

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	774
Land:	Kina
Kilde:	US Department of State
Titel:	2024 Trafficking in Persons Report: Macau
Udgivet:	24. juni 2024
Optaget på baggrundsmaterialet:	4. juli 2024



Document #2111708

USDOS – US Department of State (Author)

2024 Trafficking in Persons Report: Macau

MACAU (Tier 3)

The Government of the Macau Special Administrative Region of the People's Republic of China (PRC) does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so, based on publicly available information; therefore Macau remained on Tier 3. The Government of Macau did not provide details about its efforts to counter trafficking during the covered period to inform this report's findings when offered the opportunity, similar to previous years. The government did take some steps to address trafficking, including investigating one potential trafficking case, initiating one trafficking prosecution, and training some officials. However, overall anti-trafficking law enforcement and victim protection efforts remained inadequate. The government did not report proactively screening vulnerable populations, such as individuals in commercial sex, for trafficking indicators; and the government has not reported identifying or providing services to any victims since 2022. According to the Macau government website, the government reported one "confirmed TIP case" in 2023, but the website provided no further details, and cited zero victims and zero suspects. The government has not convicted a trafficker since 2021 and has never identified a victim of forced labor exploited in Macau. The government reported no efforts to address the recruitment of victims from Macau into forced criminality in online scam operations, during the covered period.

PRIORITIZED RECOMMENDATIONS:

Significantly increase proactive victim identification, especially among vulnerable populations such as migrant workers and persons in commercial sex. * Significantly increase efforts to investigate, prosecute, and convict sex and labor traffickers, including those potentially operating

in casinos and other entertainment establishments, and seek adequate penalties for convicted traffickers, which should involve significant prison terms. * Ensure victims are referred to and receive appropriate services, including shelter and protection. * Provide anti-trafficking training to relevant government personnel, including to prosecutors and judges on the use of the trafficking law, ensuring an understanding that a victim's initial consent is not seen as evidence that trafficking did not occur. * Develop, approve, and implement an updated anti-trafficking action plan. * Extend labor law protections to include foreign domestic workers. * Take steps to eliminate recruitment or placement fees charged to workers by employment agencies in Macau and in their countries of origin including by ensuring any recruitment fees are paid by employers and coordinating with migrant workers' countries of origin.

PROSECUTION

The government maintained anti-trafficking law enforcement; however, efforts were inadequate. Article 153-A of the penal code criminalized sex trafficking and labor trafficking and prescribed penalties of three to 20 years' imprisonment, depending on the age of the victim. These penalties were sufficiently stringent and, with regard to sex trafficking, commensurate with those prescribed for other grave crimes, such as rape.

According to a Judiciary Police report, police investigated or prosecuted one trafficking case in 2023 but the status of the case was unclear, and initiated eight prosecutions for "manipulating others into prostitution;" however, it was not clear if these cases involved human trafficking as defined by international law. These figures are compared with one trafficking prosecution and six prosecutions for "manipulating others into prostitution" initiated in the previous year; the government's anti-trafficking website reported one case as in progress and separately noted one confirmed trafficking case in 2023, but it did not identify any victims or suspects. The same website does not report any identified victims or any tried or prosecuted persons for 2023 as of April 2024. The website also indicates the government has not convicted a trafficker since 2021.

Officials previously noted a victims' initial consent or "voluntary association" with a trafficker was sufficient evidence to prove a trafficking crime did not occur, which sometimes led to authorities pursuing trafficking cases as other crimes and weakened victim identification efforts. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking crimes; corruption and official complicity in trafficking crimes remained significant concerns, inhibiting law enforcement action during the year. Authorities did not provide updates on the cases involving two prison guards arrested in the previous reporting period for suspected involvement in a commercial sex syndicate or that of a gaming official for allegedly operating a website used to facilitate commercial sex acts.

According to the government's anti-trafficking website, it conducted more than 40 anti-trafficking-related trainings in 2023, primarily for police officers.

PROTECTION

The government maintained inadequate protection efforts. Authorities reported one confirmed trafficking case in 2023, but have not reported identifying, referring, or providing services to any victims since 2022 and the government has never identified labor trafficking victims exploited in Macau. Authorities had formal victim identification procedures, an operational referral process, and standardized screening questionnaires that could guide law enforcement, immigration, and social services personnel to screen individuals vulnerable to trafficking, including persons in commercial sex and migrant workers; however, the government did not report implementing these procedures in the covered period. For example, despite a media report indicating the government conducted numerous law enforcement actions against suspected commercial sex operations, including arresting individuals in commercial sex, the government neither reported screening these individuals for trafficking indicators nor identifying any sex trafficking victims. Due to this lack of proactive screening efforts, authorities likely detained or arrested some unidentified trafficking victims.

