**Question 1)** Which country have you studied?

Australia

**Question 2)** Provide an overview that explains whether this country is a source, transit, and/or destination for international human trafficking, and/or whether trafficking/enslavement are largely internal within the country (e.g. from rural to urban areas, or local enslavement on farms or in domestic servitude, etc.) Explain and substantiate your response.

Australia is primarily a destination country for victims of human trafficking (1). Those who are trafficked in this country come mainly from various regions in Asia, specifically Thailand, Korea, the Philippines, and Malaysia (1). Men, women, and children are victims of human trafficking in Australia (1).

The Global Slavery Index estimates that there are about 15,000 people who are experiencing a form of modern slavery in Australia in 2016; this is a prevalence of 0.6 victims per every thousand people in Australia (2). Additionally, in 2016 there were 169 referrals of offenses related to human trafficking in the country. Sixty-nine of these offenses were related to forced marriages, 39 were regarding sexual exploitation, 36 were labor exploitation, and the remainder were other forms of modern slavery (2).

Typically, the forced labor cases that are reported are regarding domestic workers, but there is an increasingly large number of reports of human trafficking from hospitality, agriculture, and construction industries (2). Many of the workers in these industries are at risk of being taken into human trafficking conditions because they have entered the country with a temporary visa that is a part of a scheme to reduce Australia’s labor shortages (2). Data collected in 2017 has found that there is a large class of migrant workers in Australia who are being paid below minimum wage, which leads to conditions that could qualify as forced labor and trafficking conditions (2). The department of home affairs found that there were 1,970 illegal workers in Australia in the 2015-16 year (2).

This past year, Australia received a Tier 1 ranking by the U.S. Trafficking in Persons report (3). This country fully met the minimum standards that were required to attempt to eliminate trafficking in this nation (3). The geographic isolation and natural border protection that are associated with being a remote island help to reduce the trafficking of humans across the borders (4).

**Question 3)** If this is a destination country and/or if there is internal human trafficking, **which forms of trafficking are common in this country?** (If you think that there are no forms of trafficking happening within this country, provide citations about that, and some reasons why it is not happening. The reasons don't have to be proven, but they must be plausible.)

The majority of prosecutions of human trafficking cases in Australia are for sex trafficking (2). Often, cases where there is forced sexual exploitation involve partner migration visa, and the woman is trapped in a sham marriage after entering the country and if sexually exploited or forced into domestic servitude (2). In the past few years, there has been a growing concern for women who are forced into marriage, especially if the girls are under the age of 18 (2). A marriage is considered forced if the person is not yet 18 and cannot give full and free consent to the marriage (2). Often, the marriage is organized for the child by family members who hope to gain financial compensation from the marriage (2). The majority of the modern slavery referrals from 2016 were for forced marriages, and a survey conducted between 2011 and 2013 identified 250 forced child marriages from the respondents (2). There have never been any convictions of forced marriages in Australia under the country’s forced marriage legislation (2). The UN trafficking citation index reaffirms that human trafficking in Australia consists of primarily female victims who have been brought to the country to be exploited sexually (4).

Based on data collected from VSPs and arrests in Australia, there were estimated to be less than 100 foreign women who are victims of sex trafficking (4). There are few victims of human trafficking identified each year, but only about 5% of victims alert the authorities of their victimization (4). It is crucial to gain a complete understanding of the trafficking flows in Australia to identify more conditions that often lead to human trafficking (4). This data could reveal who tends to be trafficked, how and why they are brought to Australia, and where they tend to come from (4).

Additionally, men and women are recruited from Asia and various Pacific Islands to temporarily work in the country in agriculture, hospitality, construction, and domestic service (3). Also, many international students pay to be placed at universities in Australia and receive student visas, and are then forced to work to pay off fees to their traffickers once they arrive in Australia (3).

**Question 4)** If this is a source country, **into which forms of human trafficking and into which countries are citizens from this country commonly trafficked?** (If you think that there is little or no trafficking of people from this country internationally, provide citations about that, and some reasons why it is not happening. The reasons don't have to be proven, but they must be plausible.)

