

## **AUSTRALIAN RESEARCH COUNCIL LINKAGE GRANT**

### ***AUSTRALIA'S RESPONSE TO TRAFFICKING IN WOMEN: TOWARDS A MODEL FOR THE REGULATION OF FORCED MIGRATION IN THE ASIA-PACIFIC REGION***

**Chief Investigators: Prof Susan Kneebone, Prof Bernadette McSherry and Dr Julie Debeljak**

**Collaborating Organisations: Australian Human Rights Commissions; Cardno-ACIL Ltd; Commonwealth Attorney-General's Department; and World Vision Australia**

## **OUTCOMES OF ARC GRANT** **(July 2006 - November 2009)**

### **Publications**

- McSherry and Kneebone, 'Trafficking in Women and Forced Migration: Moving Victims Across the Border of Crime into the Domain of Human Rights' (2006) 12:2 *International Journal of Human Rights* 67
- McSherry, 'Trafficking in Persons: A Critical Analysis of the New Criminal Code Offences' (2007) 18 *Current Issues in Criminal Justice* 385
- McSherry and M Cullen, "The Criminal Justice Response to Trafficking in Persons: Practical Problems with Enforcement in the Asia-Pacific Region" (2007) 19(3) *Global Change, Peace & Security* 205-220
- Kneebone, 'The trafficking dialogue: women as agents, victims and refugees' in F Crepeau et al (eds) *La dynamique complexe des migrations internationales* (Presses de l'Universite de Montreal, 2009), (invited contribution)
- McSherry and M Cullen, 'Without Sex: Slavery, Trafficking and Exploitation of Labour in Australia' (2009) 34 *Alternative Law Journal* 4
- Kneebone and Debeljak, 'Combating transnational crime in the Greater Mekong Sub-Region – the cases of Lao PDR and Cambodia' to be published in Les Holmes (ed), *Trafficking and Forced Migration: Australian, European and Global Perspectives* (Edward Elgar, forthcoming 2009)
- Kneebone and Debeljak, Book proposal to Routledge: *Transnational Crime and Human Rights: A Case Study of Human Trafficking in the Greater Mekong Subregion* (2009)

## Conference Papers and Seminars

- McSherry and Kneebone, 'Trafficking in Women and Forced Migration: Moving Victims Across the Border of Crime into the Domain of Human Rights' (Presented at the 10<sup>th</sup> *International Association of the Study of Forced Migration Conference*, York University, Toronto June 2006)
- Kneebone, 'Australia's Response to the Trafficking of Women: Transnational Crime or Human Rights Protection' (Seminar Paper presented at the *Law Institute of Victoria*, Melbourne, 15 August 2006)
- Kneebone, 'Australia's Response to Trafficking Issues: Women as Agents, Refugees and Victims' (Seminar Paper presented at the *Centre for International Relations*, University of Montreal, Montreal, 15 September 2006 (available at: [www.cdim.cerium.ca/article3139.html](http://www.cdim.cerium.ca/article3139.html)))
- Debeljak, 'Background Paper on Australia's Responses to Trafficking in Humans', for GAATW Workshop, *Working Together to Prevent Human Trafficking*, Bangkok, Thailand, 13-16 November 2006
- Kneebone, 'Trafficking Crime and Migration: A Proportionate Response? Australia, Canada and the UK compared' (Presented at the Contemporary Europe Research Centre's *International Conference on Corruption, Organised Crime and Illegal Immigration*, Melbourne, 4-5 December 2006)
- McSherry, 'Australia's Criminal Justice Response to Trafficking and Slavery: Putting the Law into Practice' (Presented at the Contemporary Europe Research Centre's *International Conference on Corruption, Organised Crime and Illegal Immigration*, Melbourne, 4-5 December 2006)
- Debeljak and Kneebone, 'Regional Responses to Global Trafficking in the Greater Mekong Sub-Region: the cases of Laos PDR and Cambodia' (Presented at *Restoring the Rule of Law in International Affairs: the 15<sup>th</sup> Annual Australian New Zealand Society of International Law Conference*, Australian National University, Canberra, 28-30 June 2007)
- Kneebone, 'Australia's Legal and Policy Response to Trafficking for Sexual Services in the International Context' (Presented at the "National and Regional Responses to Trafficking: Lessons for a Global Response" Workshop at the *Metropolis Conference*, Melbourne, 9 October 2007)
- Kneebone, '457 Visas, Law and Policy: The global context and its importance for Australia' (Public Seminar presented at *Monash Research Week*, Monash University Law Chambers, Melbourne, 26 August 2008.
- Kneebone, 'Regional Responses to Trafficking in the Greater Mekong Sub-Region: Cambodia and Laos' (Presented at the *International Association of the Study of Forced Migration Conference*, Cairo January 2008)
- Kneebone, 'Researching Trafficking Issues – Australia's Response' (Presented at the *Inaugural Australian Trafficking Forum*, Anti-Slavery Project at the University of Technology Sydney, Sydney, 24 July 2008)
- Kneebone, 'Protection and victims of trafficking in the Greater Mekong Sub-region' (*International Association of the Study of Forced Migration Conference*, (IASFM 12) Cyprus 2009)

