

# EDUCATION RESOURCE ON HUMAN RIGHTS AND HUMAN TRAFFICKING



# CONTENTS

INTRODUCTION	1
HUMAN RIGHTS	2
The Universal Declaration of Human Rights	3
Social Justice	4
The Definition of Human Trafficking	5
LABOUR EXPLOITATION IN NEW ZEALAND	9
Migrant Workers Rights	9
HUMAN TRAFFICKING LAW IN NEW ZEALAND	10
98D Trafficking in Persons	10
PROSECUTION OF HUMAN TRAFFICKING IN NEW ZEALAND	11
Organisations Working to Combat Trafficking in New Zealand	12
How to Spot Human Trafficking in New Zealand	14
YOU CAN MAKE A DIFFERENCE!	15
Education	15
Raise Awareness	17
Collaborate	18
What to do if you Suspect Someone is a Victim of Human Trafficking (or if you are a Victim Yourself)	20
GLOSSARY	21
APPENDIX A	22
ANSWERS	24
FOOTNOTES	25

# INTRODUCTION

The Education Resource on Human Rights and Human Trafficking was created by The Préscha Initiative.

The Préscha Initiative was founded in 2010 by a group of friends at University who were compelled to take a stand against human trafficking.

After running numerous awareness raising events, it became clear that New Zealanders did not know or understand what human trafficking was. International reports at the time stated that education and awareness of human trafficking needed to be prioritised in New Zealand. The Department of State Trafficking in Persons report cited that New Zealand teenagers were susceptible to human trafficking and it became clear that high school students should be taught about human trafficking at school-age.

In mid-2012, The Préscha Initiative launched an education resource on human trafficking for high school students. The resource was trialled at schools in the Bay of Plenty and Waikato with the overall feedback being that teachers wanted the resource to be more accessible and accredited for use as part of NCEA.

In 2015, The Préscha Initiative in collaboration with Instant Education Solutions launched a free NCEA accredited education resource on human rights and human trafficking that complied with the New Zealand school curriculum. This resource, entitled "Conduct A Social Inquiry" is being taught in numerous schools throughout New Zealand (**Achievement Standard 91040**).

The Education Resource on Human Rights and Human Trafficking is loosely based on Achievement Standard 91040. It contains more information, the Préscha Initiative's graphics and is not NCEA accredited. We created this resource to be accessible to all people, not just students. Individuals can undertake this study on their own, with their friends or in a group or as a case study. It can also be used as a tool for migrants learning English.

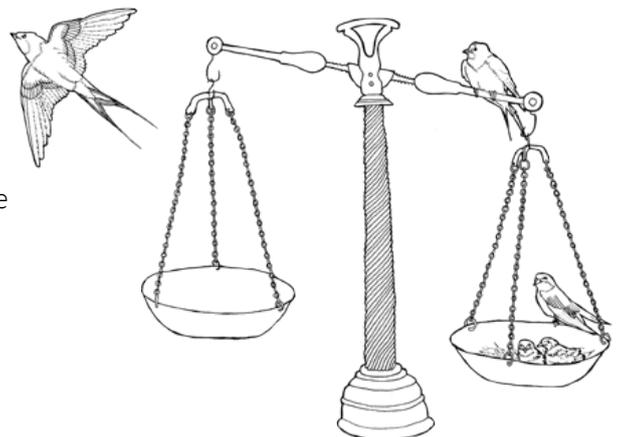
We believe people need to be educated about human trafficking for the following reasons.

- ▶ Human trafficking is one of the greatest social injustices of the 21st century. It is important that New Zealand is engaged with this issue on both a national and international scale.
- ▶ Education and awareness of human trafficking helps to prevent human trafficking taking place.

To access our NCEA accredited resource for teachers in New Zealand, please see here: [www.instant.org.nz](http://www.instant.org.nz) (search 91040).



Rebekah Armstrong  
Director  
The Préscha Initiative



# HUMAN RIGHTS

Human rights are basic rights and freedoms that all people are entitled to regardless of nationality, gender, race, religion, language, or other status.

Human rights include the right to:

- ▶ Life
- ▶ Choose your own religion
- ▶ Say what you believe without being punished (freedom of expression)
- ▶ Participate in culture
- ▶ Food
- ▶ Work
- ▶ Receive an education
- ▶ Live free from slavery and torture.

Human rights are protected and upheld by international and national laws and treaties.



Discuss the following questions with your group.

- ▶ Why are human rights important?
- ▶ What does liberty mean?
- ▶ What are some examples of human rights not being respected that you can think of?
- ▶ Are we allowed to choose our own political opinion, religion, and sexuality in New Zealand?

Write notes in the space below.

In New Zealand all people have the right to their own political opinions and choose and practice their own religion.

## The Universal Declaration of Human Rights

The Universal Declaration of Human Rights is the international convention where human rights are defined. It was adopted by the United Nations General Assembly on December 10th, 1948, after World War Two.

Read the first five human rights below:

▶ ARTICLE 1:

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

▶ ARTICLE 2:

Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.

▶ ARTICLE 3:

Everyone has the right to life, liberty and security of person.

▶ ARTICLE 4:

No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.

▶ ARTICLE 5:

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

To access the full text of the Universal Declaration of Human Rights go to:

[www.un.org/en/universal-declaration-human-rights/](http://www.un.org/en/universal-declaration-human-rights/)



WATCH



This short video on the Universal Declaration of Human Rights:

[www.youtube.com/watch?v=hTlrSYbCbHE](http://www.youtube.com/watch?v=hTlrSYbCbHE)

“The Universal Declaration of Human Rights” by Human Rights Action Center.  
Created by Seth Brau and produced by Amy Poncher.

## Social Justice

Social justice is closely linked to Human Rights because it focuses on taking social action to ensure fair and equitable treatment for all people, regardless of their age, gender, sexual orientation, ethnicity, religion, and so on.



As a group select one of the human rights outlined on the previous page. Answer each of the following questions in relation to the selected human right.

- ▶ What does the human right mean?
- ▶ Why is this important?
- ▶ What are some examples of when the above human right has not been kept?
- ▶ Does New Zealand respect this human right?
- ▶ What are some countries that do not respect this human right?
- ▶ What is the impact on people when this human right is not represented? (Think of some case examples.)

