

HUMAN TRAFFICKING

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WHAT IS HUMAN TRAFFICKING

Trafficking of human beings is a violation of human rights, a modern form of slavery and an extremely profitable business for organised crime. It involves the recruitment, movement and exploitation of a person. The initial consent by a person will be irrelevant if it was obtained by means of fraud, deception or coercion. A child cannot consent to being trafficked. Transporting a child in exploitative conditions constitutes trafficking. Trafficking is a worldwide phenomenon and exists in Ireland. People are trafficked into different types of labour including restaurant and hotel work, domestic work, construction, agriculture and entertainment, as well as prostitution and other forms of commercial sexual exploitation.

WHAT IS BEING DONE?

The Irish Government has undertaken a number of legislative, administrative and operational initiatives to deal with human trafficking.

An awareness raising campaign was launched in October, 2008 to raise awareness of the problem of human trafficking. The key theme of the campaign is 'Don't close your eyes to Human Trafficking' and the blue blindfold represents the risk of people having their eyes closed and being unaware of the crime that may

be going on around them. Further information on the indicators of human trafficking and the campaign is available by visiting www.blueblindfold.gov.ie. A number of training initiatives have also been undertaken to generate awareness of the issue among those in State organisations likely to encounter potential victims of trafficking in their day-to-day work.

In an effort to stamp out this crime the Government enacted the Criminal Law (Human Trafficking) Act, 2008. It contains measures to criminalise trafficking in adults or children for the purposes of labour, sexual exploitation or the removal of organs. It is an offence to sell or offer for sale or to purchase or offer to purchase any person for any purpose. Penalties of up to life imprisonment apply in respect of these offences. It is also an offence to solicit for prostitution a person who s/he knows or has reasonable grounds for believing is a trafficked person. The penalty can be up to 5 years imprisonment and/or an unlimited fine.

The Immigration, Residence and Protection Bill provided a 45 day recovery and reflection period (to be increased to 60 days when a revised Bill is republished) for alleged victims of trafficking; a 6 months period of residence, renewable, where the person wishes to assist the Gardaí or other relevant authorities in any investigation or prosecution in the alleged trafficking.

Pending the republication and enactment of this Bill, an administrative framework for these periods (and subsequently



amended to provide for the 60 days recovery and reflection period) was introduced on 7 June 2008.

A dedicated Unit to ensure that the State's response to trafficking in human beings is co-ordinated, comprehensive and holistic has been set up in the Department of Justice and Law Reform. A key element of Government strategy is the development of the National Action Plan to Prevent and Tackle Trafficking in Human Beings in Ireland 2009-2012 which was launched by the Minister for Justice and Law Reform on 10 June, 2009. The Plan contains a range of measures designed to crackdown on individuals and gangs involved in trafficking in people, awareness campaigns and the collection of up to date data on the nature and extent of trafficking. Copies of the Executive Summary and the full National Action Plan are available on the Department's website www.justice.ie.

The Garda Síochána also established a Human Trafficking Investigation and Co-ordination Unit within the Garda National Immigration Bureau. The role of the Unit is to provide a lead in all policy issues in the area of Human Trafficking. The Unit acts as a centre of excellence for the Garda Síochána and oversees all investigations where there is an element of human trafficking and provides advice, guidance and operational support for investigations.

WHAT CAN YOU DO?

Recognising that a person may be a victim of human trafficking is not an easy task. Trafficking in persons is usually an "underground" crime and it is difficult to readily identify a trafficking victim and/or a trafficking scenario or to accept that trafficking may be taking place in our communities. Being familiar with some of the general indicators of trafficking will be of assistance. People who have been trafficked may act in one or more of the following ways:

- Be unable to leave their work environment;
- Show signs that their movements are being controlled;
- Show fear or anxiety;
- Be subjected to violence or threats against themselves or against their family members and loved ones;
- Suffer injuries that appear to be the result of an assault;
- Be distrustful of the authorities;
- Be threatened with being handed over to the authorities;
- Be afraid of revealing their immigration status;
- Not be in possession of their passports or other travel or identity documents, as those documents are being held by someone else;
- Not know their home or work address;
- Act as if they were instructed by someone else;
- Be unable to negotiate working conditions;
- Have no access to their earnings;
- Work excessively long hours over long periods;
- Live in poor or substandard accommodation;
- Have limited contact with their families or with people outside of their immediate environment;
- Be unable to communicate freely with others;
- Be under the perception that they are bonded by debt;
- Have had the fees for their transport to the country of destination paid for by facilitators, whom they must pay back by working or providing services in the destination countries;
- Have acted on the basis of false promises.

It is worth noting that no one willingly signs up to becoming a slave. Traffickers frequently recruit victims through fraudulent advertisements which promise legitimate jobs such as: hostesses, domestic work or work in the agricultural industry. Trafficking victims can be recruited by family members and can come from rural and urban settings. There are tell-tale signs when commercial establishments are holding people against their will:

- Heavy security at the establishment including barred windows, locked doors, isolated location, electronic surveillance and people are never seen leaving the premises unless escorted;
- Victims live at the same premises as the brothel or work site or are driven between quarters and work.

Further information on this issue can be obtained from:

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 Department of Justice and Law Reform
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 Email ahtu@justice.ie
 Website-www.blueblindfold.gov.ie