and what follows is a tsunami of domestic and sexual abuse, child protection issues, suicide and murder.

If we can tackle forced marriages, we can prevent all the other things from happening.'

—Chief Prosecutor Nazir Afzal, UK, 2011

- **Did you know that around the world, ten million girls under the age of 18 marry each year?**
That is...
 833,333 a month
 192,307 a week

27,397 a day

19 every minute

In a powerful presentation Ms Sultana, accompanied by Ms Ali, outlined the present day reality of forced and under-aged marriages occurring within New Zealand.

Underage and forced or dowry marriage is a form of cultural oppression for immigrant women, and it is a growing but under-recognized issue in New Zealand. Under the United Nations Convention, the minimum age for marriage is determined to be 18, whereas in New Zealand people as young as 16 can be married if they have the consent of their parents. In practice this qualification is undistinguished from parental force, leaving the youth that are victims of long-term psychological abuse from their parents particularly vulnerable.

Underage and forced marriages are closely linked to trafficking. Young women with New Zealand citizenship are forced to marry relatives in their home countries for the purpose of sponsoring their migration. The girls are prevented from returning to New Zealand should they refuse to do so. Families also arrange girls from Middle Eastern, African, and Asian countries to be brought to New Zealand as brides. Inevitable obstacles of being a new migrant are wielded to force the young women to depend on the abuser. They may also be under constant threats of being sent back to their home countries, should their marriage breakdown—where they would face overwhelming hostility as a divorced woman.

The danger of abuse in forced and underage marriages is also intergenerational. Marital rape in these marriages can result in unwanted pregnancies. Often, the mothers are not psychologically prepared to take on the role due to their young age, providing the tragic nexus to child abuse.

The UK and other parts of Europe have culturally appropriate interventions to address these issues, however New Zealand does not yet offer similar protection. Forced marriages are often conducted as religious or culture-specific ceremonies, as opposed to the traditional Western marriage registration process, and the current Marriage Act does not acknowledge their validity, leaving young women concerned with limited legal rights. Hence, this is one of the issues on which Shakti works to promote awareness and push for discourse that will lead to legislative change, contributing to building a safer Aotearoa for *all* young women.

Ms Sultana graphically outlined the realities of under aged marriages:

Underage marriage involves the marrying of children (often girls) under the legal age.

- Difficult to pin-point where the practice originated

- Happens in the Middle East, Asia, Oceania and Africa. Highly prevalent in Indian subcontinent (one third of all marriages)
- Some countries have no age restrictions on marriage. In Yemen, the minimum age restriction to marriage was abolished in 1999. Likewise, no age restriction for Saudi Arabia
- Consummation of marriage is set at the onset of puberty, which is interpreted by some to be as early as 9.
- It is culturally and legally sanctioned pedophilia.

Detrimental repercussions to girls and women:

- greater control over the young brides by groom and family
- increase likelihood of sexual abuse and domestic violence, also health implications on being young mothers
 - Drastic decrease in chances of schooling
 - Limited capacity to enter paid labour force

The question of forced marriages was then addressed:

- Marriage without free consent
- Practiced across history, culture and social levels
- Aim to strengthen family alliances
- Aim to preserve cultural and traditional rights within respective ethnicities
- Communal links and 'family honour' highly valued. Used as power and control tool.
- To control women's sexuality. Honour of the family tied to their status
- Speaking out risks isolation, persecution, even honour killings
- In many cases, honour killings are triggered when women are seeking to exercise freedom to choose a spouse, or objecting to family's choice

Dowry abuse was also outlined:

- Dowries (monetary or otherwise) are given to the family of the groom to increase the 'value' of the girls, and thus their marriageability.
- Brides equate to an increase of family members, and therefore a burden (as brides may or may not contribute to family income).
- Dowry is therefore compensation (and at times, profit).
- Dowry abuse directly contributes to the high rates of female infanticide and abortion, especially for families who are unable to cope with the financial burden.
- Dowry related violence is on the rise—dissatisfaction with the amount of dowry

- India outlawed dowry in 1961, but the practice still continues.

Marriage is not just between two people, but could potentially involve the whole family and half the community!

- This relates us to honour-based violence...
- The girls are under constant surveillance, and if it is suspected that the girl has transgressed the 'honour code' and thus brought the family to disrepute, it could evoke a range of responses, such as:
 - Forced abortion
 - Hymen repair
 - Abduction and imprisonment
 - Forced marriage
 - Forced suicide
 - Killing may be punishment for girls who refuse to enter into the forced marriage.

Why?

- Besides dowry payments, forced marriage happens partially due to a desire for cultural-preservation and often for residency of the non-resident partner in Western countries.
- To ensure that the girls marry what is deemed the 'right' men by the family, whether this is in terms of race, economic status or caste.

The question of whether forced marriages equates to trafficking was raised.

- Facilitation of marriage for immigration purposes (sponsorship of family/relatives)
- Dowry = exchange for residency status
- Young girls (under 18 years) sponsored on spousal visas to resident men
- Refugee women: war creates increased vulnerability for women to be trafficked

Moving on to intervention and prevention measures, Shakti outlined overseas models as examples before addressing approaches in New Zealand.

Norway

UDI (home office) special task group that specialises in combating forced marriages and honour-related violence.

Sweden

Several hundred million kroner (tens of millions of US dollars) have been invested in building shelters for forced marriage victims. People are employed by the government to look after these victims.

UK

Has a Forced Marriage Unit which consists of trained professionals working with NGOs who can offer confidential advice and assistance to those who have been forced into marriage and those at risk of being forced into marriage.

Australia

Australia brought in tough laws: people who traffic young girls overseas for forced marriage could be jailed for up to 25 years. The Justice Minister, Chris Ellison, said the practice was tantamount to sexual trafficking.

Has passed the Crimes Legislation Amendment (Slavery, Slavery-like Conditions and People Trafficking) Bill 2012 and now enforced through creation of forced and servile marriages as new offences in the Criminal Code 1995

New Zealand

- No legislation to specifically address forced marriage, under-aged/ child marriage, dowry abuse, trafficking or other forms of slavery as offences.
- Crimes Act 1961: no related offences.

Suggested mitigations:

- Marriage Act 1955: minimum legal age of marriage should be raised to 18, as per recommended by United Nations Committee on the Elimination of Discrimination against Women (CEDAW). Internationally this is the standard for most developed nations.
- Marriage celebrants of all faiths should be registered for the marriage to be legally binding.
- Cultural marriages should not be used as grounds for Immigration or other system beneficiaries.
- Child, Young Persons and Families Act: provisions for protection need to be interpreted with cultural analysis and formed with policy for implementation.
- MP Jackie Blue's bill (still in the ballot): that 16 and 17 year olds to be legally married only in Family Court.