Write notes in the space below.

Learners may want to design a poster that graphically describes the human right they selected.

# The Definition of Human Trafficking

Put simply, human trafficking is using someone by force or deception for the purpose of exploiting them for financial or personal gain.

## INTERNATIONAL LAW ON HUMAN TRAFFICKING

The legal definition of human trafficking is found in the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children 2002 (“The Trafficking Protocol”)

It states in Article 3(a)

- a. “Trafficking in persons” shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs;

This protocol provided there were three main elements to the legal definition of human trafficking that were required to be fulfilled to meet the legal test of human trafficking: A specific action (what is done), a means (how it is done) and purpose (why it is done).

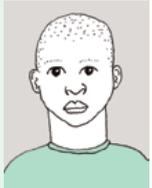


All of the three listed elements must be present for a situation of “trafficking in persons” to be recognised within a fact given situation).

## Can you spot human trafficking?



Read each of these case studies in light of the international human trafficking definition and discuss whether or not the person has been trafficked. Use the Act, Means, Purpose table to help you. **Answers on page 24.**



Marcus is an albino from Nigeria, where albino organs are thought to have healing properties. Members of a neighbouring village drug Marcus and remove one of his kidneys and part of his liver to sell to local witch doctors.

Is this human trafficking?  
Yes  No



Three brothers move from Fiji to New Zealand and work for a bakery in a small town, 13 hours a day, seven days a week with no holidays. They earn less than the minimum wage.

Is this human trafficking?  
Yes  No



Aleksander from Albania wants to move to Italy. He bribes an immigration officer to get him across the border illegally. He finds a job and sends money back to his family.

Is this human trafficking?  
Yes  No



Jane is in year 11 and needs money to finance her drug addiction. She signs up to an online dating website and starts selling her body for sex herself. A client offers for her to move to Taranaki. She moves, and is forced to operate her services from his house, under constant surveillance. Jane can't leave, and receives no money for her work.

Is this human trafficking?  
Yes  No



Sarah signs up to a recruitment agency and moves to Paris for her new job in the modelling industry. She is picked up by the "recruitment manager" she has been communicating with. He takes her passport from her and takes her to a house where she is sold to others for sex.

Is this human trafficking?  
Yes  No



Ronnie is 12 and lives in Gulu, Uganda where the Lord's Resistance Army (LRA) are fighting the Ugandan government. He is abducted and conscripted into the LRA where he is forced to carry out military responsibilities and kill civilians in his own village.

Is this human trafficking?  
Yes  No



Priya is 13 years old and part of the New Zealand Indian community. Her father sells her to his friend's for sex to finance his new restaurant.

Is this human trafficking?  
Yes  No



Maria is 19 years old and from Russia. She moves to New Zealand to work at a registered brothel on K Road.

Is this human trafficking?  
Yes  No



Pablo is from Nicaragua and works in a coffee plantation. He has to work long hours so he can feed his family as he is paid very little.

Is this human trafficking?  
Yes  No

There are a number of different types of human trafficking:

### SEX TRAFFICKING

Sex trafficking is a modern-day form of slavery where someone is forced to perform sexual acts for someone else's profit. The majority of sex trafficking victims are women and girls, but they can also be men or boys.

There are a number of common patterns for luring victims into situations of sex trafficking, including:

- ▶ A promise of a good job in another city or country
- ▶ A false marriage proposal turned into a bondage situation
- ▶ Being sold into the sex trade by parents, husbands or boyfriends
- ▶ Being kidnapped by traffickers.



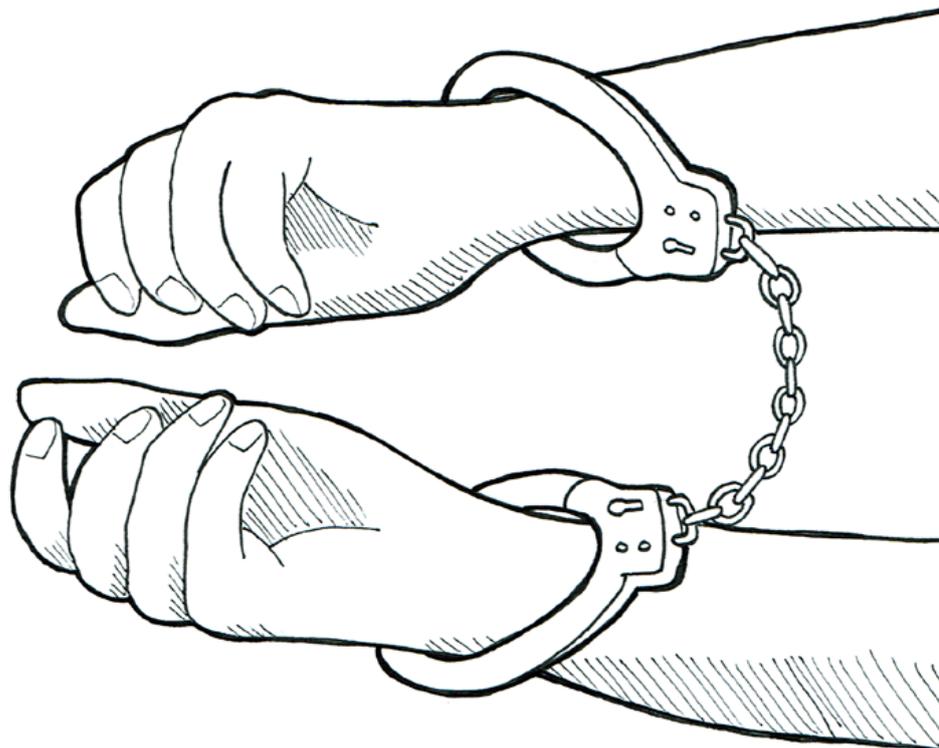
### *Lata's Story* <sup>4</sup>

She was only a young teenager when Lata was drugged, kidnapped and forced to work as a prostitute in Mumbai, India. Little did she know that when she drank some tea made by one of her boyfriend's friends she would wake up two days later in Mumbai, far away from her home village in southern India.

