

Human trafficking in Papua New Guinea – small but significant progress

by Gina Zheng
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Papua New Guinea had made some progress in addressing human trafficking, moving up a level from the worst-performing group of countries in the U.S. Department of State's annual *Trafficking in Persons (TIP) report*.

In the 2015 update of the report, released at the end of last year, Papua New Guinea moved from Tier 3, the group of countries deemed not to be making any effort to address trafficking, to Tier 2 (watch list). PNG has been listed as a Tier 3 country since the 2008 report, so this change reflects small but significant progress.

While both Tier 2 (watch list) and Tier 3 countries remain non-compliant with the *Trafficking Victim's Protection Act's* (TVPA) minimum standards, countries in the former tier show evidence of significant efforts to move towards a compliant regime.

Some of the positive improvements in PNG outlined in the report have included the tightening of laws and policies regulating human trafficking. The government's recent *Criminal Code Amendment* made in 2013 prohibits all forms of trafficking and prescribes a maximum sentence of 20 years' imprisonment for trafficking of adult labour and sex, and 25 years for cases involving children. The code also established a new anti-trafficking training program for front-line officers and judiciaries. There have also been improvements in law enforcement in PNG to match the tightened policies. Investigations were launched into a Fijian national who was subjected to forced labour by a PNG national in 2013, which are currently pending in criminal court. Previously trafficking-related cases were often referred to village courts that were administered by customary law where restitution measures simply consisted of fines. The PNG government has also released a draft national action plan to combat trafficking.

However, there remains significant space for progress in PNG's protection policies. There continues to be a lack of implementation of a formal victim identification procedure and standardised referral mechanism. According to the report, a major barrier hindering PNG's progress is the presence of trafficking-related corruption at high levels of government, for example through the acceptance of bribes to allow illegal migrants to enter the country or the trading of female trafficking victims for political favours and votes.

Recommendations made by the report include further training of law enforcement

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officers, prosecutors and judges on human trafficking, the trafficking provisions under the criminal code and processes to proactively identify victims and refer victims to protective services. Additionally, finalisation of the national plan of action overseeing PNG's commitment to combat trafficking is imperative, in addition to allocation of sufficient resources to the National Human Trafficking Committee and increased engagement with NGOs and international organisations

Within our region, PNG now **joins** countries such as Solomon Islands, Timor-Leste, Cambodia, Myanmar, Malaysia, China and Laos in Tier 2 (watch list). Elsewhere in the Pacific, the 2015 update saw Marshall Islands downgraded from Tier 2 (watch list) to Tier 3.

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