- But is the judiciary trained on these issues?
- How about cultural marriages that evade Family Court process?
- How do we detect marriage agents/traffickers aiding the facilitation of forced marriage or manipulate dowry practice?
- Are the family members forcing the marriage then criminalised?
- Letter of Agreement by New Zealand Police and relevant government agencies: **good start but needs an intervention model.**

Jim Ink, Regional ICE Homeland Security Investigations Attaché

Law Enforcement and Victim Identification

‘Victims are everywhere should you choose to look’

—Jim Ink

In his opening comments Attaché Ink referred to the recent developments regarding the Fisheries Amendment Act being presently brought in to address the growing global concerns around the foreign fishing vessels within New Zealand waters. He praised the quick response to the issue and said, ‘What New Zealand has done is phenomenal,’ and that what is being carried out will have a global impact. Mr Ink went on to say, ‘you should be very proud of that; New Zealand has the ability to move very quickly.’ Moving into his presentation Attaché Ink made the telling comment that, ‘victims are everywhere, should you choose to look.’

Attaché Ink reminded the participants of the three ‘P’s relating to the Palermo Protocol, namely:

The 3 “Ps”: The Palermo Protocol (2000) and Trafficking Victims Protection Act (2000)		
PREVENT	PROTECT	PROSECUTE
Efficient outreach	Victim-centered approach to law enforcement investigations	Successful law enforcement investigations
Effective education	Immigration relief	Punishment

Attaché Ink stressed the importance of a victim-centric approach when conducting criminal prosecutions. It is essential to be aware of the needs of the victim at the most basic level, taking into account language and cultural differences.

Attaché Ink outlined the challenges of victim identification in his presentation, beginning with the places that victims of trafficking, either sexual exploitation or forced labour, might be found. This included but was not limited to:

- Sexual Exploitation
 - Brothels
 - Bars/strip clubs
 - Massage parlors
 - Street prostitution
- Forced Labor
 - Sweat shops / factories
 - Domestic service/custodial work
 - Commercial agriculture
 - Construction
 - Restaurants/hotels
 - Forced begging
 - Other labor sectors

Attaché Ink next discussed the complexities of actually identifying someone who was a victim of trafficking, and that the investigator needed to consider the totality of the circumstances before arriving at any conclusions. He indicated that it was difficult with only one interview, and if one had encountered the victim based on imminent danger, it was even harder to determine whether someone was a victim because you don't have the complete picture to reference.

Unfortunately, there are common myths and misconceptions regarding whether or not someone was an actual victim. Attaché Ink listed some of the more common ones, which suggest a person is not trafficked if:

- Wanted to come
- Gave initial consent or parents' consent
- Failed to escape
- Entered country illegally
- Entered the country legally
- Received some wages/compensation
- The trafficker showed some instances of kindness/generosity
- Victim ID' trafficker as her boyfriend
- They were a citizen
- Committed a crime

In working with victims it is important to understand their situation, recognizing that different cultural or religious backgrounds may lead victims to act differently in respect to having been a victim. Furthermore, victims will most likely be dealing with numerous emotions, have medical issues or even be suffering from trauma that could impact their statements. They may suffer from "Stockholm Syndrome," and have empathy for the traffickers themselves. In the end, Attaché Ink advised that an investigator should always expect the unexpected when dealing with a victim, stating that:

- Trafficking victims don't always act like victim
- They may be unhappy with rescue
- They may not consider themselves a victim
- They may have feelings of attachment to traffickers
- They may have fear of or anger at law enforcement
- They may initially not tell the truth
- They may be reluctant to speak with male investigators
- They may not want their families to know the circumstances they are in

Once a victim is located and identified, challenges will persist not only in the interaction with them, but in the criminal process which their situation is moving through. This may include:

- Inability to communicate
- Fear of law enforcement
- Government agencies and NGOs not together
- Time necessary to complete
- Immigration relief issues (if available)
- Investigation and prosecution = re-traumatizing to the victim

Following a victim centric approach, Attaché Ink advised that victims should not be detained; victims should be stabilized and then if possible referred to NGO partners for housing assistance. Keep the victim informed during the process, and keep them informed on the status of their investigation. Consider provision of short term immigration relief for the victim, as well as conduct on-going threat assessments for both the victim and their families.

Dr. Anne Gallagher

The nuts and bolts of a prosecution

Dr Gallagher outlined what it takes to ensure an effective criminal justice response to people trafficking, namely:

- Legal framework
- Specialist law enforcement
- Frontline law enforcement
- Prosecutorial and judicial responses
- Victim identification, protection and support
- Support to victims as witnesses
- Cross-border cooperation
- Coordination and common approaches



Greg Davis and Tim Houston, New Zealand Customs

Using technology and cooperation in the fight against human trafficking

Mr Davis and Mr Houston outlined the processes in place to fight all forms of exploitation. Their presentation included a working example, namely:

- Information received from US Immigration and Customs Enforcement re: convicted child sex offender.
- Received via Government email system
- 24 hour coverage, 365 days a year
- Integrated Targeting and Operations Centre (ITOC) receipts information.
- Conducts intelligence checks, create information reports and creates a passenger alert.
- Accesses ticketing information or Passenger Name Record (PNR)
- Verifies any previous offences or sentences.

- Customs Child Exploitation Operations Team (CEOT) notified by ITOC.
- 24 hour and remote capability.
- CEOT interacts with arriving passenger, along with Customs Electronic Forensic Unit (CEFU) and Immigration New Zealand.
- CEOT contacts IA and New Zealand Police.
- Interview, intelligence gathered, risk assessed. Detain person and equipment where required.
- Outcome.
- Landed—conduct further investigations.
- Refused entry.
- Next destination country advised of passengers onward travel
- AFP agreement.
- Report back to source country.

The next part of their presentation explained the makeup and role of the Integrated Targeting and Operations Centre:

- The ITOC- is located in the Custom House Auckland. It operates 24 hours a day, seven days a week, currently with 62 Customs staff.
- It was established to:
 - bring together targeting and operational planning and coordination functions from across the border
 - improve capability to assess threats and target risks to the border, and respond to these more effectively and efficiently
 - Integrate hoarder operations activity of all border agencies.
- Six agencies are currently located in the ITOC:
 - New Zealand Customs Service
 - Ministry for Primary Industries
 - Maritime New Zealand
 - Ministry of Business, Innovation, and Employment— Immigration New Zealand
 - New Zealand Police
 - New Zealand Security Intelligence Service

The value of the ITOC is the direct contact with overseas, regardless of agency, if the ITOC cannot provide the right support or answer to an overseas query, the staff is supported by an on-call Operations Manager to augment decision making.



- The Red positions identify the NZCS LO's
- International Sharing of Information carried out 24/7 365 days
- The marked positions in Red identify the New Zealand Customs Liaison Officers – ITOC provides tactical and after hours support to our NZCS LO's in Washington DC, Brussels, Beijing, Canberra and Bangkok on a regular basis
- The green lines identify the other overseas countries interacted with directly by the ITOC – US, AU, UK, CA, Hong Kong, Korea, Japan, Fiji,
- USCBP –
- National Targeting Centre – Passenger – Instigated on the back of the ATS-G trial commenced in 2010 and the subsequent introduction into service of this targeting system for the NZCS. We currently have 4 shared CT targeting rules with the USCBP coupled 24 hour access via email and phone to share information / query targeting information
- CBSA
- Directly with Don Murray in Canberra and also with the Border Operations Centre in Canada
- ACBPS
- Primarily through the Customs National Operations Centre in Canberra
- UK – Developing relationship with UKBA
- Hong Kong – Direct to HKG Customs

- Japan – Memorandum of Understanding
- Korea – Ongoing development of a Mutual Recognition Agreement
- Fiji – Fijian Customs Intel Unit in Suva
- ITOC Developments;
- Project Latitude – SOCA UK initiated email group supported by FR, AU, CA providing small craft movement detail transiting through the Panama Canal
- LEO – Law Enforcement On-line. FBI Secure Communication Portal being trialed amongst the 5 I's partners – Currently successfully being trialed with ACBPS with the intention of bringing on other partners throughout 2013.