- Kneebone, ‘International Standards for the Protection of Migrant Workers’ (Presented at the Inaugural *Australian Labour Trafficking Forum*, Anti-Slavery Project at the University of Technology Sydney, Sydney, 14 July 2009)
- Kneebone, ‘Refugees, Crime and Security: The trafficking-refugee nexus’ (A paper prepared for the Refugees Futures Conference, 10-12 September 2009, Monash University Prato Centre)

## Events

- Launch of Report by the Global Alliance Against Traffic in Women, *Collateral Damage: The Impact of Anti-Trafficking Measures on Human Rights Around the World*, jointly hosted by the Castan Centre for Human Rights Law and World Vision Australia, Melbourne, 5 October 2007, with participation by Debeljak
- *Human Trafficking Forum: The Reality for Australia*, jointly hosted by the Castan Centre for Human Rights Law and the Law Institute of Victoria, Monash University Law Chambers, Melbourne, December 2007, with participation by Kneebone
- Kneebone, Convened a Workshop Session entitled “National and Regional Responses to Trafficking: Lessons for a Global Response”, at the *Metropolis Conference*, Melbourne, 9 October 2007
- Kneebone, Co-organiser of a panel on ‘Global Governance’ at the 12<sup>th</sup> *International Association of the Study of Forced Migration Conference*, Cyprus, Greece, June 2009, including presentations on trafficking issues
- Debeljak and Kneebone, Convened a one-day Workshop entitled *Legal and Criminal Justice Responses to Trafficking in Persons in Australia: Obstacles, Opportunities and Best Practice*, Melbourne, 9 November 2009

## Workshops, Roundtables, Forum Invitations, etc

- Debeljak, Participant, Australian Institute of Criminology, *Trafficking of Women for Sexual Purposes: Barriers to Reporting and Engaging with Victim Services*, Roundtable, Canberra, 28 July 2006
- Kneebone, ‘Australia’s Response to Trafficking Issues: Women as Agents, Refugees and Victims’ (Presentation to the Refugee Studies Centre, University of Oxford, Oxford, 14 October 2006)
- Debeljak, Participant, Global Alliance Against Trafficking in Women (“GAATW”) Workshop, *Working Together to Prevent Human Trafficking*, Bangkok, Thailand, 13-16 November 2006
- Debeljak, Kneebone and McSherry, hosting and presenting seminar papers at a *Trafficking Workshop*, Monash University, 11 December 2006
  - Debeljak, ‘Prevention of Trafficking’
  - Kneebone, ‘Trafficked Women and Refugee Protection’
  - McSherry, ‘Trafficking and Slavery Offences in Australia Compared’

- Debeljak and Kneebone, ‘Regional Responses to Global Trafficking in the Greater Mekong Sub-Region’ (Invited by Dr Robin Warner to presentation for the Masters of Law unit “Issues in Transnational Crime”, University of Melbourne Law School, Melbourne, 27 July 2007)
- Kneebone, ‘Researching Trafficking Issues in the Greater Mekong Sub-Region’ (Presentation to Research Matters Forum, Monash University Law Chambers, Melbourne, 20 August 2007)
- Debeljak and Kneebone, ‘Roundtable on Australia’s Response to Trafficking in Persons’ (Roundtable the Australian Government’s Inter-Departmental Committee on Trafficking in Persons, Canberra, 28 September 2007)
- Kneebone, ‘Australia’s Legal and Policy Response to Human Trafficking’ ( Address presented to the Immigration Legal Practitioners’ Association, London, June 2008)
- Kneebone, ‘Address on Trafficking’, (Invited Address to the Refugee Council UK, London, 9 June 2009)
- Debeljak, Participant, Australian Institute of Criminology, (*Non-Sex Industry*) *Labour Trafficking Forum*, Forum, Canberra, 18 June 2009
- Kneebone, ‘Trafficking of Humans: Relevance for Port Philip’ talk to Probus Club, Port Melbourne, 23 October 2009