Although the government's victim referral process guided authorities to refer child victims to NGOs designated to assist child trafficking victims, the government did not report referring any victims to the designated shelters in the covered period. The government stated it could refer adult trafficking victims to other shelters, but officials did not report referring any adult victims. The social welfare bureau designated shelters for adult trafficking victims, and made medical care, financial assistance, counseling, legal assistance, and other services available for identified victims, but it did not report providing these services to any victims. The law permitted victims to seek compensation through civil courts or to obtain restitution in criminal proceedings, but the government did not report any victims receiving restitution or compensation in the covered period. The government did not report how much it allocated for victim protection services. The law permitted foreign victims to remain in Macau temporarily and seek employment while authorities pursued cases against traffickers. For cases in which a victim faced retribution or hardship in their home country, authorities reported a policy allowed for permanent residency on the basis of "well-founded humanitarian reasons," although the government did not report whether any victims benefited from this policy in the covered period.

PREVENTION

The government maintained the same level of trafficking prevention; however, efforts were inadequate. The interagency Human Trafficking Deterrent Measures Concern Committee, led by the security bureau,

coordinated Macau's anti-trafficking efforts, but the government did not report if the committee met or how much it allocated for its activities during the covered period. The government reported working with civil society to conduct on-the-job trainings, seminars, and events at local schools to raise awareness about trafficking and forced labor during the covered period. According to the Macau government's anti-trafficking website, the Labor Affairs Bureau held 33 sessions with various local associations on forced labor, and more than 50 talks organized at schools included discussion of human trafficking alongside other topics. The government had anti-trafficking pamphlets available in many languages at immigration counters as well as on the Macau government website; in previous years, the government reported disseminating television commercials, radio broadcasts, and online videos but did not report if these efforts continued through the covered period. The government operated and publicized a trafficking hotline, as well as a hotline for reporting labor exploitation, for the public and potential victims to seek assistance, but did not report initiating any investigations or identifying any victims based on calls to the hotlines in the covered period. Standard labor laws did not apply to domestic workers, and while there was a required minimum income threshold for employers to be able to sustain a monthly wage of at least 3,000 patacas (\$370), there was no minimum wage for foreign domestic workers, a situation which may have increased their vulnerability to trafficking. Macau law limited the amount of fees employment agencies could charge migrant workers to 50 percent of the first month's salary and prohibited withholding of workers' identity documents or other personal belongings. Violations were subject to a fine of 20,000 to 50,000 patacas (\$2,480-\$6,200) and license revocation; however, the government did not report identifying any violations. The Macau government's Labor Affairs Bureau did not publish figures for the number of labor disputes adjudicated in 2023. The Labor Affairs Bureau adjudicated 1,752 labor disputes in 2022, the last year for which data was available. According to the Labor Affairs Bureau, it carried out 145 labor inspections at 67 construction sites from January to October 2023. The Bureau also reported it conducted a total of 3,780 occupational safety and health (OSH) inspections at 1,339 construction sites, one OSH inspection at a hotel, and 13 OSH inspections at 10 commercial establishments from January to December 2023. The Labor Affairs Bureau did not report screening for or identifying any trafficking victims during these inspections. The government did not report that it provided anti-trafficking training to its diplomatic personnel in the covered period. The government did not report that it made efforts to reduce the demand for commercial sex acts during the covered period.

TRAFFICKING PROFILE:

As reported over the past five years, human traffickers exploit foreign victims in Macau, and traffickers may exploit victims from Macau abroad. Traffickers recruit victims, primarily from mainland PRC, Russia, and Southeast Asia, using false advertisements for jobs such as singing and

modeling or jobs in casinos in Macau. According to a dated media report, as of 2019, adult and child victims are exploited in sex trafficking in massage parlors, illegal brothels, nightclubs, entertainment establishments in casinos, hotels, and private homes where they are closely monitored, threatened with violence, forced to work long hours, and sometimes have their identity documents confiscated. Staff within some casinos and other entertainment establishments reportedly partnered with criminal networks to facilitate illegal commercial sex activities, which likely facilitated sex trafficking. Migrant construction and domestic workers, primarily from mainland PRC, Indonesia, and the Philippines, may be vulnerable to forced labor in Macau. Some employment agencies overcharge workers recruitment fees of approximately two to three months' salary, and withhold workers' passports, potentially leading to debt-based coercion. Some brokers bring migrant workers to Macau to renew work visas for other countries while restricting their movement and withholding their passports. Online scam operators in Southeast Asia may recruit and subsequently exploit Macau victims in forced labor.

ecoi.net description:

Macau: Annual report on trafficking in persons (covering April 2023 to March 2024)

Country:

China

Source:

[USDOS – US Department of State](#) (Author)

Published:

24 June 2024

Original link:

<https://www.state.gov/reports/2024-trafficking-in-persons-report/macau/>

Document type:

Periodical Report

Language:

English

Available on ecoi.net since:

2 July 2024

Document ID:

2111708

Austrian Red Cross
Austrian Centre for
Country of Origin and
Asylum Research and
Documentation
(ACCORD)

Wiedner Hauptstraße
32, 1041 Wien
T +43 1 589 00 583
F +43 1 589 00 589
info@ecoi.net

Contact
Imprint & Disclaimer
F.A.Q.
Data Protection Notice

ecoi.net is run by the Austrian Red Cross (department ACCORD) in cooperation with Informationsverbund Asyl & Migration. ecoi.net is funded by the Asylum, Migration and Integration Fund, the Austrian Ministry of the Interior and Caritas Austria. ecoi.net is supported by ECRE & UNHCR.