Jim Ink, Regional ICE Homeland Security Investigations Attaché

Working together to defeat a globalised enemy

In opening Attaché Ink referred to globalisation and the increasing reality of an integrated global economy marked by free trade, a free flow of capital and a ready access to cheaper foreign labour markets. Moving within globalisation too are Transnational Organised crime, composed of individuals who operate globally for the purpose of obtaining influence, power and monetary gain through illegal means.

- Moving on to talk specifically on the crime of people trafficking Attaché Ink pointed out that,
- Up to 800,000 people are trafficked yearly into either the sex trade or forced labour
- That the majority of people trafficked are women, but men and children were also trafficked
- Smuggling and trafficking pipelines serve as channels for other criminal activity
- Such organisations operate globally and use accomplices to move people from source to transit countries and into destination countries
- Criminal networks rely on global alliances.

Some of the players within the global alliances are,

- Network heads
- Recruiters
- Money brokers
- Facilitators
- Document providers

- Money brokers
- Corrupt officials

Attaché Ink raised the issue of the vulnerability of trafficking victims; vulnerability factors that may have led to being trafficked in the first place. Victims who are both men or women or children may have one or more characteristics of vulnerability such as,

- Lack of employment opportunities
- Very vulnerable economic circumstances
- Poor education levels, or a high level but lacking opportunities
- Lack of or distorted information about the outside world, including migrating for work
- A strong desire for a better life, relationally, physically and financially

Attaché Ink concluded his presentation by outlining existing cooperation, both on a domestic front as well as international, between government and also non-government organisations. On the domestic front, Attaché Ink stated that there needed to be real interagency cooperation from nation's domestic law enforcement agencies, such as between the police, customs, and immigration. They should work closely together and where possible, create task forces allowing them to address any jurisdiction they might need as they conduct trafficking investigations; where possible have interactive databases that enable the immediate sharing of information certain relevant information on subjects involved in these types of crimes.

Finally, law enforcement needs to work closely with NGOs and the private sector, force multipliers that will enable them to be more effective in working with victims as well as public education.

On the international front, Attaché Ink stated that it was essential that there was real-time cooperation between international law enforcement in order to effectively fight the crime of trafficking. In support of that he point to basic communication between law enforcement agencies, establishing international agreements that allow for sharing ahead of time, in preparation for when needed, and again, working closely with NGOs and international organizations to address this evil.

The remainder of day one of the conference focussed on discussion leading towards possible identified action. Prior to the break out groups a panel of comprising of the speakers each raised a key issue for discussion, which participants could then self-select the break out group they wished to be part of.

Notes from breakout groups on day 1.

Please note all notes are taken precisely as written on the flip sheets.

Black writing group – Shakti

Legislation

- Support from other organisations needed
- Issue of 16 years (parental consent for marriage)
- Marriage Act
- need celebrants all registered
- raising age [to 18]
- victim resettlement
- Amendments ☑ look at Australia
- Short term law amendments are a good step – long term, we need separate legislation – ‘we can do better than Oz’
 - Police, CYF and Ministry of Health: without law change they’re having to work separately
 - Funding (flights etc)

Media and education

- University research
- Schools (school counsellors need awareness)
- TV
- Refugee centres
- partnering with organisations (e.g. social work) to do training and have packs
- Honour killing and suicides

Green writing group

- ACT group:
- NGO/Govt
- Community focus
- Cost effective
- Role awareness
- Terminology
- Slavery?
- Exploitation
- Trafficking

- Research
- Self-reporting?
- Technology
- Apps?

Day 2

Purpose; to identify causes and establish a plan of action

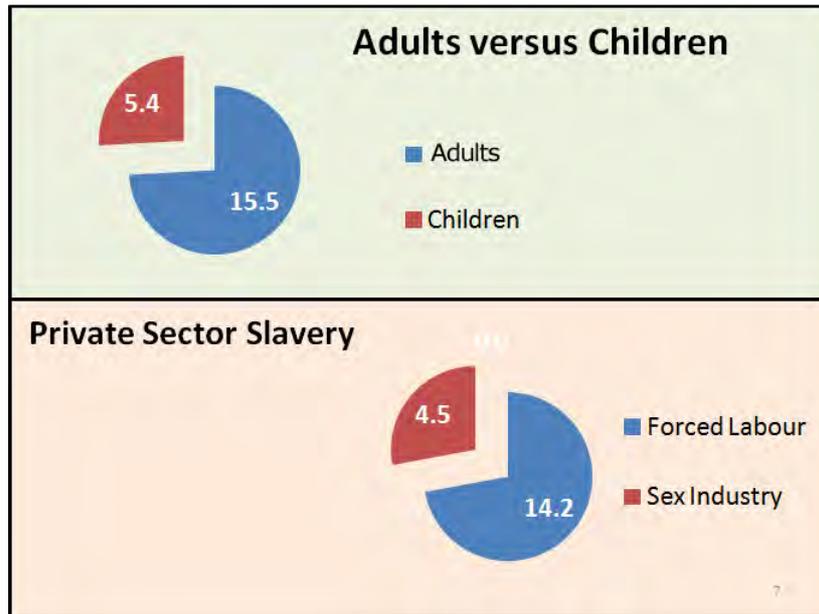
'We need to collect more and better information about the problem; it is not a luxury, it is a necessity!' Matt Friedman

Matt Friedman Key note address

Where we are and where we need to be

Mr Friedman's presentation began by looking at where we have come from and moved towards providing a set of empirically based recommendations to reach a 'second-generation' response to human trafficking. The counter trafficking movement is less than twenty years old yet during this time period many major changes have taken place in terms throughout the period many important lessons have been learned, some at great cost.

Mr Friedman asserted his believe that while, at times, any viable solutions to effectively tackle trafficking may seem beyond reach, he firmly believed that there are many tangible concerted things that can be done to bring about tangible, measurable impacts. Mr Friedman urged the participants to call trafficking what it is, 'its slavery'. Today he asserted there are 21 million slaves throughout the world engaged in many forms of slavery. This graph highlights the proportion of slaves in different situations and the ratio of adults to children.



Mr Friedman pointed out that the annual profit made from slave labour is estimated at 32 billion US dollars. When outlining the challenges of present day identification of victims and effective prevention of the crime and prosecution of the perpetrators, Mr Friedman drew attention to what he termed the 'good news' and the 'bad news'.