Lata realised that someone had changed her clothes while she was passed out and suddenly knew that something was very wrong. What followed was nothing short of a nightmare. Lata was told that she had been sold to a brothel and that she would need to work as a prostitute to repay the debt.

Thankfully, Lata's story has a happy ending. Thanks to the tireless work of her family and friends, she was freed from the brothel and returned home to her family. In the future, her dream is to be the police commissioner, so that she can help others who find themselves in the same situation.

Sadly, Lata's story is not unique. In Mumbai alone, thousands of girls are sold into sex slavery every year.



## BONDED LABOUR

Bonded labour, also known as debt bondage, is probably the least known form of slavery today. However, it is actually the most widely used method of enslaving people. A person becomes a bonded labourer when their labour is demanded as a means of repayment for a loan. The person is then tricked or trapped into working for very little or no pay, often for seven days a week. They usually generate much more income for the trafficker than the original sum of money borrowed. <sup>5</sup>

## OTHER FORMS OF HUMAN TRAFFICKING

- ▶ Child soldiers: when young children are forced to become soldiers against their will.
- ▶ Abducting or trafficking babies for adoption.
- ▶ Trafficking human organs for health operations: people from poor countries sell their organs for money. Sometimes their organs are forcibly taken from them and sold on the black market, or to hospitals that need organs for transplants.

Human trafficking is against international and New Zealand law. However, even though it is illegal, it unfortunately still happens.



## *Mathura and Dolamani Bagh's Story* <sup>6</sup>

Imagine being a young couple who want to get married, but you don't have enough money to do so. So you decide to take out a loan from a rich farm owner you know. He tells you that to pay back the loan you need to work for him. So you work for him every day from 4am to 8pm. You do any farm labouring tasks he has, but all he pays you is 8-10 sacks of grain each year.

That is exactly what happened to Mathura and Dolamani who found themselves in bonded labour to a rich landlord from whom they got a loan. Thankfully, after five years of backbreaking labour with no proper payment, Mathura and Dolamani were freed. Now they work with a human rights group to help others in bonded labour.



# LABOUR EXPLOITATION IN NEW ZEALAND

Exploitation refers to an employment situation contrary to New Zealand employment law that is more than an employment dispute or workplace bullying. More particularly, it refers to a work situation that involves force, fraud, abuse, or deception and/or in a situation where a penalty, or threat of penalty was imposed.

The first independent empirical on labour exploitation was published in December 2016. This report was commissioned by The Human Trafficking Research Coalition which included The Prescha Initiative, ECPAT NZ, Hagar NZ and Stand Against Slavery. The coalition made strong recommendations to government and businesses.

READ THE FULL REPORT HERE: [www.workerexploitation.co.nz](http://www.workerexploitation.co.nz)

The report confirmed labour exploitation is taking place in a number of different industries in New Zealand, including the Dairy Industry, Horticulture and Viticulture, Hospitality and Construction – particularly in the rebuild of Christchurch and with international students.

## Migrant Workers Rights

In New Zealand, all workers are entitled to the minimum wage, and to sick pay and holiday pay (if they are permanent workers). Workers also have a right to join a Union and to negotiate their pay and conditions of work either individually or through their Union representative. Migrant workers have the same rights as New Zealand workers and it is a crime for employers to exploit them.

FUN FACT!



The New Zealand Labour Inspectorate (MBIE) received an additional \$32 million to investigate possible migrant exploitation cases in June 2015. There is a large focus on prosecuting these cases.

# HUMAN TRAFFICKING LAW IN NEW ZEALAND

New Zealand does not have a comprehensive human-trafficking statute. New Zealand criminalises human trafficking through the Crimes Act, Prostitution Reform Act and Immigration Act. For the purposes of this resource, Section 98D of the Crimes Act address trafficking in persons. This law was amended in November 2015 to specifically criminalise human trafficking that takes place domestically.

## 98D Trafficking in Persons

1. Every person is liable to the penalty stated in subsection (2) who arranges, organises, or procures—
  - b. the entry of a person into, or the exit of a person out of, New Zealand or any other State—
    - i. for the purpose of exploiting or facilitating the exploitation of the person; or
    - ii. knowing that the entry or exit of the person involves 1 or more acts of coercion against the person, 1 or more acts of deception of the person, or both; or
  - c. the reception, recruitment, transport, transfer, concealment, or harbouring of a person in New Zealand or any other State—
    - i. for the purpose of exploiting or facilitating the exploitation of the person; or
    - ii. knowing that the reception, recruitment, transport, transfer, concealment, or harbouring of the person involves 1 or more acts of coercion against the person, 1 or more acts of deception of the person, or both.
2. The penalty is imprisonment for a term not exceeding 20 years, a fine not exceeding \$500,000, or both.
3. Proceedings may be brought under this section even if—
  - a. parts of the process by which the person was exploited, coerced, or deceived were accomplished without an act of exploitation, coercion, or deception:
  - b. the person exploited, coerced, or deceived—
    - i. did not in fact enter or exit the State concerned; or
    - ii. was not in fact received, recruited, transported, transferred, concealed, or harboured in the State concerned.
4. For the purposes of this section, exploit, in relation to a person, means to cause, or to have caused, that person, by an act of deception or coercion, to be involved in—
  - a. prostitution or other sexual services:
  - b. slavery, practices similar to slavery, servitude, forced labour, or other forced services:
  - c. the removal of organs.

# PROSECUTION OF HUMAN TRAFFICKING IN NEW ZEALAND

There have not been many prosecutions for human trafficking in New Zealand. Fortunately, our law has recently changed which makes it easier to prosecute. The Employment Relations Amendment Act 2016 came into force in April 2016 to protect vulnerable workers. The Act includes tougher sanctions for breaches of the Employment Relations Act and gives greater powers to the labour inspectorate. The most serious breaches, such as exploitation of workers will be heard by the Employment Court and carry maximum penalties for an individual and the greater of \$100,000 or three times the financial gain of the company.

