

2nd National Anti-Money Laundering Conference

7 October, 2010
Holiday Inn, Suva, Fiji.

Topic: Human Trafficking

Speaker: Mr. Nemani Vuniwaqa

Organisation: Immigration Department

Position: Director

Conference Theme:
"Investigating Money Laundering"

Organized by: Fiji Financial Intelligence Unit





Trafficking In Persons and People Smuggling

Mr. Nemani Vuniwaqa

National Anti-Money Laundering Conference

07th October 2010



Overview Of Immigration Department

- Functions under the ambits of 2 Acts
 - Immigration Act
 - Passports Act
 - Citizenship of Fiji Decree # 23



Roles Of The Immigration Dept

- Border Control
 - Issuing of Visas and Exemptions
 - Issuing of Fiji Passports
- Citizenship Processing
 - Process applications and facilitate the acquiring of Fiji Citizenship through Registration and Naturalization
- Monitoring Investigation and Compliance
 - Law Enforcement
 - Enter and search premises and arrest



Roles Of The Immigration Dept

- Facilitation of Economic Growth
 - Processing and issuing of Permits and Exemptions
 - Long Term Permits
 - Short Term Permits
 - Student Permits
 - Permits to Reside
- Revenue Generation



TRAFFICKING IN PERSONS AND PEOPLE SMUGGLING



Trafficking & Smuggling

- **What is TRAFFICKING (involuntary)-Part 5 Imm. Act 2003**
 - *In Person*;
 - Recruitment, transportation, transfer, harbouring or receipt ...for exploitation (*Part 5, s17(c)-Immigration Act 2003*).
 - *Trafficked person*; subject to trafficking in persons
- **What is SMUGGLING (voluntary)- Part 5 Imm. Act 2003**
 - Arranging or assisting of an unauthorised migrant's illegal entry into any country (*Part 5,s17(c)-Immigration Act 2003*).

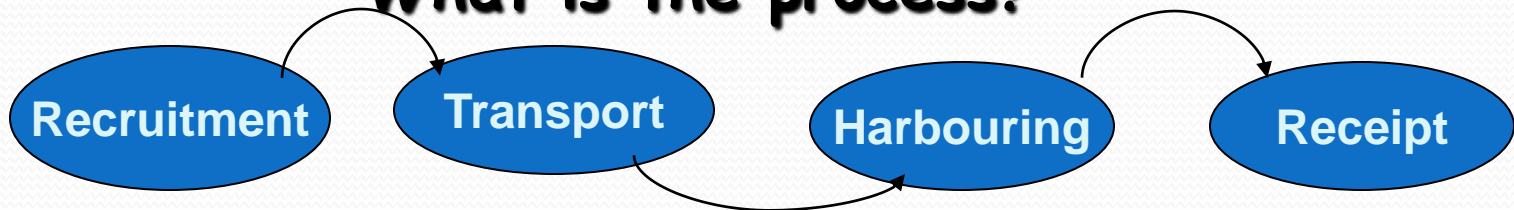


Difference - Trafficking and Smuggling

- **Exploitation**
- **Smuggling** ends with the arrival of the migrants at their destination,
- *whereas*
- **Trafficking** involves the ongoing exploitation of the victims in some manner to generate illicit profits for the traffickers

Definition of Trafficking

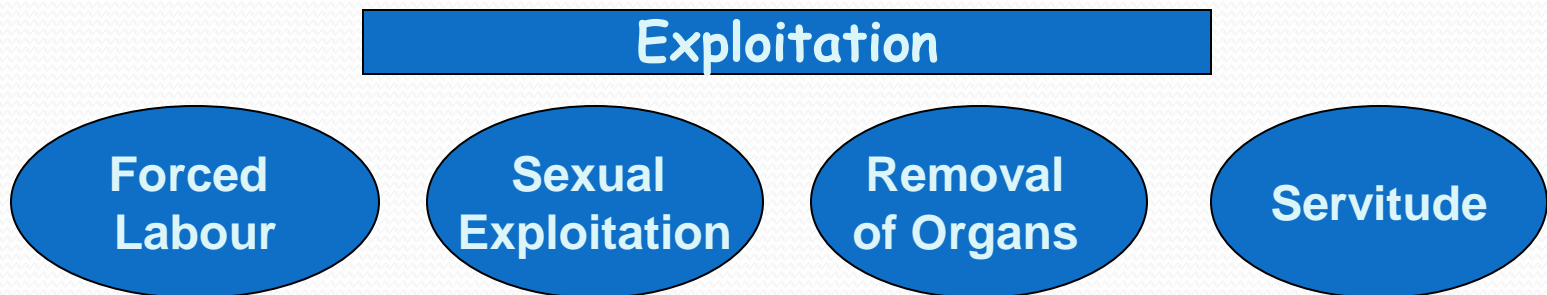
What is the process?



What are the means ?



What are the objectives?





