

Reply to CNN

Notwithstanding the rare occurrence of trafficking in persons (TIP) in Hong Kong, Hong Kong attaches great importance to combating human trafficking. We have a package of well-established legislative and administrative measures to combat TIP. Our work is multi-faceted, covering inter-departmental collaboration, victim identification, enforcement and prosecution, victim protection and assistance, and international cooperation.

Our local legislation already provides a solid and proven framework to combat TIP. Although Hong Kong does not have a dedicated piece of legislation against TIP, conducts referred to as “human trafficking” in the Palermo Protocol are prohibited by various pieces of domestic legislation, encompassing offences (such as physical abuse, false imprisonment, criminal intimidation, unlawful custody of personal valuables, etc.) with prescribed penalties ranging from 10-year to life imprisonment.

In 2016, HKSAR Government continued to make various improvements to the administrative measures to combat TIP, include:

- (a) the Security Bureau issued a “Guideline on Inter-departmental Cooperation for the Handling of Suspected Cases of Trafficking in Persons” in 2016 to set out the principles and procedures of inter-departmental collaboration on various aspects on TIP case;
- (b) the Hong Kong Police Force and the Immigration Department have put in place a new and enhanced mechanism for screening and identifying potential TIP victims. The pilot run has commenced in July 2016. The list of vulnerable TIP victims subject to the identification screening has been expanded to sex workers, illegal workers and illegal immigrants etc. In 2016, over 9,000 screenings were conducted to identify victims. Ongoing review is now being conducted with a view to extending the mechanism to other law enforcement agencies;
- (c) Besides, to afford protection to FDHs, the Labour Department has all along been undertaking various publicity and education efforts to promote the awareness of FDHs on their rights and channels to seek redress. A website dedicated to FDHs has been launched with translated versions of the Standard Employment Contract and

various new publicity materials. A Code of Practice for employment agencies has been promulgated to better regulate the industry; and

- (d) Over a thousand of our law-enforcement officers, prosecutors, officers from Labour Department and Social Welfare Department, had received anti-TIP training in 2016. Besides, relevant departments actively participated in various international conferences, such as the Bali Process and the BORDERPOL Congress, INTERPOL conference as well as specialist workshops co-organised with other jurisdictions, such as the European Union, and NGOs to identify best practices and share TIP intelligence and experience.

For identified TIP victims, HKSAR Government has continued to provide them with support and assistance on various fronts. For example –

- (a) the Immigration Department has been granting visa extension for TIP victims, and has been waiving the visa fees for them;
- (b) in addition, the Immigration Department has also been exceptionally approving applications of FDHs to change their employers without returning to their home countries for various reasons, including for FDHs under abuse / exploitation cases; and
- (c) various departments have also continued to provide a comprehensive range of assistance and protection to TIP victims, including shelter and accommodation, witness protection, extended permission to remain in Hong Kong, financial assistance and assistance in kind, counselling services, assistance to return to their home countries.

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