### **Book and Scholarly reviews**

- Kneebone, “Review of Karen Beeks and Delila Amir (eds), *Trafficking and the Global Sex Industry*” in *Journal of Refugee Studies* (September 2007)
- Kneebone has reviewed a number of publications for scholarly journals

### **Parliamentary Inquiry and Submissions**

- Kneebone, Invited to give evidence at the “Inquiry into People Trafficking for Sex Work in Victoria”, Drugs and Crime Prevention Committee, Parliament of Victoria, 5 November 2009
- Debeljak, Invited to give evidence at the “Inquiry into People Trafficking for Sex Work in Victoria”, Drugs and Crime Prevention Committee, Parliament of Victoria, November 2009

### **Interviews and Meetings**

- Debeljak, Meetings with nine Stakeholders in Melbourne, Sydney and Canberra, August to September 2006
- Kneebone, Interviews with Stakeholders, Canada, September 2006
- Debeljak, Interviews with 14 governmental and non-governmental Stakeholders in Cambodia, 6-10 November 2006

- Kneebone, Interviews with Stakeholders, Geneva, November 2006.
- Debeljak and Kneebone, Interviews with 18 governmental and non-governmental Stakeholders in Thailand, 23-31 January 2007
- Debeljak and Kneebone, Interviews with 10 governmental and non-governmental Stakeholders in Cambodia, 1-3 February 2007
- Kneebone, Interviews with 16 governmental and non-governmental Stakeholders in Lao PDR, 5–9 February 2007
- Debeljak, Interviews with 6 governmental and non-governmental Stakeholders in Sydney, 1-2 May 2007
- Debeljak and/or Kneebone, Interviews with 5 governmental and non-governmental Stakeholders in Melbourne, from April 2007 onwards
- Debeljak and Kneebone, Interviews with 2 governmental and non-governmental Stakeholders in Canberra, 27-29 June 2007
- Kneebone, Interviews with 7 governmental and non-governmental Stakeholders in Thailand, November 2008
- Kneebone, Interviews with 11 governmental and non-governmental Stakeholders in Vietnam, November 2008

### **Additional Grants**

- Kneebone and Sallie Yea, Australian Research Council Linkage Grant, entitled *Delivering Effective Protection to Victims and Prevention of Human Trafficking in the Greater Mekong Sub-Region*, with three Collaborating Organisations: AusAID, the United Nations Intra-Agency Project on Human Trafficking in the Greater Mekong Sub-Region (UNIAP), and the International Organisation for Migration (IOM) (2009-2011).
- Kneebone, Australian Research Council Discovery Grant, entitled *Law, Governance and Regulation of the Intra-regional Labour Migration in South East Asia: An Agenda for Protection and Development* (2009-2011)
- Attorney-General's Department "Grants to Australian Organisations Program, 2009-2010", to run a Workshop entitled "*Legal and Criminal Justice Responses to Trafficking in Persons in Australia: Obstacles, Opportunities and Best Practice*" on 9 November 2009

### **Research Fellowships**

- Kneebone, Visiting Senior Research Fellow, Asia Research Institute at the National University of Singapore, 2010

### **Higher Degree by Research Students, Law Faculty, Monash University**

- Hoang Thi Tue Phuong, 'Trafficking in and from Vietnam' (PhD thesis)
- Sunil Rao, 'Trafficking of Children in India, Legal and Policy Framework' (LLM thesis)

### **Undergraduate Research\Honours Supervision**

- Amanda Davis-Geddes, 'Anti-trafficking discourse: human rights or state control?', Research Unit (8,000 words, 2007)
- Alana Smith 'The exploitation of migrant workers under the 457 scheme – Does their exploitation demonstrate that they are simply economic units of labour without human rights?', Honours Research Unit (2009)

### **Masters of Law Subjects**

- Kneebone, Developed a Masters of Law unit entitled "Forced migration", commenced in Semester 2, 2007