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## UNICEF UK BRIEFING

### SUBMISSION TO THE JOINT STANDING COMMITTEE ON FOREIGN AFFAIRS, DEFENCE AND TRADE FOR THE INQUIRY INTO ESTABLISHING A MODERN SLAVERY ACT IN AUSTRALIA

MAY 2017

**UNICEF UK welcomes the Inquiry and strongly encourages Australia to adopt a comprehensive legislative response to end modern slavery in all its forms.**

#### INTRODUCTION

UNICEF UK is submitting to this inquiry to share our experience and analysis of modern slavery and human trafficking legislation (and implementation) across the UK, with regard to the protection and support of children. It focuses principally on two aspects of the Inquiry's Terms of Reference: provisions in the UK's legislation which have proven effective in addressing modern slavery, and whether similar or improved measures should be introduced in Australia; and whether a Modern Slavery Act should be introduced in Australia. It also looks at what measures a new Australian law might usefully contain.

This submission has been developed in collaboration with UNICEF Australia, and we refer the Standing Committee to UNICEF Australia's submission on good practice in business regulation and on transparency in supply chains. UNICEF UK is a member of the UK Anti-Trafficking Monitoring Group, which has also submitted to this Inquiry.

#### SUMMARY OVERVIEW OF UK LEGISLATION

In 2015 the Modern Slavery Act, the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland), and the Human Trafficking and Exploitation (Scotland) Act entered into force. These acts were important milestones aimed at preventing modern slavery and protecting victims. The legislation consolidated existing offences of human trafficking and created new offences of modern slavery, gave new powers to law enforcement agencies, increased sentences, established the first Independent Anti-Slavery Commissioner and introduced a range of measures to protect victims. The legislation has provided a strong impetus that has strengthened efforts to tackle modern slavery domestically and at the global level.<sup>1</sup>

Nevertheless, the legislation, in particular the Modern Slavery Act, does not go far enough in protecting victims of modern slavery and contains some provisions that fall short of important international standards (such as the non-punishment provision). This is in part because the Modern Slavery Bill was originally envisaged and drafted as a criminal justice bill. It was only during early consultations that a

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<sup>1</sup> For an assessment of the early impact by the Modern Slavery Act see report by Caroline Haughey <https://www.gov.uk/government/publications/modern-slavery-act-2015-review-one-year-on>



number of victim protection measures were added. Although the Prime Minister has described modern slavery as a major human rights abuse, the legislation does not consistently follow a human rights-based approach in any systematic way.

Arguably, one of the major flaws of the Modern Slavery Act is that it simply consolidates all the existing offences of various forms of human trafficking into a single act, rather than aligning the definitions of modern slavery with international human rights law, in particular the UN Trafficking Protocol.

Specifically:

- ) the Act contains a narrow definition of human trafficking where “travel” is a strong element of “action”
- ) the definition of human trafficking offence makes “means” irrelevant for adults as well as children
- ) there is no definition of child labour in line with the relevant ILO Conventions.

These shortcomings have been causing problems in implementation. For example, because of the narrow definition of human trafficking, some instances of exploitation where travel is not obvious are not being identified and referred into the National Referral Mechanism. The lack of means and absence of a separate child labour definition also risks cases of child exploitation being missed.

Finally, there was no strong coherence within the UK when developing the three 2015 acts, which has led to slightly different offences and protective measures in place in different jurisdictions in the UK. For instance, in Scotland, potential victims are referred into the National Referral Mechanism just for human trafficking but not for modern slavery in its other forms.

Nevertheless, the three acts have introduced several new protection measures which have the potential to benefit children, including:

- ) the creation of an Independent Anti-Slavery Commissioner
- ) the establishment of guardianship or advocate systems in England and Wales, and Northern Ireland, and a statutory basis for the existing system in Scotland.
- ) a presumption of age for child victims
- ) further protections against inappropriate prosecution of victims, including statutory defences in England/Wales and Northern Ireland (though with some significant qualifications), and a presumption against prosecution in Scotland (see below for further detail).

