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MEDIA STATEMENT: Hong Kong Government's Tier 2 track record in 2015 US TIP Report confirms its abysmal progress to address human trafficking concerns

28 July 2015: In response to the US State Department's 2015 Trafficking in Persons (TIP) Report released yesterday, Justice Centre Hong Kong, a Hong Kong-based human rights organisation, regrets that for the seventh consecutive year, the Hong Kong Special Administrative Region (HKSAR) has once again been ranked at Tier 2 for failing to comply with the minimum standards to combat human trafficking.

In its narrative of Hong Kong, this year's TIP report states that in the past year "although officials identified 26 potential victims [of human trafficking], they did not refer them to or provide them with protective service, unlike in 2013." The report goes on to note that in regards to prosecution, the government actually "decreased" its anti-trafficking law enforcement efforts and only made "modest" efforts to prevent trafficking.

The TIP Report, released on an annual basis, examines the efforts made by governments around the world to combat human trafficking within their borders through a tier-ranking system of 1, 2, 2-Watch List and 3. Tier 1 is the highest ranking, meaning that states in this category comply with the minimum standards for the elimination of trafficking, acknowledge and make proactive efforts to address the problem. States in Tier 3, the worst possible placement, neither fully comply with the minimum standards nor are making significant efforts to do so.

The Hong Kong Government has frequently gone on the record to wholly deny human trafficking, for example stating, in response to the TIP Report this year, that it "disagree[d] that Hong Kong is a destination and transit and source territory for men, women, and children subjected to sex trafficking and forced labour."

In reaction to the report and HKSAR's continued ranking at Tier 2, Victoria Wisniewski Otero, Acting Director of External Relations of Justice Centre Hong Kong, said:

"It is high time that the Hong Kong Government did more to address human trafficking concerns and graduate out of the Tier 2 ranking, where it has languished since 2009. Progress has been abysmal considering the many high-profile cases of abuse, particularly among foreign domestic workers, that have come to the public eye in the past couple of years, notably that of Erwiana Sulistyaningsih last year.

It is clear that Hong Kong has the resources to do more but lacks the political will. While we acknowledge authorities' recent efforts, such as public awareness campaigns and law enforcement training, if the starting point for the Hong Kong Government to discussing these issues is consistently one of denial, then it is merely paying lip service to combating human trafficking and forced labour and offering survivors more protection and ensuring their rights are respected."

For years, Justice Centre Hong Kong, other civil society organisations and human rights experts at home and abroad have been calling for the Hong Kong Government to adopt comprehensive legislation to address human trafficking in all its forms; to develop more targeted policy measures, such as a National Plan of Action, and for the UN Trafficking or "Palermo" Protocol to be extended to the HKSAR territory.

In order to capture a reliable snapshot of what is happening on the ground, Justice Centre Hong Kong has embarked on a ground-breaking three-part research project to examine the prevalence and patterns of human trafficking, forced labour and other forms of exploitation among three vulnerable migrant groups who are often at risk of abuse: foreign domestic workers, migrant sex workers and people seeking asylum in Hong Kong. The first study, surveying over 1,000 foreign domestic workers from eight countries of origin, will be published later this year, and the overall project will be completed in two years.

Notes to Editor

Section 129 of the Crimes Ordinance (Cap. 200) is the only existing legislation to make direct reference to human trafficking, but only stipulates that "a person who takes part in bringing another person into, or taking another person out of, Hong Kong for the purpose of prostitution shall be guilty of the offence of trafficking in persons to or from Hong Kong". This definition assumes trans-border movement and does not criminalise trafficking for the purpose of forced labour.

A copy of the 2015 US Trafficking in Persons (TIP) Report can be found here: <http://www.state.gov/j/tip/rls/tiprpt/2015/index.htm>

The Hong Kong Government's press release in response to TIP report can be found here: <http://www.info.gov.hk/gja/general/201507/27/P201507271028.htm>

Justice Centre Hong Kong is a human rights organisation that works fearlessly to protect the rights of Hong Kong's most vulnerable forced migrants: refugees, other people seeking protection and survivors of human trafficking. Launched in March 2014, Justice Centre Hong Kong was formerly Hong Kong Refugee Advice Centre which, over a period of seven years, helped more than 2,000 refugee men, women and children on the road to a new life. www.justicecentre.org.hk.

To learn more about Justice Centre's research project to examine the prevalence and patterns of human trafficking, forced labour and other forms of exploitation among foreign domestic workers, sex workers and people seeking asylum in Hong Kong, please see: <http://www.justicecentre.org.hk/research-human-trafficking-forced-labour-hong-kong/>