

PROFESSOR FELICITY GERRY QC - HUMAN TRAFFICKING INFO SHEET

UN Protocol can be read [here](#).

International law imposes obligations on signatory states to combat human trafficking and to protect victims. These obligations are contained within the following international instruments:

Slavery Convention;

Forced Labour Convention;

Convention Against Transnational Organized Crime;

Protocol to Prevent, Suppress and Punish Trafficking in Persons, Particularly Women and Children.

What is Human Trafficking?

The international objective is to protect and assist the victims of trafficking in persons with full respect for their human rights and the context is not limited. The U.N. Trafficking Protocol ('The Protocol') to the UN Convention on Transnational Organised Crime defines human trafficking widely to include slavery and slavery-like practices. It plainly envisages that crime can be committed as a direct consequence of or having a nexus with human trafficking. It is described by UNODC as 'the first global legally binding instrument with an agreed definition on trafficking in persons'. The intention is "to facilitate convergence in national approaches with regard to the establishment of domestic criminal offences that would support efficient international cooperation in investigating and prosecuting trafficking in persons cases. The Protocol avoided separate definitions of slavery or forced labour or sexual exploitation which could inhibit legal and policy responses. The ILO Committee of Experts on the Application of Conventions and Recommendations ('CEACR') has provided guidance on the scope of the definition of forced labour, stressing that it encompasses trafficking in persons for the purposes of labour and sexual exploitation as defined by the Protocol.

Professor Felicity Gerry QC has published numerous articles on the topic of human trafficking including in the context of the death penalty, corporate financial reporting and data and privacy rights of victims. She is a contributing author to *Modern Slavery and Human Trafficking Law and Practice*, Bloomsbury (2018) and *Human Trafficking: Emerging Legal Issues and Applications*, Lawyers & Judges Publishing Company (2017). Her current PhD candidature looks at *Using Technology to Combat Human Trafficking*.

She has a long history of dealing with cases involving trafficked victims including assisting lawyers in the Philippines for Mary Jane Veloso who was reprieved from execution in Indonesia whilst her status as a human trafficking victim in the drug trade is investigated. Felicity's role was the subject of ABC Foreign Correspondent's documentary *Saving Mary Jane* and she received a Charles Darwin University Ryan Family Award for commitment to excellence and outstanding results in research for her international research on the matter. She has provided training to the Commonwealth Parliamentary Association as part of The Modern Slavery Project which is a two year

multilateral project providing practical advice and support to Commonwealth legislatures in the pursuit of combatting modern slavery and she is leading a Project for ICJV on defences for Human Trafficking Victims. In 2017 she delivered a keynote address at the International Bar Association Conference on the issues of global corporate responsibility that arise from the UN commitment to transformative change.

Felicity Gerry
Human
Trafficking Bio

Felicity's
Human
Trafficking
Publications

Research Handbook on The Future of Feminist Engagement with International Law (2019) : Transnational Feminisms in Court: Tackling the wicked problem of women's invisibility in criminal justice

Modern Slavery and Human Trafficking Law and Practice 2018 (contributor)
Bloomsbury. Law and Practice

Vulnerability in Justice Systems 2017 OUP: Cooper P., Gerry F., Chapter 6 on defences and vulnerability.

Human Trafficking: Emerging Legal Issues and Applications. Edited by Nora M. Cronin and Kimberly A. Ellis. Lawyers & Judges Publishing Company, Inc 2017.

Gerry F., Sherwill N., Human Trafficking, Drug Trafficking and the Death Penalty Indonesia Law Review (2016) 3: 265-282

GERRY QC, F, HARRÉ, T., NAIBAH, N., MURASZKIEWICZ, J. and BOISTER, N. (2016) 'Is the Law an Ass When It Comes to Mules? How Indonesia Can Lead a New Global Approach to Treating Drug Traffickers as Human Trafficked Victims', Asian Journal of International Law 2016, pp. 1-23.

Gerry, F., Let's talk about Slaves...Human Trafficking: Exposing hidden victims and criminal profit and how lawyers can help end a global epidemic (2015) 1 Griffith Journal of Law and Human Dignity 1.

Gerry, F., Sjölin, C., Achieving gender equality through uniformity, extra territoriality and corporate responsibility" Law Regulations and Public Policy, Singapore 4th International Conference Proceeding.

Gerry, Muraszkiwicz, Ianelli The drive for virtual (online) courts and the failure to consider obligations to combat human trafficking – A short note of concern on identification, protection and privacy of victims Computer Law & Security Review Volume 34, Issue 4, August 2018, Pages 912-91

Gerry F., Muraszkiwicz J., Vavoula N., The role of technology in the fight against human trafficking: reflections on privacy and data protection concerns Computer Law & Security Review 32 (2 0 1 6) 2015-217

Gerry, F., "Data Uses to Combat Human Rights Abuses" IEEE Technology & Society Magazine Refereed Viewpoint

Felicity's
Human
Trafficking
Media &
Campaigning

Frost over the world – [click to view](#)

Saving Mary Jane Veloso - [click to view](#)

ABC on Mary Jane Veloso - [click to view](#)

Times article, 'Human trafficking victims should not be charged with murder' [click to read](#)

Times article, May 2018 [here](#)



Felicity on Technology & Law - [click here](#)



Felicity on Women & Law - [click here](#)



Felicity on Reforming Justice Systems - [click here](#)

Felicity's
Human
Trafficking
Training
& Teaching

2019 Victorian Women Lawyers CPD – The Modern Slavery Act and corporate responsibility

2019 Doogue and George CPD - Defences for Human Trafficking Victims who Commit Crime

2018 LegalWise Seminars, Melbourne – Defences for Human Trafficking Victims who Commit Crime

2017: Commonwealth Parliamentary Association training as part of the The Modern Slavery Project which is a two year multilateral project providing practical advice and support to Commonwealth legislatures in the pursuit of combatting modern slavery

2017: Delivering section of Bangladesh Judiciary Management Project and Research Program on Terrorism, Money Laundering, Issues in International Law and Links between Financing Organizations and Trans-national Crime (including illegal wildlife trade)

2016 International Criminal Law Congress: Human Trafficking, Drug Trafficking and the Death Penalty

2016 International expert meeting: Future of Women in International Law, Griffith University

2016 2nd Law Scholar's Writing Colloquium, Universitas Indonesia. Paper chosen as Editor's Choice for Indonesian Law Review. Human Trafficking, Drug Trafficking and the Death Penalty.