The UN Committee on the Rights of the Child welcomed the new legislation and the introduction of an independent statutory guardian for all unaccompanied children in Northern Ireland and Scotland, and for all potential child victims of trafficking in England and Wales. However, the Committee has expressed its concern that child victims can still be prosecuted for the crimes that they are forced to commit in the context of trafficking, and that the right to a statutory guardian for child victims of trafficking has not been fully operationalised.<sup>2</sup>

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<sup>2</sup> UN Committee on the Rights of the Child (2016), *Concluding observations on the fifth periodic report of the United Kingdom of Great Britain and Northern Ireland*, CRC/C/GBR/CO/5

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## RECOMMENDATIONS

The Australian legislation should adopt a clear human rights-based approach. The law should transpose the 3Ps approach - Prevention, Punishment and Protection – as the most effective and integrated way to tackle the crime of modern slavery. In order to ensure that the proposed legislation will improve the protection of children and support their reintegration and recovery, a full child rights impact assessment should be conducted at the earliest possible stage in order to develop the legislation.<sup>3</sup>

Specifically, we urge that an Australian modern slavery act:

- ) updates existing definitions of all forms of modern slavery in line with evolving international law
- ) is underpinned by a human rights and victim-centred approach
- ) is driven by the principles of protection and respect for children's rights
- ) contains specific protection measures including early identification of child victims and a statutory duty to refer immediately into the National Referral Mechanism; appointment of a guardian; presumption of age; improved reflection and recovery period and support; and strengthened measures to implement the non-punishment principle for victims.

## LEGAL DEFINITIONS

We understand that Australia has legislation on human trafficking but a new law is being considered under this Inquiry that would cover all forms of modern slavery. This should be used to strengthen Australia's overall response to exploitation.<sup>4</sup>

The issue of legal definitions is important to be revisited at this moment as modern slavery is an umbrella concept and a very complex category encompassing a wide range of exploitative practices. Furthermore, when it comes to human trafficking the definition from the UN Trafficking Protocol has been progressively developed in international law and through national legislation since it was drafted. As Dr Gallagher elaborated in her submission to your Committee's inquiry in 2014:

*"It was previously assumed that 'movement' was an essential aspect of the definition of trafficking in persons – that trafficking was essentially the process by which individuals were moved into situations of exploitation. However, international law and the overwhelming majority of national laws support a broader understanding of the term whereby any 'action' (including receiving and harbouring a person) for 'purposes' of exploitation, made possible through the use of 'means' such as coercion and deception, constitutes trafficking."*<sup>5</sup>

As elaborated by UNICEF Australia, the concepts of child labour, the worst forms of child labour and hazardous work performed by children are very precisely defined in international law and are different to the concept of 'forced labour'. It is important that any new legislation in Australia considers how best

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<sup>3</sup> In line with the UN Committee on the Rights of the Child (2003), *General comment 5: General measures of implementation of the Convention on the Rights of the Child*, CRC/GC/2003/5; paragraph 45

<sup>4</sup> The 2016 Trafficking in Persons Report by the US State Department noted that "For the second year, the (Australian) Government did not obtain any convictions under the trafficking provisions in the criminal code".  
<https://www.state.gov/j/tip/rls/tiprpt/countries/2016/258716.htm>

<sup>5</sup> Dr Anne Gallagher AO, *Submission 39*, p. 3.

[http://www.apf.gov.au/Parliamentary\\_Business/Committees/House\\_of\\_Representatives\\_Committees?url=jfadt/slavery\\_people\\_trafficking/report.htm](http://www.apf.gov.au/Parliamentary_Business/Committees/House_of_Representatives_Committees?url=jfadt/slavery_people_trafficking/report.htm)

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to reflect these differences to ensure that the protections for children reflect the real situations in which children find themselves.

## HUMAN RIGHTS AND VICTIM BASED APPROACH

Modern slavery is a violation of human rights and a crime and should be explicitly defined as such in national legislation. Under international human rights law States have a legal responsibility to respect, protect and fulfil the rights of all persons within their territory and subject to their jurisdiction.

