



# General Assembly

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## Human Rights Council

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Agenda item 3

**Promotion and protection of all human rights, civil,  
political, economic, social and cultural rights,  
including the right to development**

### **Report of the Special Rapporteur on trafficking in persons, especially women and children, Ms. Joy Ngozi Ezeilo**

**Addendum**

**Mission to Australia: comments by the State on the report of the  
Special Rapporteur\***

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\* Reproduced as received.

## **Australia's proposed amendments to the report of the Special Rapporteur on trafficking in persons, especially women and children**

1. Human trafficking, sexual servitude and slavery are heinous crimes and serious violations of human rights. Since 2003, the Australian Government has had a comprehensive whole-of-government strategy in place to combat human trafficking in all its forms, including for sexual and labour exploitation. The measures under this strategy, to which the Australian Government has committed more than \$A100 million to address the full cycle of trafficking from recruitment to repatriation, reflect the four central pillars of Australia's anti-trafficking strategy: prevention; detection and investigation; prosecution; and victim support and protection.

2. While Australia is a destination country for trafficking victims, due to our geographical isolation and strong border controls the number of people trafficked into Australia each year is very low compared with other countries in the Asia-Pacific region. Though the majority of identified victims have been women trafficked for the purposes of exploitation in the sex industry, cases of trafficking for labour exploitation are increasingly being identified. Since 2004, authorities have identified 191 suspected victims of trafficking in Australia (as at 15 March 2012).

3. Australia's response to human trafficking reflects our obligations as a party to the *United Nations Convention against Transnational Organized Crime* (UNTOC) since 2004 and its supplementary *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children* since 2005.

4. Australia has strong anti-trafficking laws with severe penalties, including offences relating to slavery and human trafficking into, and from, Australia for exploitation, sexual services or activities involving debt bondage or confiscation of travel documents. The offences are not limited to trafficking that involves sexual slavery or sexual servitude. Additional offences apply for trafficking within Australia and specific offences apply to trafficking in children. Maximum penalties range from 12 months' imprisonment for debt bondage, to 25 years' imprisonment for slavery and trafficking in children. The Australian Government is currently considering legislative reform to ensure that the broadest range of exploitative behaviour is captured and criminalised, including by introducing new offences of forced labour and forced marriage.

5. The Australian Federal Police (AFP) has dedicated officers targeting human trafficking. Since 2004 the AFP's Human Trafficking Team has carried out more than 320 investigations into allegations of trafficking-related offences, resulting in 14 convictions (as at 15 March 2012).

6. The Australian Government provides comprehensive assistance for suspected trafficking victims through its Support for Trafficked People Program (Support Program) which helps clients to meet their basic needs of safety, food, accommodation, and mental and physical health and well-being. It also provides opportunities for clients to learn skills and to support themselves after they leave the Support Program, whether returning home or staying in Australia.

7. Australia also has in place a People Trafficking Visa Framework (Visa Framework) which enables people who are suspected victims of trafficking to remain lawfully in Australia if they do not already hold a valid visa. The Visa Framework includes a visa that allows trafficking victims and immediate family members to stay in Australia permanently if the victim has assisted with an investigation or prosecution of an offender and if the victim would be in danger if returned to their home country.

8. Australia has taken an active role in international efforts to combat human trafficking, including as Co-Chair of the Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime. The Australian Government, primarily through AusAID, funds a number of specific activities to combat human trafficking in the South East Asian region, and addresses violence against women and children. In 2011-12, Australia will provide \$A4.8 billion in international development assistance, mainly in the Asia-Pacific region, to help reduce poverty and promote sustainable development, which reduces people's vulnerability to trafficking and sexual and labour exploitation. Targeted initiatives to combat human trafficking include the Asia Regional Trafficking in Persons Project (ARTIP) which works to strengthen law enforcement, judicial and prosecutorial responses to trafficking, and to improve policy, law, research and outreach.

9. Human trafficking and slavery are complex crimes and government action is only part of the solution. The Australian Government is committed to building strong partnerships with the not-for-profit sector. In 2008, the Government established the National Roundtable on People Trafficking as a consultative mechanism between Government and non-government organisations (NGOs) on trafficking issues. Since then, the Australian Government has provided \$A2.4 million to assist four Australian NGOs to provide vital outreach for trafficking victims and to conduct education and awareness initiatives on human trafficking. The Government has also allocated almost \$A500,000 to two NGOs, two union bodies and an industry association to carry out similar work to combat labour trafficking and forced labour in susceptible industries. The Australian Government also funds a range of projects in other countries delivered by NGOs, including World Vision, Save the Children and Child Fund, to prevent human trafficking and labour exploitation, assist victims and promote child rights and child protection.

10. The Australian Government is committed to working with other Australian governments including State and Territory governments, as well as foreign governments, international organisations (such as the United Nations), and domestic and international NGOs to prevent human trafficking, prosecute the perpetrators and protect and support victims.

11. The Australian Government was pleased to welcome the Special Rapporteur to Australia in November 2011 and looks forward to the continuation of the strong partnership with the Special Rapporteur.

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