As previously stated, Australia is primarily a destination for victims of human trafficking (1). The most common form of human trafficking that occurs internally in Australia is indigenous women being trafficked for sex across different regions in the remote areas of Australia (1). Women who become involved in human trafficking often come from backgrounds that cause them to be poor and vulnerable (1). Indigenous women may have experienced significant discrimination due to gender inequality that was present after post-colonial times in their communities, and this would lead them to feel less independent than women who are raised in a typical Australian city (5). Additionally, there are less law enforcement officers in remote Australia that would be able to help identify women involved in trafficking situations than there are in larger cities (2).

Additionally, women involved in forced marriages and sexual exploitation may be Australian citizens who come from backgrounds that lead to increased vulnerability (2). The geographic isolation and the fact that Australia is an island with advanced border protection mechanisms makes it difficult for people to be taken from the country to source trafficking elsewhere, and the victims are sources from regions in Indonesia that are closer to other Asian nations because it is easier for traffickers to relocate these people into trafficking situations (2).

The 2018 U.S. Trafficking in Persons report explains that Australia has received a Tier 1 ranking because significant efforts have been made to increase training for law enforcement officials and to have services to assist vulnerable workers who may become involved in trafficking conditions (3). Because few workers are sourced to other countries from Australia, this Tier 1 ranking must reflect a successful effort to reduce human trafficking in this nation (3).

**Question 5)** What are the current national laws against human trafficking in this country and how have they been assessed by legal experts (e.g. by the U.N., the U.S. Dept of State TIP Report, and/or the Protection Project)?

Australia has received a Tier 1 ranking in the most recent TIP report because they have continued to make significant efforts to put stronger laws in place to convict those who are involved in the trafficking of humans (3). In the Commonwealth Criminal Code, divisions 270 and 271 are in place to criminalize the trafficking of labor and sex in Australia (3).

The purpose of division 270 is to criminalize slavery, while division 271 addresses specific human trafficking offenses (6). Both of these divisions have universal jurisdiction, which means that they protect Australian citizens regardless of whether or not the crime occurred in Australia, and it protects people in Australia whether or not they are Australian citizens (6). Division 271 additionally was put in place to supplement the United Nations Convention Against Transnational Organized Crime (6). Another important reason why these laws were enacted was to provide legal protection to witnesses who supply evidence during criminal proceedings, and these witnesses will have minimal contact with the defendant and members of the public during the investigations (6).

A common problem with laws that are put in place to stop human trafficking is that they are often not stringent enough to deter traffickers from committing their crimes (4). In Australia, sex or labor traffickers will face maximum penalties of 12 to 25 years in prison and may have to pay 197,000 Australian dollars. The decline in sex trafficking in Australia after these laws were enacted indicates that these penalties were stringent enough to deter traffickers (3). However, it is always a risk that the traffickers may have made this industry more secretive, and the decline in sex trafficking victims is because they are being concealed to avoid punishment (2). Also, forced labor was also increasingly criminalized with a maximum fine of nine years in prison through divisions 270 and 271 (3).

In 2007, a new migration act was introduced that increased the criminalization of the exploitation of migrant workers who are forced into labor, sexual servitude, or other forms of slavery (3). Traffickers would face up to 5 years in prison and would be fined if caught exploiting migrant workers (3).

These increasingly strong laws have led to an increase in the number of human trafficking cases that are being investigated in Australia (3). In 2016, 105 cases of potential human trafficking were investigated in Australia; in 2017, this number had increased to 166 cases (3). A problem with the enforcement of the more stringent laws that were enacted is that the prosecutors cannot the sentence that the trafficker should receive, and this often leads to the traffickers receiving charges for employer violations instead of trafficking charges (3). The employer violations charges consist of fines without imprisonment, and this is not a sufficient enough deterrent to deter the crime of trafficking (3). It is crucial for the Australian government to continue to enforce their strict laws that have been enacted to stop human trafficking, and the four main elements of Australia’s plan to end human trafficking include prevention, detection and investigation, criminal prosecution, and victim support and rehabilitation (4).

**Question 6)** Which types of anti-trafficking efforts by which types of actors are evident in this country? (along with a general summary, provide brief descriptions and URLs of 2-3 noteworthy examples)

The Australian government has been a key actor is stopping the spread of human trafficking throughout Australia (3). The increasingly strict laws along with the increased number of investigations of human trafficking cases have led to a reduction in the number of victims trapped in trafficking situations (3). In February of 2018, the Australian government took an additional step to fight human trafficking by providing victims of forced marriage access to 200 days of support without having to contribute information that could be used for a criminal investigation (2). It is critical not to force victims to provide information about their traffickers if they are not emotionally prepared to do so (2).