## THE DEPARTMENT OF STATE TRAFFICKING IN PERSONS REPORT 2016 REPORT STATES:

New Zealand is a destination country for foreign men and women subjected to forced labour and sex trafficking and a source country for children subjected to sex trafficking within the country. Foreign men and women from China, India, the Philippines, countries in the Pacific and Latin America, South Africa, and the United Kingdom are vulnerable to forced labour in New Zealand's agricultural, construction, and hospitality sectors, or as domestic workers. Some foreign workers are charged excessive recruitment fees, experience unjustified salary deductions, non- or underpayment of wages, excessively long working hours, restrictions on their movement, passport retention, and contract alteration. Some migrant workers are forced to work in job conditions different from those promised during recruitment but do not file complaints due to fear of losing their temporary visas.

The 2016 Global Slavery Index found that New Zealand is estimated to have 800 people subject to modern slavery.

## FIRST HUMAN TRAFFICKING CASE

New Zealand's first human trafficking trial took place in 2015 involving 18 victims from India and two defendants involved in the viticulture sector. No evidence of forced labour was found. However, the men involved, Jaswinder Sangha and Kulwant Singh were found guilty of lesser charges of giving false statements to immigration officers.

## FIRST HUMAN TRAFFICKING PROSECUTION

New Zealand's first human trafficking conviction took place in September 2016 involving migrants from Fiji. Faroz Ali was found guilty of 15 human trafficking charges in a scam that enticed and exploited Fijians to work in New Zealand. The workers were sold a dream living in New Zealand and promised that they would earn up to seven times their weekly wages in New Zealand! When they arrived, they were forced to work illegally for long hours, sleep on the floor in bad conditions and were paid very little and in some cases, nothing.

### A. TRY IT YOURSELF



Google "migrant worker exploitation" and read some of the stories of exploitation that are taking place in New Zealand. In groups, talk about who is being exploited, how migrants are being exploited. Look at whether there are any particular industries (for example, horticulture, viticulture, hospitality, sex industry). Do you notice any themes? Are common nationalities being exploited? What is the New Zealand government doing to prevent this?

The Préscha Initiative in coalition with other New Zealand organisations are commissioning research into labour exploitation in New Zealand. See [www.workerexploitation.co.nz](http://www.workerexploitation.co.nz) for more details.

## Organisations Working to Combat Trafficking in New Zealand

There are many organisations that work to stop human trafficking in New Zealand and around the world. These organisations include:

### THE PRÉSCHA INITIATIVE

The Préscha Initiative is a New Zealand organisation working to eliminate human trafficking through research, raising awareness and education.

### HAGAR NEW ZEALAND

[www.hagarinternational.org/new-zealand](http://www.hagarinternational.org/new-zealand)

Hagar New Zealand works with women and children in Afghanistan, Cambodia, and Vietnam who have been subject to human rights abuses, including human trafficking.

### STAND AGAINST SLAVERY

[www.standagainstsavery.com](http://www.standagainstsavery.com)

The main aim of Stand Against Slavery is to work with the New Zealand government and organisations towards a slave-free New Zealand.

### ECPAT CHILD ALERT NEW ZEALAND

[www.ecpat.org.nz](http://www.ecpat.org.nz)

ECPAT International is a global network of organisations that work together to eliminate child prostitution, child pornography, and the trafficking of children for sexual purposes. Its aim is to free all children from sexual exploitation.

These organisations formed the “Human Trafficking Research Coalition” to find out the extent of worker exploitation in New Zealand.

See [www.workerexploitation.co.nz](http://www.workerexploitation.co.nz) for more information.



---

*Human trafficking may be a criminal and immigration offence. However, it is first and foremost a human rights violation “rooted in poverty, inequality and discrimination”.<sup>8</sup>*



There are a number of different areas that you could research in relation to human trafficking and the organisations that work to prevent and eliminate human trafficking. In groups or individually, research the following:

- ▶ How Stand Against Slavery is working towards a slave-free New Zealand.
- ▶ How Hagar New Zealand is helping victims of human trafficking in Cambodia.
- ▶ The specific actions that ECPAT New Zealand is taking to prevent child trafficking in New Zealand and around the world.
- ▶ The outcome of the human trafficking research that has been completed by Justice Acts NZ and how this will be used to address the human trafficking problem in New Zealand.
- ▶ Choose your own, unique focus.

Present these findings back to your group or write them down for your own learning.



Look back at the information on Human Rights given on pages 2 to 5. Using this information and what you have learnt about human trafficking, indicate which human rights you think human trafficking violates. If you are in a group, discuss this with your group members.

Human trafficking violates many different human rights. These may include, for example, the right to:

- ▶ Freedom and liberty
- ▶ Equality
- ▶ Life
- ▶ Security.

It is also a direct violation of:

- ▶ Article 4 of the Universal Declaration of Human Rights (ie “No one shall be held in slavery or servitude ...”)
- ▶ Article 5 of the Universal Declaration of Human Rights (ie “No one shall be subjected to torture or cruel, inhuman or degrading treatment or punishment.”)

## How to Spot Human Trafficking in New Zealand

Using the information below, create a poster that raises awareness of human trafficking for potential victims in New Zealand.

Send your poster to [info@prescha.org](mailto:info@prescha.org) and we will feature this on our website!



### TRAFFICKING DO YOU NEED HELP?

The New Zealand Police and  
Immigration New Zealand will help you.

Contact your local Police or  
Crimestoppers on 0800 555 111, or visit  
[www.immigration.govt.nz/peopletrafficking](http://www.immigration.govt.nz/peopletrafficking)



### ARE YOU IN A TRAFFICKING SITUATION?

#### Ask yourself:

- Is someone withholding your passport or money?
- Are there locks on your doors or windows to stop you from leaving?
- Do you need to ask permission to eat / sleep / go to the bathroom?
- Do you have no time off e.g. to shop and socialise?
- Are you being paid too little money or none at all?
- Are you being forced to work to pay off debt?
- Have you or your family been threatened (with violence, jail-time or deportation) if you do not cooperate?

If you answered **yes** to any of these questions, seek help from your local Police.

