

PRESS RELEASE

For Immediate Release

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Hong Kong downgraded to Tier 2 Watch List in U.S. Trafficking in Persons Report 2020, must adopt comprehensive anti-trafficking legislation to fill gap

In response to the US State Department's Trafficking in Persons (TIP) Report 2020, Justice Centre Hong Kong regrets that Hong Kong has been downgraded to Tier 2 Watch List for failing to meet with the minimum standards to combat human trafficking. Justice Centre calls on the Hong Kong Government to adopt comprehensive legislation to criminalise all forms of human trafficking.

The TIP Report 2020 notes that while Hong Kong is making significant efforts to eliminate trafficking, it did not demonstrate overall increasing efforts compared to 2019. The Government's victim identification mechanism remained ineffective, few prosecutions were brought against traffickers, and victims continued to be penalised for unlawful acts they were compelled to commit by traffickers. The TIP Report 2020 recommends that Hong Kong enact a comprehensive anti-trafficking law in line with definitions set forth in the 2000 United Nations Palermo Protocol on human trafficking.

Notably, the number of trafficking victims identified by the Government is very low, which casts doubt on the adequacy of the victim screening mechanism. In 2019 only 3 victims were identified, as compared to 18 in 2018. Civil society estimate suggest the number of victims is significantly higher. For example, Justice Centre's 2016 research *Coming Clean* found that 17% of migrant domestic workers in Hong Kong were in conditions of forced labour, and among those workers 14% had been trafficked for the purpose of forced labour. This means potentially over 9000 people among the approximately 390,000 migrant domestic workers in Hong Kong are victims of human trafficking for the purpose of forced labour.

Moreover, the TIP Report 2020 observes that refugees and asylum seekers are vulnerable to trafficking while their protection claims are being evaluated, as they are not permitted to legally work in Hong Kong. Justice Centre's 2017 Refugee-Human Trafficking Nexus Research, which revealed refugees may experience trafficking prior to arriving in Hong Kong, en route and while they are in Hong Kong, corroborated this observation.

Justice Centre echoes observations and recommendations made in the TIP Report 2020. **Melanie McLaren, Interim Co-Executive Director, Justice Centre Hong Kong** said, "The TIP Report 2020, as well as evidence compiled by Justice Centre Hong Kong and other civil society organisations show that Hong Kong remains a source, destination and transit site for human trafficking. The long-standing failure to enact comprehensive legislation to combat human trafficking continues to be a gap in the protection of human rights in Hong Kong."

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Notes to Editor

The U.S. 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 2 do not fully meet the minimum standards for eliminating trafficking but are making significant efforts to do so. States in Tier 3 are neither fully complying with the minimum standards nor are making significant efforts to do so.

Justice Centre's research Coming Clean was cited in the 2016 TIP report, the year Hong Kong was downgraded from Tier 2 to Tier 2 Watch List. Read the Coming Clean report [here](#).

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About Justice Centre Hong Kong

Justice Centre Hong Kong uses direct services and community-centred advocacy to support, defend, and protects those who are most vulnerable to violations of their rights. Founded in 2007, Justice Centre Hong Kong now supports over 300 refugees and asylum seekers annually. We fight alongside the survivors we serve to help them pave the way to a new life, and we challenge inequality with the ultimate aim of benefitting all Hong Kongers as we envision a fair, just, and equitable Hong Kong.