- The good news being,
- There is global recognition of the problem
- There are new players: Consumers and private sector
- The mandate has been expanded: to include labour
- Some programmatic successes are emerging
- Conceptual clarity has improved

However the bad news is,

- Funding still ad hoc, Mr. Friedman made the comment that 'Profit versus funding: currently we're fighting a war with a slingshot. Need to raise more funds - get private sector on board'.
- Overall vision/plan and leadership lacking
- Collaboration lacking: infighting and redundancies
- Responder capacity limited
- The required data is lacking

Is there a way forward? Mr Friedman strongly believes there is and outlined some key messages for consideration and possible action. The following are a sample of his observations

- We need to do a better job of educating the world about the extent of human slavery
- We need to get people angry and upset...It is SLAVERY we are talking about here!!!!
- We need to collect more and better information about the problem; it is NOT a luxury IT IS A NECESSITY!!
- We need to do detailed assessments of what works/doesn't work
- Sometimes our best intentions make things worse. We need to know this...

Key to successfully tackling the growing crime effective collaboration across civil society as a whole; a united front is essential as is involving and engaging with the business communities as slavery is deeply imbedded into global supply chains. Again the need for monitoring and evaluation to inform and guide every step of the way was emphasised, as was the sense of urgency in tackling the issues to sharpen the focus.

Catherine Healy, coordinator New Zealand Prostitutes Collective

Research on Migrant Sex Workers in New Zealand

New Zealand Prostitutes' Collective (NZPC) commissioned Kaitiaki Research and Evaluation (Kaitiaki) to undertake research to provide an in-depth understanding of issues facing migrant sex workers in New Zealand, with a particular focus on occupational health and safety. A total of 124 migrant sex workers completed a survey over a three-month period beginning June 2012. Ms Healy's presentation discussed the findings of the survey and the in-depth interviews

The specific research objectives included:

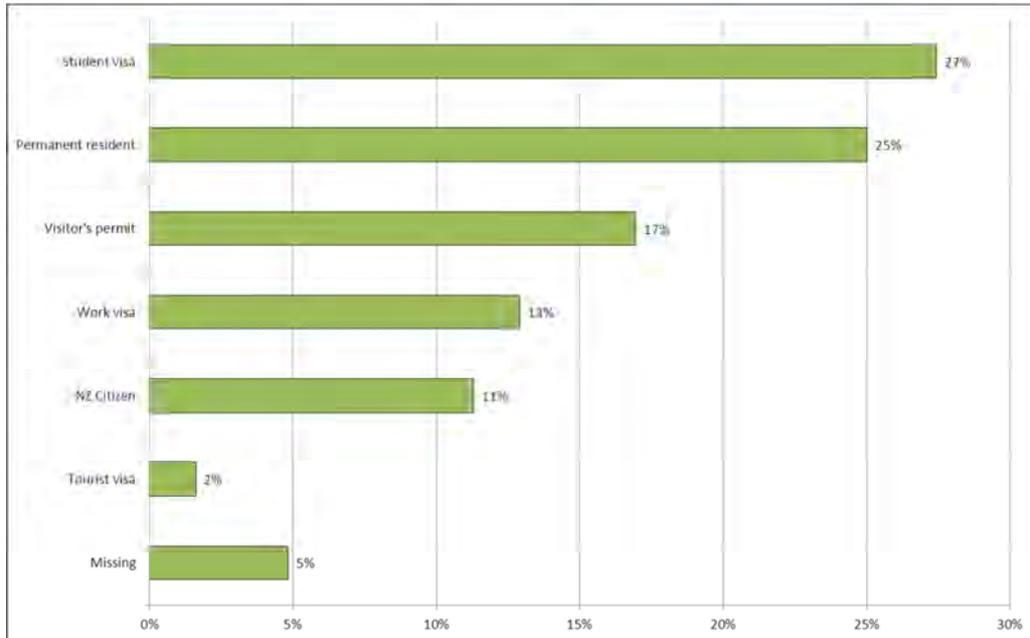
- Understanding the New Zealand sex work context in which migrants are working
- Identifying the specific needs of migrant sex workers with regards to -
- Occupational health and safety needs
- Sexual and reproductive needs
- Any other needs that may contribute to the general health of migrant sex workers

- Identify barriers and facilitators to migrant sex workers' receipt of appropriate services and/or required assistance.

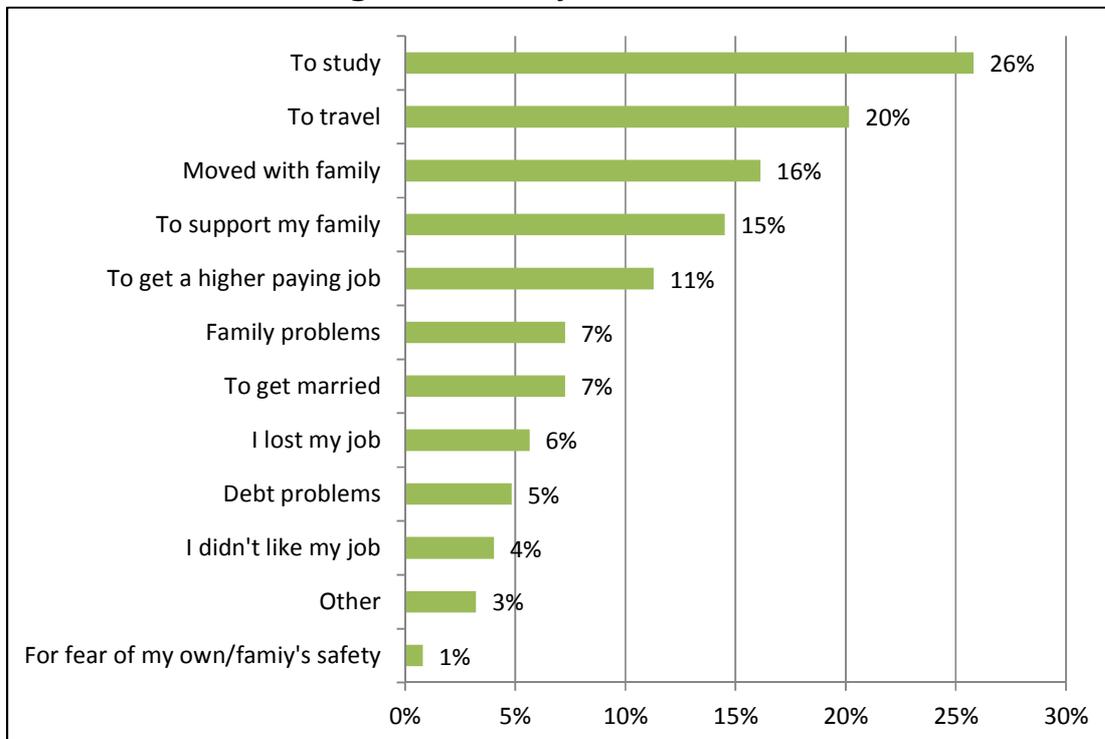
The research included the demographics of participants covering such information as to ethnicity country of prior residence, age, and educational achievements as well as stating covering the reasons for coming into New Zealand. As well as the quantitative analysis the research also used a qualitative approach.