#### REPORT IT

People trafficking is a violation of human rights –  
don't ignore it

A person may need help if they:

- Live at their place of work (look for locks on the **outside** of doors)
- Have 'rehearsed' statements and stories
- Do not have money or any form of ID (passport withheld)
- Work long hours of work and / or have no time off
- Are spoken for and observed by an 'escort' or 'translator'
- Have an unusual fear of their employer and authorities
- Show signs of neglected mental or physical health (possible substance abuse or self-harm)

If you recognise these indicators, contact your  
local Police or Crimestoppers on 0800 555 111, or  
visit [www.immigration.govt.nz/peopletrafficking](http://www.immigration.govt.nz/peopletrafficking)

DOI 11454 JUN 10

# YOU CAN MAKE A DIFFERENCE!

In this guide you have learnt about human trafficking and how it is a serious and widespread problem. You have also had the opportunity to learn about human rights and organisations who are committed to stopping human trafficking taking place in New Zealand. Here are some ways to continue learning and making a difference.

## 1. Education – learn more about human trafficking

a. Check out the organisations listed on page 12, as well as these other international organisations that work to combat human trafficking:

### **IJM – INTERNATIONAL JUSTICE MISSION**

[www.ijm.org](http://www.ijm.org)

### **ILO – INTERNATIONAL LABOUR ORGANIZATION**

[www.ilo.org](http://www.ilo.org)

### **NOT FOR SALE**

[notforsalecampaign.org/](http://notforsalecampaign.org/)

### **UNODC – UNITED NATIONS OFFICE ON DRUGS AND CRIME**

[www.unodc.org/unodc/human-trafficking/](http://www.unodc.org/unodc/human-trafficking/)

### **U.S. DEPARTMENT OF STATE**

[www.state.gov/j/tip/](http://www.state.gov/j/tip/)

b. Check out these reports:

### **HUMAN RIGHTS WATCH WORLD REPORT 2015**

[www.hrw.org/world-report/2015](http://www.hrw.org/world-report/2015)

This report highlights human right abuses through country profiles. It paints a picture of some of the social and cultural norms that facilitate human trafficking.

### **TRAFFICKING IN PERSONS REPORT 2016 DEPARTMENT OF STATE**

<http://www.state.gov/j/tip/rls/tiprpt/2015/index.htm>

The latest country specific report released by the U.S. Department of State shows up-to-date information on human trafficking all around the world through country narratives.

### **THE DEPARTMENT OF LABOUR (NEW ZEALAND) PLAN OF ACTION TO PREVENT PEOPLE TRAFFICKING 2009**

[www.dol.govt.nz/publications/research/people-trafficking/people-trafficking.pdf](http://www.dol.govt.nz/publications/research/people-trafficking/people-trafficking.pdf)

This document outlines New Zealand's international obligations in law. It also shows the process of what would happen to human trafficking perpetrators and victims in NZ.

### **GLOBAL REPORT ON HUMAN TRAFFICKING (UNODC)**

[www.unodc.org/documents/data-and-analysis/glotip/GLOTIP\\_2014\\_full\\_report.pdf](http://www.unodc.org/documents/data-and-analysis/glotip/GLOTIP_2014_full_report.pdf)

The UNODC provides a yearly global assessment of the scope of human trafficking and what is being done to fight it. It includes an overview of trafficking patterns, legal steps taken in response, and country-specific information on reported cases of human trafficking.

### **THE GLOBAL SLAVERY INDEX**

[http://d3mj66ag90b5fy.cloudfront.net/wp-content/uploads/2014/11/Global\\_Slavery\\_Index\\_2014\\_final\\_lowres.pdf](http://d3mj66ag90b5fy.cloudfront.net/wp-content/uploads/2014/11/Global_Slavery_Index_2014_final_lowres.pdf)

This index ranks 167 countries based on the percentage of the country's population estimated to be in modern slavery. The rankings are based on government's response and factors that make people vulnerable to modern day slavery.

### **NEW ZEALAND'S FISHERIES MANAGEMENT SYSTEM: FORCED LABOUR AN IGNORED OR OVERLOOKED DIMENSION? (SIMMONS, G & STRINGER, C).**

[http://media.wix.com/ugd/b6798f\\_45f76783996a4e7580ef4500be1c748f.pdf](http://media.wix.com/ugd/b6798f_45f76783996a4e7580ef4500be1c748f.pdf)

This publication consists of some of the only research done to date regarding human trafficking in New Zealand. This reports finds that forced labour is occurring in New Zealand's foreign charter fishing vessels (FCV's).

*Check out The Préscha Initiative resource list on their website for more resources.*

## 2. Raise Awareness – share what you've learnt

### ART ADVOCACY

a. Design a piece of art or write a song that highlights awareness of human trafficking.

It's through art, music, and poetry that you can advocate and highlight the plight of a people, or a cause people should join. See some of the art that has been created on [www.prescha.org/projects](http://www.prescha.org/projects)

On the right is an example of an art advocacy painting featured on the Préscha website (Title: Sold).

b. Decide to focus on human trafficking themes for your art class at school.

c. Stage Challenge

[www.stagechallenge.co.nz](http://www.stagechallenge.co.nz)

Create a powerful performance about human trafficking for the Stage Challenge that raises awareness about human trafficking. Perform this in front of your school and other areas to get the message of human trafficking to your friends and community.



d. Check out these music videos about human trafficking from the MTV EXIT campaign for some inspiration:

- ▶ Radiohead “All I Need” [vimeo.com/14819307](https://vimeo.com/14819307)
- ▶ Muse “MK Ultra” [vimeo.com/15113068](https://vimeo.com/15113068)
- ▶ The Killers “Goodnight” [vimeo.com/14822943](https://vimeo.com/14822943)
- ▶ Black Iris and Bethany Cosentino “When Will I Feel Love” [vimeo.com/14819307](https://vimeo.com/14819307)

e. Check out these websites showing art created in response to human trafficking:

- ▶ [www.mtvexit.org](http://www.mtvexit.org)
- ▶ [www.dacsunited.com](http://www.dacsunited.com)
- ▶ [www.raisetheirvoice.com](http://www.raisetheirvoice.com)
- ▶ [www.theblindproject.com](http://www.theblindproject.com)
- ▶ [www.beabiographer.com](http://www.beabiographer.com)

f. Host a movie night.