Additionally, there has been increased service provided from NGOs in recent years following the adoption of the more stringent laws regarding human trafficking (2). NGOs are crucial for eliminating human trafficking because they allow volunteers the opportunity to interact with victims first hand and they promote education to people who may otherwise be overlooked common signs of human trafficking (2).

NGO Descriptions:

Anti-Slavery Australia (7): Members founded this non-religious NGO at the University of Technology, Sydney to provide comprehensive legal advice to victims of human trafficking in Australia. The mission of this organization is to protect the human rights of victims of human trafficking and enslavement through research, policy development, law reform, professional practice, education, and advocacy. This organization works to educate members of the community about the dangers of human trafficking through campaigning and hosting workshops at universities, schools, and government and non-government organizations that work with people who may encounter victims of human trafficking. This organization has seven paid staff members who have successfully assisted people who have experienced human trafficking or been trapped in a forced marriage with their advice.

URL http://www.antislavery.org.au/what-we-do/about-us.html

The Freedom Project (8): Mike and Liz Newton-Brown co-founded this Christian organization to empower victims of human trafficking in Australia through prevention, rescue, and restoration. This couple first witnessed how human trafficking can destroy lives first-hand during a trip to India where the couple went to volunteer in a small village. Mike and Liz believe that it is God’s calling for them to transform lives and empower communities through their work. This organization reveals how witnessing the hardships that victims endure and collaborating with victims of human trafficking through first-hand experiences can be an incredibly impactful experience.

URL https://www.thefreedomproject.org/about-us

**Question 7)** What are the main obstacles to anti-trafficking efforts within this country and/or of this country’s citizens internationally?

A significant obstacle that is stopping Australia from eliminating human trafficking is the lack of enforcement of the legislation that is being passed to stop trafficking (3). It is critical that traffickers are not able to continue avoiding trafficking charges by receiving a charge for employment violations instead (3). To overcome this obstacle, there must be a stronger effort to investigate and prosecute potential trafficking offenses to ensure that traffickers are held accountable for the crimes that they commit (3).

If a particular group of people is known to be vulnerable to becoming involved in human trafficking, there needs to be an increased effort by law enforcement to protect these people by increasing investigations of the risk factors (3). Factors that increase the risk that people will be brought into trafficking should be investigated to prevent people from becoming involved in trafficking rather than saving them from traffickers later on (2). For instance, international students often become involved with human trafficking after receiving a student visa and paying extremely high fees to be placed at a university (2). If the intermediaries who assist with the placement of these students into universities are more strictly monitored, this could save many students from becoming trapped in debt to their future traffickers (2).

Additionally, to increase the number of victims who seek help from NGOs and VSPs, there should be increased funding to raise awareness about the dangers of human trafficking (2). It is especially important for law enforcement officers to receive training about signs of human trafficking because they are often the first people to encounter a victim of human trafficking (3).

There are significant gaps in the data regarding who the victims of human trafficking are in Australia and how to identify who the traffickers are (4). It is also unknown how extensive the problem of human trafficking is, and there are few reliable estimates about how many people are being enslaved by traffickers in Australia (4). To improve the transparency of this data, there is a need for more multidisciplinary studies that can reveal patterns in the information that is currently unknown (4). Human trafficking is a challenging problem to eliminate because the crimes often occur in private places and the victims are too afraid to contact law enforcement themselves; they usually do not know that they are victims of a crime or fear severe punishment from their traffickers if they report their situation (2).

In order to gain access to the information needed to find out more about the patterns of human trafficking in Australia, there will need to be increased collaboration between experts from multiple different sectors who specialize in different areas (4). If more information can be determined about the patterns that entrap people in modern slavery conditions, perhaps victims of trafficking can be protected before they become trapped in the cycle of trafficking (4). Also, when there are known cases of human trafficking in Australia and the perpetrators are prosecuted, the cases should be examined in great detail so that as much information can be learned from them as possible (4).

**Question 8)** References

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8) The Freedom Project. (2018). *About us.* Retrieved from https://www.thefreedomproject.org/about-us