• Demographics of participants							
Characteristics		n	%	Characteristics		n	%
Gender	Female	123	99%	Number of children	0	54	44%
	transgender	1	1%		1	47	38%
Age range	18-25 years	20	16%		2	18	15%
	25-39 years	63	51%		>2	2	2%
	Over 40 years	41	33%		No response	3	2%
Relationship status	Single	47	38%	Highest level of qualification	Tertiary	51	41%
	De facto	20	16%		Graduated high school	35	28%
	Married	28	23%		Some high school	23	19%
	Divorced/separated	27	22%		Primary school	13	10%
	Widowed	2	2%		None	1	1%
					No response	1	1%

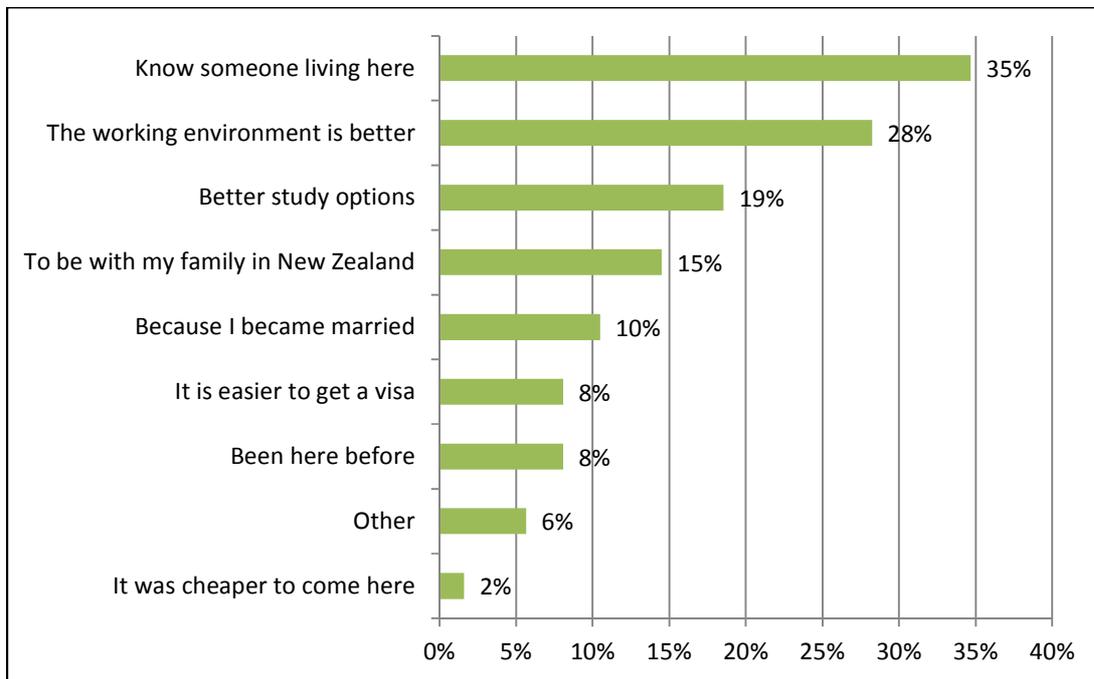
Immigration Status



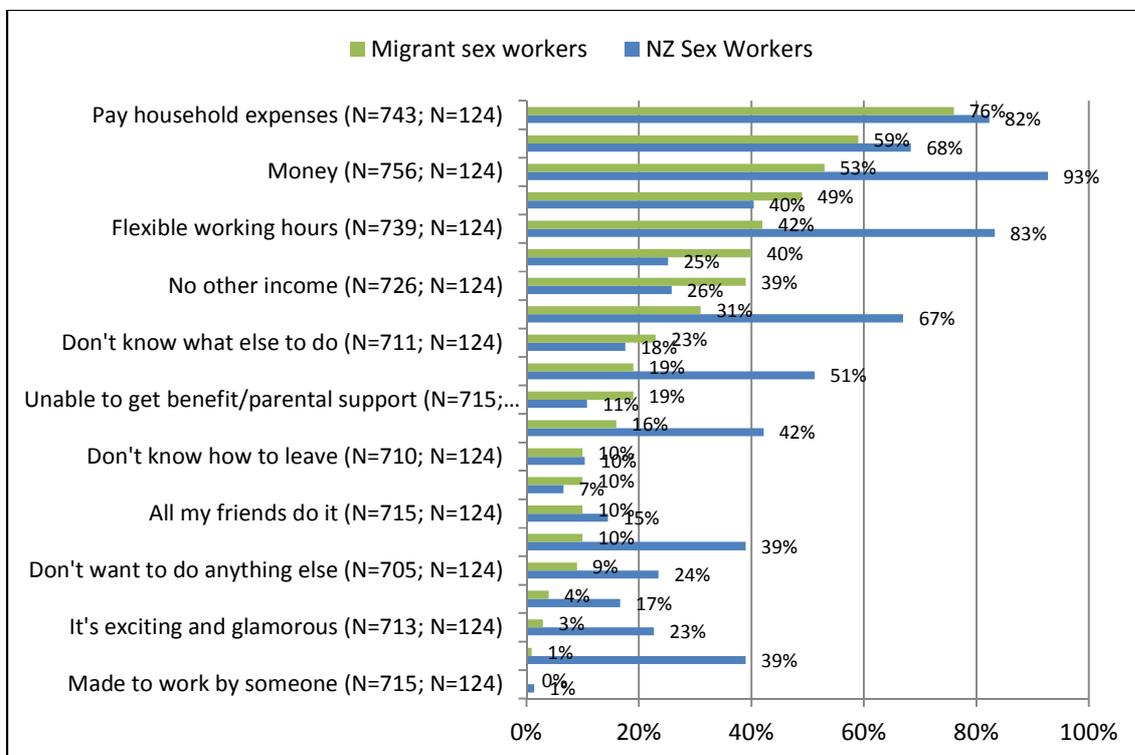
Reasons cited for leaving home country



Reasons reported for travelling to New Zealand



Reasons stated for staying in sex work



Comments from key informants;

“When we look at people trafficking there have been no proven instances of people trafficking in New Zealand, no prosecutions” (Immigration New Zealand).

“There is a fixation, an inherent belief that no one is willingly involved in sex work and the belief that all sex workers need to be rescued and shown a better way of living. Anti-trafficking groups are usually evangelical. It is kind of a rescue mentality. It is a very paternalistic model: the rescuer who knows best “(NGO representative).

“Over and above that [the Immigration Act] I think that we have an understanding that we have an obligation to monitor the potential for exploitation in high risk and vulnerable industries and sex work would be one of them. Their work would be one of those that we want to monitor to make sure that girls who are working in that industry are not being subjected to trafficking” (Immigration New Zealand).

“I get very alarmed when these groups [anti-trafficking groups] don’t give sex workers any agency whatsoever. I have heard it said in a number of different settings recently. I was in a conference in Melbourne and the presenter said, ‘Of course people don’t always realised they have been trafficked and you have to tell them.’ It is scary, you know, to say, ‘You don’t know you’ve been trafficked, but we know. So it’s up to us to rescue you” (NGO representative).