Find a movie that deals with the issue of human trafficking (see [www.ungift.org/knowledgehub/media/films.html](http://www.ungift.org/knowledgehub/media/films.html) for examples) or show a series of MTV exit videos on human trafficking (see 'd' and 'e' in the section above). Watch this with your friends, discuss the movie/videos afterwards and see what you can do to stop human trafficking. (Refer to the sections which follow on how to identify and take action against human trafficking)

g. Create a club at your school to inform each other about human trafficking.

h. Organise a fundraising event such as an awareness night or a sponsored walk. Donate the proceeds to a human trafficking organisation of your choice

### 3. Collaborate



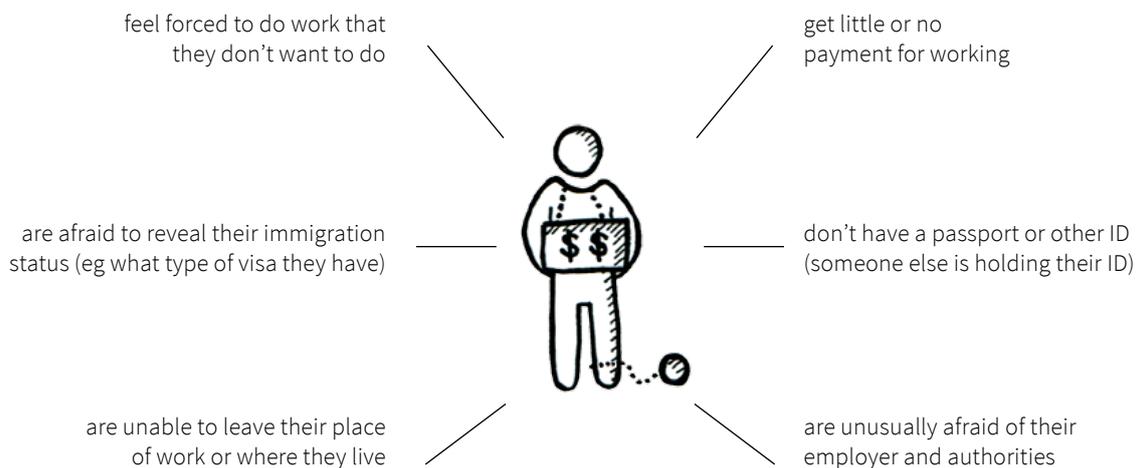
By taking a stand against human trafficking, you can make a real difference. However, we all have different skills, resources and strengths. So working **together with others** can help to quickly and effectively combat this terrible crime against human rights wherever it is found.

## Know How To Identify Victims of Human Trafficking

It is important to be aware of the warning signs of human trafficking so that you can recognise human trafficking where it exists. Some general indicators of human trafficking are given in the diagram below.

### SIGNS OF HUMAN TRAFFICKING

A person may be a victim of human trafficking if they:



### TRAFFICKING: DO YOU NEED HELP? (NEW ZEALAND DEPARTMENT OF LABOUR)

[www.immigration.govt.nz/NR/rdonlyres/47DCC28A-2861-4F97-AFEB-C061DB23457B/0/PeopleTraffickingEnglish.pdf](http://www.immigration.govt.nz/NR/rdonlyres/47DCC28A-2861-4F97-AFEB-C061DB23457B/0/PeopleTraffickingEnglish.pdf)

### HUMAN TRAFFICKING INDICATORS (UNITED NATIONS OFFICE ON DRUGS AND CRIME)

[www.unodc.org/pdf/HT\\_indicators\\_E\\_LOWRES.pdf](http://www.unodc.org/pdf/HT_indicators_E_LOWRES.pdf)

## What to do if you Suspect Someone is a Victim of Human Trafficking (or if you are a Victim Yourself)

Victims of human trafficking are often afraid to report this to the authorities. This is especially true if they are in the country unlawfully or do not have a visa which allows them to work. They may think that they will be punished (eg jailed or fined) for this. They may also have a fear for authority in general because of the way they have been treated.

It is important that you let the victim know that New Zealand authorities will work to protect, not punish, victims of human trafficking. If you suspect someone is the victim of human trafficking, encourage them to report this to the appropriate authorities. This could be the:

- ▶ Local police
- ▶ Crime Stoppers. Toll free phone number: 0800 555 111 or use the online form available at <https://crimestoppers-uk.org/give-information/give-information-online/> to provide information anonymously.
- ▶ Ministry of Business, Innovation, and Employment (MBIE).  
Toll free: 0800 20 90 20
- ▶ Immigration New Zealand. [www.immigration.govt.nz/peopletrafficking](http://www.immigration.govt.nz/peopletrafficking)

The victim does not need to do this alone. You could offer to support them by contacting an appropriate New Zealand organisation (eg Stand Against Slavery, Justice Acts, ECPAT, Hagar or The Préscha Initiative) who would be able to help a victim who needs to go to the police. [See page 12 of this guide for contact details for these organisations].

If the victim will not report to authorities themselves and you believe their life is in danger or they are being abused, you have a responsibility to report this to the police. Remember that you can do this anonymously using Crime stoppers (see contact details above).

# GLOSSARY

bias	an unfair feeling for or against a particular topic, person, and so on
black market	illegally sell something
combat	take action to reduce or prevent something bad
confidentiality	rules or promise made that certain information will not be shared with others
consequences	a result or effect
considerations	things that need to be thought about carefully
contrasting	different
deception	the act of deliberately (on purpose) making someone believe something that is not true, especially for your own gain (benefit)
eliminate/eliminating	to get rid of completely
equitable	just and fair
eradicate	to get rid of completely
ethical	rules or standards for what is considered acceptable or correct conduct or practice
exploiting/exploitation	to make use of someone in an unfair or underhand way for you own gain (benefit)
financial (gain)	making money for yourself (off someone else)
framework	a basic structure underlying a system, concept or text
harbouring	to keep (someone) in secret
human rights	rights believed to belong to every person
human trafficking	using someone by force or deception to exploit them for financial or personal gain
inquiry	investigation, seeking information, research
luring	tempt someone to come with you, often by offering them some form of reward
n.d.	abbreviation for 'no date'; used in referencing if there is no publication date given for a text
plagiarism	using someone else's words or ideas and pretending they are your own
privacy	something private or secret; something not meant for everyone else to know
receipt	the act of receiving (getting) something or someone
recruitment	to find and get someone
social	relating to society, groups of people living together in community
social justice	treating everyone equally and fairly eg equal opportunities, respect, and spread of wealth
violate	break or not meet the requirements of something

## Appendix A – Interview with the director of The Préscha Initiative, Rebekah Armstrong

### 1. WHAT IS HUMAN TRAFFICKING? WHY IS IT IMPORTANT THAT HUMAN TRAFFICKING IS STOPPED?

Human trafficking is the gross breach of human rights of a particular person. It involves the recruitment, transportation, transfer, harbouring or receipt of a person by using fraud, coercion, abduction, deception or the abuse of power for the purpose of exploitation.