TRAFFICKING IN PERSONS AND PEOPLE SMUGGLING IN FIJI



Ongoing Cases

- September 2009 - 13 Indian Nationals
 - False promise
- July 2010 - 01 Chinese National
 - Business deal
- September 2010 - 04 Chinese Nationals
 - Fraudulent Travel Document
- September 2010 - 08 Indian Nationals
 - Fraudulent document
- September 2010 - 01 Indian National
 - NZPTC



13 Indian Nationals

- 10th September 2009
 - Promise of passage to NZ and Australia
 - Illegal Movement of Travel Documents
 - Money – US\$20,000
 - Agent arrange travel
 - Victims testified in court and returned to India



Huang Wenrong

- 15th July 2010
 - Promise of passage to NZ and Australia
 - Illegal Movement of Travel Documents
 - Money – US\$20,000
 - Agent arrange travel
 - Victims testified in court and returned to India



04 Chinese Nationals

- 03rd September 2010
 - Promise of passage to US
 - Facilitation of Fraudulent Travel Documents
 - Money – US\$30,000
 - Agent overseas and local
 - Police and DOI conducting Investigations



08 Indian Nationals

- 10th September 2010
 - Promise of passage to NZ
 - Insufficient documents at the Border
 - Promise of employment and residence
 - Money – US\$4,300
 - Agent with the group
 - Police and DOI conducting Investigations



01 Indian National

- 29th September 2010
 - Student at NZPTC
 - Promise of passage to NZ and Australia
 - Promise of employment and residence
 - Money – US\$10,400
 - Agent - overseas and local
 - Police and DOI conducting Investigations



Challenges

- Proper documentation and information
- A better safe house
- Funds for Victim Support
- A legal unit within the DOI
- Prosecute the overseas agent
- Translator(s)
- Awareness/Training
- Coordination/Liaison at all levels



Trend for Across Border Cases

- Cash Involved
- Always and agent overseas
- Money is paid as deposit overseas
- False promise
- Agent claims



National Action Plan

- Establishment of a Human Trafficking/Smuggling Unit
- Two consultative meetings
 - 09th June 2010
 - 30th August 2010
- The proposed action plan will focus on four central elements:
 - Prevention
 - Detection and investigation
 - Criminal Prosecution
 - Victim support and rehabilitation
- Endorsed by Cabinet – End of October 2010



VINAKA VAKALEVU



Summary Handout

SUMMARY REPORT FOR PROCEEDS FOR HUMAN TRAFFICKING & HUMAN SMUGGLING

CASE	TYPE	VALUE	TYPES OF PROCEEDS GENERATED	HOW WAS IT USED	ACTIONS TAKEN	CHALLENGERS
13 Indian nationals	<ul style="list-style-type: none"> • Money • Illegal movement of Travel Documents • Promise of passage to NZ and Australia in Fiji 	<ul style="list-style-type: none"> • (US) \$ 20,000.00 	<ul style="list-style-type: none"> • ½ the money paid to agent who made arrangement for the travel. 	<ul style="list-style-type: none"> • Pay for travel expenses of victim 	<ul style="list-style-type: none"> • Statements were produced in court and victims have return to home country. Due to technicality the defence applied for a retrial and we were unable to obtain information from witness 	<ul style="list-style-type: none"> • Funding for victim support. • Need for training of team • Need of a legal section & a proper safe house • Need for translator • Need for proper documentation and information sharing
Huang Wenrong	<ul style="list-style-type: none"> • Money • Own business 	<ul style="list-style-type: none"> • (US) \$ 8000.00 • \$ 30,000.00 for equipment & cosmetics 	<ul style="list-style-type: none"> • ½ the money was paid to agents husband at China 	<ul style="list-style-type: none"> • Pay for travel deposit, immigration visa and bond 	<ul style="list-style-type: none"> • Case is still with Police Trafficking Unit • DOI has issued a Special Purpose Permit to the Victim to assist with investigation 	<ul style="list-style-type: none"> • Funding for victim support. • Need for training of team • Need of a legal section & a proper safe house • Need for translator • Need for proper documentation and information sharing
4 Chinese national	<ul style="list-style-type: none"> • Money • Promise of passage through to NZ & Australia 	<ul style="list-style-type: none"> • \$ (US)30000.00 	<ul style="list-style-type: none"> • Part of the money was paid to agent in China 	<ul style="list-style-type: none"> • Pay travel & deposit 	<ul style="list-style-type: none"> • Case is still with Police Trafficking Unit • DOI (trafficking team) is closely working with Police team. 	<ul style="list-style-type: none"> • Funding for victim support. • Need for training of team • Need of a legal section & a proper safe house • Need for translator • Need for proper documentation and information sharing



Summary Handout

<p>8 Indian national</p>	<ul style="list-style-type: none"> • Money • Promise of passage through to NZ & Australia • Promise of employment & residence 	<p>(US) \$ 4,300.00</p> <p>All properties of victims are been mortgage for loan</p>	<p>Part of the money was paid to agent in India. The advertisement for the trip was by word of mouth.</p>	<p>Pay travel & deposit</p>	<ul style="list-style-type: none"> • Case is still with Police Trafficking Unit • DOI (trafficking team) is closely working with Police Department Trafficking team. 	<ul style="list-style-type: none"> • Funding for victim support. • Need for training of team • Need of a legal section & a proper safe house • Need for translator • Need for proper documentation and information sharing
<p>NZPTC</p>	<ul style="list-style-type: none"> • Money • Promise of passage through to NZ & Australia • Education at NZ & Aust. • Learn English language 	<p>(US) \$ 10,400.00</p>	<p>Part of the money was paid to agent in India.</p>	<p>Pay for travel deposit, immigration visa and bond</p>	<ul style="list-style-type: none"> • Case is still with Police Trafficking Unit • DOI (trafficking team) is closely working with Police Department Trafficking team. 	<ul style="list-style-type: none"> • Funding for victim support. • Need for training of team • Need of a legal section & a proper safe house • Need for translator • Need for proper documentation and information sharing