Dr. Christina Stringer and Glenn Simmons

Forced Labour in the New Zealand Fishing Industry

“What has happened is that the New Zealand fishing industry is being developed on the backs of foreign Third World exploited labour... we have had accusations of people being beaten and whipped... many of them have not been paid...the industry cannot embarrass the rest of the country by allowing this to happen, and the days of that happening are numbered” (Graham Kelly, Fisheries Bill in Committee, 1996).

Dr Stringer and Mr Simmons’s presentation outlined their on-going research into labour and human rights abuses aboard foreign charter vessels fishing in New Zealand’s waters. Using the ILO Indicators of Forced Labour as a framework Dr. Stringer and Mr Simmons discussed their recent findings in regards to the trajectory of crew into forced labour.

Their research into forced labour began serendipitously with a project undertaken for the then Ministry of Fisheries in 2008 which looked at the offshoring of New Zealand caught fish. This research identified a business model that was underpinned by slavery like practises on board many of the foreign chartered vessels.

Not in New Zealand's waters, surely?

What we found - 2011:

- Creative actors have used institutions as a resource to benefit their own economic interests.
- Crew aboard FCVs were treated as invisibilised workers - as mere factors of production or just another commodity - in order for actors along the chain to enhance their returns.
- Labour had become invisibilised through geography as well as through deliberate employment strategies coupled with institutional gaps.

The previous silenced voices of invisibilised workers became such an issue in New Zealand that it prompted an outcry and a series of public debates which in turn led to government action.

Their current research examines:

- People trafficking and the global labour market: evidence from New Zealand
- Forced labour and the New Zealand fishing industry
- Intimidation towards their participants and families.

People trafficking and the global labour market; evidence from New Zealand

- We have found that New Zealand is not immune from forced labour trafficking in the fishing industry. Crew were subjected to deceptive recruitment practice across borders, employed in exploitative work conditions, and placed in situations of coercion and abuse of vulnerability in New Zealand.

Forced labour and the New Zealand fishing industry

- Analysis of interviews and corroborating documentation reveals that the crew came to New Zealand with the goal of earning a decent income; instead they became victims of forced labour, including deception, financial exploitation and abuse.

They illustrated forced labour in the fishing industry, through Boh's story.

Worked aboard a Korean FCV:

- Paid \$US3,000 to a manning agent plus 3 months salary, brother's house used as security, agent secured 'Special Power' over brother thus placing family in debt bondage for six years. **Debt bondage**
- Boh told 6 hours on, 6 hours off, instead worked 18 hour shifts. His agent said "that is your problem". **Deception, Excessive overtime**
- Officers controlled crew with threats of beatings. **Intimidation and threats**
- Boh frequently hit and fondled by Korean officers. **Physical and sexual violence**
- Promised \$US500 a month, but received \$US50. **Withholding of wages**
- Boh complained to MFish Observer who feared for his job if he reported the abuse.
- Boh deserted but concerned about the remaining crew, lodged a written complaint with the Department of Labour. He did not receive a response.
- Family fined \$NZ15,000 because Boh deserted. **Debt bondage**

"We don't talk to each other about it, we try to forget."

They finished their presentation by discussing the key functions of a commodity-led cost-stripping business model.

Salote Kaimacuata

Fiji and Human Trafficking

The enactment of the Anti- Human Trafficking legislation enshrined in the 2009 Fiji Crimes Decree, pursuant to Sections 111-121, has prompted Fiji Police Force to increase capacity of their Police Officers on how to respond more effectively to combat this global crime. Fiji moved from Tier 3 to Tier2 Trafficking in Persons Report Tier Placement in 2011.

Fiji is seen as a destination source country for children subjected to trafficking in persons, specifically forced prostitution within the country, as well as a destination country for women from China in forced prostitution. Family members, other Fijian citizens, foreign tourists, and sailors on foreign fishing vessels participate in the commercial sexual exploitation of Fijian children.

The Commissioner of Police established the first Human Trafficking Unit at the Criminal Investigations Department HQ mandated to conduct the following responsibilities:

1. Investigate cases including alleged human trafficking offences
2. Conduct in-house training for police officers; within the community; and
3. Conduct vigorous awareness campaigns within the community;
4. Collaborate with key stakeholders locally and international partnerships towards eradication of human trafficking.

The law on Human Trafficking in Fiji

Border Security –Department of Immigration

Child Labour

Victim Protection and Assistance

Money laundering – Fiji Police Money Laundering Unit

Role of Intelligence in HT Investigations

Financial Investigations (FFIU)

Community outreach

David Rutherford, Commissioner, Human Rights Commission

New Zealand's Second Universal Periodic Review: an opportunity for change.

Mr Rutherford outlined the process relating to the Universal Periodic Review (UPR) and how participants of this conference could, both collectively and individually through their respective groups/organisations; take an active part in shaping and submitting a response to the United Nations. 'Human rights, Mr Rutherford reminded the participants, belong to and are about all of us. New Zealand's second Universal Periodic Review is due to take place in January 2014. The New Zealand government is required to report to the United Nations Human Rights Council on its performance and compliance with its international human rights obligations.

NGOs and the Human Rights Commission also have the opportunity to make submissions to the Human Rights Council, through the UPR process. The current deadline for NGOs and the Human Rights Commission to make submissions is July 2013. The process provides a unique opportunity for NGOs, individuals and civil society groups to influence New Zealand's human rights landscape and improve the realisation of rights across all sectors.

While the UPR is a state-driven process, civil society plays a crucial role in the review. Mr Rutherford's presentation provided an overview of the UPR process and the opportunity to contribute. The presentation also touched on the forthcoming development of New Zealand's second National Plan for the Promotion and Protection of Human Rights, which will take place during 2014.

Mr Rutherford shared key information relating to the actual process, that is,

- The ultimate goal of the UPR process is to ensure on-going improvement of human rights situation domestically in Member States
- Unlike the concluding observations of the international treaty bodies which are published as a result of periodic treaty reporting and monitoring, under the UPR, Member States must formally accept or reject recommendations made to it through the UPR process.
- Where a State has formally accepted UPR recommendations, it commits to implement them before its next review under the ongoing UPR process.
- The New Zealand government takes the UPR process seriously – in 2009 the delegation to the review in Geneva included high ranking officials.
- UPR considers all human rights obligations.
- UPR considers New Zealand's human rights performance as a whole – all human rights and the way they interact in the New Zealand environment.
- Process designed to be as non-confrontational as possible– will build up a body of human rights knowledge around human rights performance and obligations – a real mechanism to see states make public human rights commitments on a regular basis, to which they are held accountable.
- Process is driven towards being constructive, rather than naming and shaming – but the in implementation, states of course stand to be held accountable, especially by civil society.
- The UPR is a core plank of the UN Human Rights Council – central to what the UN Human Rights Council does. It reminds Member States of:
 - Their responsibility to promote, protect and uphold fundamental human rights and freedoms
 - Their responsibility to fully respect human rights

- Their responsibility to implement their human rights obligations at the domestic level, which they have committed to internationally

Important to note that the the UPR is a core plank of the UN Human Rights Council – central to what the UN Human Rights Council does. It reminds Member States of: Their responsibility to promote, protect and uphold fundamental human rights and freedoms, Their responsibility to fully respect human rights and their responsibility to implement their human rights obligations at the domestic level, which they have committed to internationally.