Human trafficking is simultaneously called “modern day slavery” and usually seen in the following forms: forced labour, domestic servitude, forced prostitution, child sexual exploitation, forced marriages and organ harvesting.

The practice of slavery has been universally accepted as a crime against humanity<sup>9</sup> and sexual slavery has been outlined as a war crime in the Rome Statute.<sup>10</sup> The right to be free from enslavement is considered so fundamental “that all nations have standing to bring offending states before the Court of Justice.”<sup>11</sup>

The legal definition of human trafficking has been found to focus explicitly on exploitation and powers of ownership. The European Court of Human Rights defined human trafficking as:

... based on the exercise of powers attaching the right of ownership.

...It treats human beings as commodities to be bought and sold and put to forced labour, often for little or no payment, usually in the sex industry ... [but also elsewhere].

...It implies close surveillance of the activities of victims, whose movements were often circumscribed .... It involves the use of violence and threats against victims who live and work under poor conditions ....<sup>12</sup>

### 2. WHAT IS THE PRÉSCHA INITIATIVE ABOUT? WHAT ARE ITS GOALS AND AIMS?

The word “Préscha” means “act urgently, with great haste to advocate for the brokenhearted” in four different languages. We are focussed on the prevention of human trafficking taking place by raising awareness about human trafficking and educating people about this in the context of New Zealand. We are also passionate about changing the ingrained social and cultural norms that allow people to be taken advantage of, oppressed and enslaved. Our overarching goal is that New Zealand would be slave free. The main projects we are involved in at the moment are a research project into the extent of labour exploitation in New Zealand ([www.workerexploitation.co.nz](http://www.workerexploitation.co.nz)) and educating teenagers about human trafficking through this resource! Our dream is that all schools in New Zealand would teach this unit study so that all teenagers in New Zealand would know about human trafficking.

### 3. WHAT LED YOU TO BECOME INVOLVED WITH THE PRÉSCHA INITIATIVE? WAS THERE A PARTICULAR MOMENT IN TIME WHEN YOU KNEW THAT THIS WAS SOMETHING VERY IMPORTANT TO BE INVOLVED WITH?

When I was 13 years old in Indonesia, I witnessed a small, cute, naive and innocent little Indonesian girl sold to a European man for sex by her parents. She was completely unaware of what was happening to her and in fact, trusted the man. Witnessing this event changed my life. I decided to dedicate myself to advocating for people who could not speak for themselves, who were vulnerable, like this little girl. The Préscha Initiative is dedicated to advocating for girls like the one in the above story and other vulnerable people. Through raising awareness and educating people about human trafficking, we can help prevent human trafficking take place.

#### **4. MANY NEW ZEALANDERS ASSUME THAT HUMAN TRAFFICKING IS SOMETHING THAT HAPPENS OVERSEAS ONLY. IS THIS TRUE?**

Human trafficking is a global problem that affects all countries in the world, including New Zealand. New Zealand has also been named a destination country for foreign men and women subjected to forced labour including debt bondage aboard foreign-flagged fishing vessels in New Zealand waters, women trafficked to work in New Zealand's sex industry and Asian and Pacific Islanders who migrate voluntarily to New Zealand to work in the agriculture sector, but who are forced to work in different conditions than stipulated in their contracts. <sup>13</sup>

The Préscha Initiative, in collaboration with other organisations, has recently published research that confirms labour exploitation is a widespread problem in New Zealand <sup>14</sup>. Our first human trafficking conviction took place in 2016.

#### **5. WHY SHOULD NEW ZEALANDERS CARE ABOUT HUMAN TRAFFICKING?**

Because human trafficking is one of the greatest injustices that is taking place in our generation and we have a responsibility to stop it; because human trafficking takes place everywhere and affects people like you and me in the communities we live in; and because all people are precious and equal and all people should be free.

#### **6. WHAT CAN YOUNG NEW ZEALANDERS DO TO RAISE AWARENESS ABOUT HUMAN TRAFFICKING?**

The first thing is they need to educate themselves. You can't advocate or raise awareness for something you don't understand. Human trafficking is a complex organised crime. It is not an easy fix and everyone needs to work together to combat it. Some ways to raise awareness are to host awareness raising events where people are informed about human trafficking, hold discussion groups, research the issue to find the extent of it in New Zealand, talk about this issue seriously with New Zealand's politicians and youth, get this resource taught in all schools in New Zealand so that all New Zealanders are aware of the signs and risks of human trafficking, raise money for organisations working in New Zealand and abroad to combat this crime.

#### **7. IF THERE WAS ONE THING YOU COULD TELL NEW ZEALANDERS ABOUT HUMAN TRAFFICKING, WHAT WOULD IT BE?**

"Never doubt that a small group of thoughtful, committed, citizens can change the world. Indeed, it is the only thing that ever has." Margaret Mead

Human trafficking can be eliminated if we all work together. Why not let this, "the freedom of all people" be the cause you dedicate your life to?

# ANSWERS

NOTE: According to New Zealand law, Sarah and Priya may not be considered trafficked. New Zealand law only recognises movement that crosses a country or state border.

Is this human trafficking?

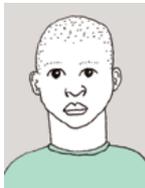
Yes  No

**Act:** Harbours

**Means:** Abuse of power and vulnerability

**Purpose:** Financial gain

**Why?** Marcus has no control over his organs being taken from him as he is drugged when they are removed. Marcus's organs are used for someone else's profit.



Is this human trafficking?

Yes  No

**Why?** This is not human trafficking but labour exploitation. The three boys made their own choice to come to New Zealand. They work longer than they should and don't have holidays, but there is no indication that they are forced to be there - they can leave when they want. They are also earning money which means they have the economic means to leave employment if they wish.



Is this human trafficking?

Yes  No

**Why?** Aleksander is in total control of his own life. It is his choice to enter Italy illegally, he is not trapped there and is able to return to Albania when he wants to.



Is this human trafficking?

Yes  No

**Act:** Recruitment

**Means:** Fraud

**Purpose:** Financial and personal gain and prostitution of others

**Why?** Jane is lured into going to Taranaki without realising what she will be doing there. She is unable to leave and all the money she makes profits her boss, not her!



Is this human trafficking?

Yes  No

**Act:** Recruitment

**Means:** Deception

**Purpose:** Financial gain and prostitution of others

**Why?** Sarah got on a plane to start off fresh in a new country with an exciting new job. When she arrived she was exploited, forced into doing something she didn't want, and had no means of escape because her passport was taken from her.



Is this human trafficking?

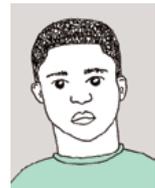
Yes  No

**Act:** Recruitment

**Means:** Abuse of power or vulnerability and coercion

**Purpose:** Forced labour

**Why?** Even though he is only 12, Ronnie is forced to become a soldier and carry out tasks he does not want to do (kill civilians). Ronnie is working for the Lord's Resistance Army's benefit, not his own.



Is this human trafficking?

Yes  No

**Act:** Receipt of persons

**Means:** Abuse of power

**Purpose:** Sexual exploitation

**Why?** International law defines this as human trafficking because Priya is being exploited for someone else's financial gain.



Is this human trafficking?

Yes  No

**Why?** Prostitution is legal in New Zealand under the Prostitution Reform Act 2003. Maria has made her own choice to move to New Zealand and work in a registered brothel.



Is this human trafficking?

Yes  No

**Why?** This is not human trafficking but labour exploitation. Although Pablo's working situation is difficult, he does it by choice so he can feed his family. He is free to change his employment when he wishes and is in complete control of his own life.



# FOOTNOTES

1. UNODC, Toolkit to Combat Trafficking in Persons, Global Programme Against Trafficking in Human Beings, 2008.
2. Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime 2237 UNTS 319 (opened for signature 15 November 2000, entered into force 25 December 2003) [Trafficking Protocol].
3. Gallagher A.T The International Law of Human Trafficking (Cambridge University Press, Cambridge 2010) [The International Law of Human Trafficking] [at 29]
4. Based on the account of Lata's story by The Guardian (<http://www.theguardian.com/cities/video/2014/nov/25/lata-drugged-kidnapped-mumbai-brothel-sex-slave>)
5. Anti-Slavery. Bonded Labour. Retrieved from [http://www.antislavery.org/english/slavery\\_today/bonded\\_labour/default.aspx](http://www.antislavery.org/english/slavery_today/bonded_labour/default.aspx)
6. Based on the account of Mathura and Dolamani Bagh's Personal Story featured on the Anti-Slavery website ([http://www.antislavery.org/english/slavery\\_today/bonded\\_labour/bonded\\_labour\\_in\\_indias\\_brick\\_kilns/bonded\\_labour\\_in\\_indias\\_brick\\_kilns/personal\\_stories\\_brick\\_kilns.aspx](http://www.antislavery.org/english/slavery_today/bonded_labour/bonded_labour_in_indias_brick_kilns/bonded_labour_in_indias_brick_kilns/personal_stories_brick_kilns.aspx))
7. U.S. Department of State. (2014, June). Trafficking in Persons Report 2014. Retrieved from: [http://www.state.gov/j/tip/rls/tiprpt/2014/?utm\\_source=NEW+RESOURCE:+Trafficking+in+Persons+R](http://www.state.gov/j/tip/rls/tiprpt/2014/?utm_source=NEW+RESOURCE:+Trafficking+in+Persons+R)
8. Gallagher, Anne. Trafficking and the Global Sex Industry: The need for a human rights framework. In: Office of the High Commissioner for Human Rights. (Spring 2000). Special Issue on Women's Rights.
9. The Rome Statute outlines that "enslavement" is a Crime Against Humanity in Article 7(1)(c). Article 7(1)(g) states that rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization, or any other form of sexual violence of comparable gravity constitutes a crime against humanity. Rome Statute of the International Criminal Court 2187 UNTS 90 (opened for signature 17 July 1998, entered into force 1 July 2002) [Rome Statute]. Available online at: [http://www.icc-cpi.int/nr/rdonlyres/ea9aeff7-5752-4f84-be94-0a655eb30e16/0/rome\\_statute\\_english.pdf](http://www.icc-cpi.int/nr/rdonlyres/ea9aeff7-5752-4f84-be94-0a655eb30e16/0/rome_statute_english.pdf).
10. Sexual slavery is outlined as a War Crime in Article 8(2)(b)(xxii) of the Rome Statute.
11. Renee Colette Redman, "The League of Nations and the Right to be Free From Enslavement: The First Human Right to Be Recognized as Customary International Law – Freedom: Beyond the United States." (LexisNexis, Chicago, 1994) [at 780]. Available online at: <http://scholarship.kentlaw.iit.edu/cgi/viewcontent.cgi?article=2974&context=ccklawreview>
12. Rantsev v Russia & Cyprus (Judgment) First Section 25965/
13. U.S. Department of State. (2014, June). Trafficking in Persons Report 2014. Retrieved from: [http://www.state.gov/j/tip/rls/tiprpt/2014/?utm\\_source=NEW+RESOURCE:+Trafficking+in+Persons+R](http://www.state.gov/j/tip/rls/tiprpt/2014/?utm_source=NEW+RESOURCE:+Trafficking+in+Persons+R)
14. <http://www.workerexploitation.co.nz>