It was particularly important for this conference to note that all NGOs /community groups and individuals can take part in the process as it provides a valuable platform to raise issues appertaining to human right and to that end Mr Rutherford urged participants at the conference to take an active part in this process. . It is also a valuable an opportunity to follow up on treaty bodies’ concluding observations, and to influence the State to respect human rights – both specific and general. Furthermore State acceptance of UPR recommendations signals strong political commitment.

Chris Frazer, Social Justice Advocate the Salvation Army’s Social Policy and Parliamentary Unit

‘The children, women and men, who have, and are being ruthlessly exploited today, are among the countless unseen others who manufacture our clothes and electronic goods, help harvest our food and undertake a myriad of services from which each and everyone one of us here today, continue to benefit’.

Others

Three trafficking conferences, three differing themes, and several views from representatives of government organisations, non-government organisations, churches and individuals from New Zealand and within the Pacific region.

Mrs Frazer reminded the conference participants of the first two trafficking conferences and briefly outlined what had been the overarching commonality of intent within these conferences.

In 2009 the first Pacific Trafficking in Persons conference was held. A partnership between the Australian Institute of Criminology and the Salvation Army's Social Policy and Parliamentary Unit, alongside the Pacific Immigration Director's conference. The forum focussed on New Zealand and the Pacific Region.

In 2011 The Salvation Army's Social Policy and Parliamentary Unit hosted the second conference 'The Inconvenient Truths' in cooperation with HAGAR New Zealand and ECPAT Child Alert New Zealand.

The 2009 conference's main outcome was to give platform to good credible research and information covering a wide geographical area within the Pacific. It was packed full of information which was vital for those of us engaging our respective organisations in anti-trafficking work. 2011's conference was focussed very much on grass roots action, action that includes each and every one of us. Trafficking might be a global crime, yet globally it's in everyone's backyard and living rooms. Traffickers work within communities and that is precisely where we live and work also.

Many of the issues raised in the 2009 conference came up again in the 2011 and have surfaced again at this conference, such as, the emphasise on the importance of our priorities being based on credible evidence and must be indigenous to this region.

Ruth Dearnley, CEO of STOP THE TRAFFIK, was our key note speaker in 2011 and spoke of trafficking as a new way of trading: traffickers have a global market with a global demand. The globalisation of people trafficking was consistently referred to. The concern of a dearth of credible information is also on-going and applies both nationally and globally.

A key issues needing addressing is: the continuing need to eliminate demand for trafficked labour—working towards supply chains being free of slavery.

The over focus on sex trafficking to the determined of labour exploitation/trafficking. Catherine Healy continues to remind the conferences of the need to look at the facts and figures and above all, to talk to those who do know and are adversely affected by inaccurate information being touted as fact.

'Don't talk about us, talk to us.'

In concluding Mrs Frazer said,

Here in 2013 we are holding our third conference and once more we are bringing up some of the same issues, answers for which, persistently remain tantalisingly out of reach. We can applaud the progress made, such progress by both government and non-government

organisations and dedicated researchers. We have much to feel thankful for and need to celebrate the passion and commitment we see in all of you in this room today.

By the same token though we have some on-going challenges to tackle.

- We see from where we stand—the majority of conference participants are middle class and privileged, making it challenging for us to fully understand the complexities interwoven into people trafficking. Furthermore it's often our insatiable demand for ever cheaper goods which are fuelling the need for trafficked labour.
- Overinflated figures and sensational stories can hinder progress—hyperbolic stories and statistics would not be acceptable in relation to New Zealanders, yet is accepted without question when used to sensationalise people trafficking.
- We need a sense of urgency! Place a sunset clause on our work! People trafficking is becoming an overcrowded field with more and more groups set up to fight the crime, yet little analysis occurs as their effectiveness or cost of keeping structures going.
- Lastly, where are the survivors in this conference? The predominant voices heard on the trafficking discourse are far removed from the living and working realities of those who fall prey to traffickers.

Matt Friedman's closing comments

Prior to breaking into small groups for the final session Matt Friedman shared some of his thoughts as to ways forward.

We often talk about 'taking it to the next step'

- Give the work to people who will actually do it.
- Research: but be clear why, and what you'll do with it.
- Evaluate. Get better! Share the great things you're doing.
- Get people to focus on activity.
- e.g. 'collaboration': 3-4 groups adding slowly if they want to come on board.
- Diversify our base, e.g. to private sector: because private sector is behind a lot of the exploitation. Private sector knows private sector. E.g, banking, manufacturing, legal. Get their corporate social responsibility to not just protect their reputation but also to actually do something.
- Prioritise and assign resource.

- Be realistic. How do we really engage people in a way to get them to follow up these action plans? => Need a taskmaster.
- Within the realms of possibility that all can be done.
- How do we take our well-intentioned-ness and use it to take it as far as we can go?
- Start the next conference with the action plans from last questions/conference.
- How do engage private sector? E.g. Reading programmes are nice and soft and appealing corporate social responsibility. Get them engaged in slavery.
- Get some private sector champions to sit next to you when you're asking the private sector for funds - then the private sector folk will eventually do it for you.
 - Get people to subscribe to a vision: a slavery-free world, starting with New Zealand—Aotearoa to be the first slavery-free country.
 - Activities are good but what strategy is above them? What strategy are you trying to achieve?
 - Free: it's amazing what people will do for free. Use volunteers!
 - People power: Matt Friedman met with captains of industry, got nothing.
 - Went to their kids at school instead.
 - Purchasing power.
- Bottom line: we can't do this by ourselves: get students, private sector, others on board.

Facilitated discussion: to develop recommendations for next steps

Day 2

Blue writing group - Sexual exploitation

- Higher levels of awareness of children at risk – education of sexual exploitation
- Research – collaborative
- NGO/Govt partnerships
- Informed, researched, solution-based campaign
- Coordinated scoping of child sex exploitation
- NGO hotline

[NB. Contact details - Alan Bell, Debbie, Tim, NZPC, SHILOH Groot s.groot@aucklanduni.ac.nz, David French–Police, George Grove, Rachael rachael.steller@gmail.com, Alice Tregunna alice.tregunna@hotmail.co.uk]

Black writing group – Fishing

- Law changes -> monitoring of enforcement -> don't drop the ball
 - > burden of proof on companies
 - > PROVE compliance to get AIPs [sic]
- Pastoral care – Seafarer's mission
 - ➔ Welfare response system
 - union, Seafarer's mission, ethnic groups
 - honest brokers
- Education for crews and detection of problem ➔ INZ document
 - ➔ If someone detects a problem, who do they call?
- Resources for groups in this sector for monitoring – are the changes effective?
- 'cleaning up the past'
 - ➔ \$200million owed to crew, stolen.
 - ➔ prosecuting the offences [➔ get the UN definition included in full.]
- 'welfare/repatriation fund': support crew legal cases. WHO?
- Help private sector comply ➔ BEST PRACTICES

Green writing group – Migrant women

Problem: forced marriage, underage marriage and dowry abuse

Next steps:

- legislation change → legal age to be 18 for marriage
- support/resources – funding
- public awareness/education
- educate teachers/counsellors in schools
- evidence – focus on the night schools ☺
- Shakti workshops in workplaces → early identification

Solutions:

- Submission for legislation change
- ethnic community groups
- legal age to be 18 for marriage

Green writing group - International cooperation

Barriers:

1. Cultural
 - a. Stovepiped
2. International servers – private
 - a. Obstruction
 - b. In the clouds
3. Regional
 - a. Leadership and awareness
 - b. Capacity
 - c. Communication
 - d. Capability
4. Legislation

- a. Procedures
 - b. Interpretation
5. Language
 6. Varying frameworks | Lack of uniformity
 7. Focus of community

Solving:

1. International Privacy Convention | Europol
2. ITOC [sic] / personal networking
3. Network central business
4. **Liaison**
5. Big Brother
6. 5 I's [sic]
7. NGO – sharing
8. Advocacy for change: Public, Government, NGOs, Private industry → Partnerships

Green writing group

- Why don't people come forward? People don't know where to go—or the process.
- NGOs want to protect vulnerable people.
- Lack of awareness amongst victims, that they are [in fact] victims.
- Same for NGOs—need for dialogue [with who/whom?]
- Use of information resources and profiles to match risks
- No mechanism to check people do what they say after border cross, E.g. students.
- A 'trusted persons' group with community organisations, and a research function.

- Formal representatives—standing in courts—a formal pathway
- Low awareness of what protection is available—not clear [who?] don't know what they can tell victim.
- Bring together government and NGO groups
- Agree of definition of what makes a victim
- People (i.e. victims) don't want to talk to officials—government needs to ask why.
- Follow up.
- Victims won't come forward
- Need NGOs to be watchdogs and to feed to government
- NGOs resourced to do this
- An absence of research and evidence in other industries
- Softer approach by Immigration at times—greater flexibility and movement on [the] part of government.
- Work with advocate groups—[be] more adaptable.
- Needs to create a pathway—and not necessarily at extreme end.
- Protect victim—often don't want to talk to officials.

PREVENT PEOPLE TRAFFICKING CONFERENCE 2013



PROGRAMME

Dates: Thursday 11 April—Friday 12 April 2013

Venue: Novotel Hotel, Greenlane East, Auckland

Purpose: To address the challenges of trafficking in New Zealand and in the region

Master of Ceremonies (MC): Earl Mardle, information society consultant, 2020 Communications Trust

Day One: Thursday, 11 April 2013

Theme: Understanding the global context

Objective: To better comprehend best practices in counter-trafficking efforts, and to help guide the sector toward greater overall efficiency and effectiveness.

TIME	TOPIC	RESPONSIBLE
8.30 am	Registration	The Salvation Army
9.00 am	Māori welcome	Ngati Whatua O Orakei, Kaumatua Matt Maihi
9.20 am	Welcome and introduction	Immigration Minister the Hon Michael Woodhouse
9.30 am	Introductory remarks—U.S. commitment to addressing a global issue	U.S. Embassy Deputy Chief of Mission Marie Damour
9.40 am	KEYNOTE ADDRESS The Global Movement Against Human Exploitation: A Social and Political Revolution for the 21st	Dr. Anne Gallagher , Technical Director, Asia Regional Trafficking in Persons Project; United Nations adviser and consultant; independent scholar and legal adviser
10.30 am	Morning tea break	
11.00 am	Taking Action to Prevent People Trafficking	Peter Elms , General Manager, Intelligence, Risk and Security, Department of Immigration
11.45 am	Summary and advice re afternoon	MC
12.00 pm	Lunch break	
1.00 pm	Forced and underage marriages in new zealand	Farida Sultana , Founder Member and Senior Advisor of Shakti Community Council
1.40 pm	Law Enforcement & Victim Identification	Jim Ink (United States), Regional Attaché, Singapore, Immigration Customs Enforcement, Homeland Security Investigations
2.20 pm	Nuts and Bolts of a prosecution	Anne Gallagher
3.00 pm	Afternoon tea break	
3.20 pm	Using Technology and Cooperation in the Fight Against Human Trafficking Technology: Combating an ever changing threat in the 21st century. International Cooperation: Working together to defeat a globalized enemy.	Greg Davis, Tim Houston , NZ Customs Jim Ink , US regional attaché—ICE
4.00 pm	Panellists raise key issues: Each panelist shares one concept they'd like to explore further in group discussion.	Panel— Farida Sultana, Jim Ink, Anne Gallagher, Peter Elms
4.20 pm	Break-out groups with panel members —Participants join a discussion group of their choice. Key points from each group's dialogue will help frame discussions tomorrow.	
5.00 pm	Close	

Day Two: Friday, 12 April 2013

Theme: Moving ahead

Objective: To identify causes and establish a plan of action

TIME	TOPIC	RESPONSIBLE
8.30 am	Day Two refresher/ welcome Previous day's groups report back on key points of discussion.	MC
9.00 am	Key note speaker Human Trafficking: Where are we and Where do we need to be	Matt Friedman , Technical advisor to the Freeland Foundation (based in Thailand), Project Share (based in Hong Kong) and the Mekong Club
9.45 am	Research of issues facing migrant sex workers in New Zealand	Catherine Healy , Coordinator New Zealand Prostitutes Collective
10.15 am	Morning tea break	
10.30 am	Forced Labour in the New Zealand Fishing Industry	Christina Stringer , Senior Lecturer international Business, University of Auckland Business School Glenn Simmons , PhD candidate, Department of Management and International Business, University of Auckland.
11.00 am	Fiji and Human Trafficking	Salote Kaimacuata , Fiji, UNICEF Child Protection Specialist
11.30 am	Break-out groups ♦ Sex workers in NZ ♦ Fishing Industry ♦ Fiji – UNICEF perspectives Continue small-group discussion with three speakers	Catherine Healy Christina Stringer Salote Kaimacuata
12.15 pm	Lunch break	
1.15 pm	New Zealand's Second Universal Periodic Review: an opportunity for change.	David Rutherford , Chief Human Rights Commissioner
1.45 pm	'Others'—reviewing the Pacific Trafficking in Persons conferences in 2009 & 2011 Two differing conferences, two years apart; what was learnt? What actions arose? Have we made progress?	Chris Frazer , Social Justice Advocate, The Salvation Army —Social Policy and Parliamentary Unit
2.15 pm	Facilitated discussion: develop recommendations for next steps Break-out groups: ♦ Migrant women ♦ Sexual exploitation ♦ Fishing ♦ Legislation ♦ Law Enforcement ♦ Grass roots action ♦ International Cooperation <i>(afternoon tea available)</i>	Facilitators: Shakti Trust Alan Bell Christina Stringer David Rutherford Peter Elms Matt Friedman Jim Ink
3.15 pm	Each discussion group reports back on recommended next steps, and proposed initial plan of action	MC
4.00 pm	Summary and closure	Major Campbell Roberts , Director, The Salvation Army —Social Policy and Parliamentary Unit
4.15 pm	Conference Ends	