A human rights-based approach puts the human rights of victims of modern slavery at the centre of all efforts to prevent and combat modern slavery in all its forms and to protect, assist and provide redress to victims. This includes that victims of modern slavery should first and foremost be seen as rights holders, and not as merely instrumental to investigations or prosecutions. Although the prosecution of perpetrators is vital, a human rights-based approach puts equal emphasis on addressing the protection needs of modern slavery victims, outside and beyond criminal investigation, by recognizing the right to an adequate and effective remedy. This principle is implicitly recognised in Article 14 of the UN Trafficking Protocol, which states that nothing in the Protocol shall affect the responsibilities of States under international law, including international humanitarian law and international human rights law.

A human rights-based approach ensures that responses<sup>6</sup>:

- ) aim to change the conditions that give rise to modern and the (sexual) exploitation of human beings under forced labour or slavery-like conditions;
- ) stop the abuse and investigate, prosecute and punish the perpetrators;
- ) provide adequate and effective remedies to victims of modern slavery.

A human rights based approach also ensures that measures to combat human trafficking and modern slavery do not adversely affect *inter alia* the right to international protection of refugees and asylum-seekers, the special rights of children, in particular unaccompanied and separated children, the rights of stateless persons, or the rights of persons with disabilities and other vulnerable groups. It is vital that a full Child Rights Impact Assessment is produced, as part of the Statement of Compatibility with Human Rights, when an Australian modern slavery act is being drafted to make sure that best protection system of measures is laid out.

## PROTECTION OF CHILDREN AND RESPECT FOR THEIR RIGHTS

All actions undertaken in relation to child victims and children at risk should be guided by the applicable human rights standards, in particular the principles of protection and respect for children's rights as set out in the 1989 UN Convention on the Rights of the Child (hereafter CRC) and in its Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography (hereafter OPSC). Child victims are entitled to special protection measures, irrespective of their legal status both as victims and as children, in accordance with their special rights and needs. In all actions concerning children at risk and child victims, the best interest of the child shall be a primary consideration. Article 3 OPSC requires ratifying States to prohibit forms of abuse associated with trafficking, whether they are "committed domestically or trans-nationally or on an individual or organised basis."

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<sup>6</sup> *Prevent. Combat. Protect - Human Trafficking - Joint UN Commentary (2011)*



Although the UN Trafficking Protocol does not directly refer to the best interests principle, it is identified as the appropriate standard in the *Legislative Guide* in relation to decisions concerning family tracing and reunification and repatriation of children.<sup>7</sup> According to the body established to make recommendations on the effective implementation of the Protocol, “States parties should [...] ensure that responses to child trafficking at all levels are always based on the best interests of the child.”<sup>8</sup>

**The following measures should be established on a statutory basis to enable full respect for child victims’ rights.**

### **Early identification and referral**

Failure to identify child victims quickly and accurately renders any rights granted to children “purely theoretical and illusory”.<sup>9</sup> Whereas the identification of victims of modern slavery in general is a complicated process, identifying children who are victims is often even more challenging. The UNICEF reference guide on protecting the rights of child victims in Europe provides guidance in this respect.<sup>10</sup>

The timely identification of victims and persons at risk of being victims of modern slavery, their referral to assistance services and protection as well as their access to adequate legal assistance beyond criminal investigation and proceedings relies on the multi-disciplinary skills and co-operation of those officials and non-governmental actors likely to come into contact with (potential) victims. The establishment of co-operation mechanisms among the various actors, including through capacity building and training are key to improving the identification of trafficked persons.

The Modern Slavery Act 2015 has envisaged that the Secretary of State must issue guidance about identification of victims of slavery or human trafficking, and arrangements for providing assistance and support to persons believed on reasonable grounds to be victims of slavery or human trafficking. It is positive that there is such a statutory duty – a new, more comprehensive guidance on identification and support of victims of modern slavery is being drafted.

There is a UK-wide National Referral Mechanism for identification of victims which is currently being reformed.<sup>11</sup> The main weakness of the current model is that it does not take a multi-agency approach and instead relies only on the Modern Slavery and Human Trafficking Centre and UK Visas and Immigration (UKVI) as the Competent Authorities. The UK Government has recognised that there is an issue with a potential conflict of interest that UKVI’s involvement entails in relation to non-British victims. It is essential that multi-agency structures are in place to identify and support trafficked children given the complexity of their immediate and ongoing needs. The best models in the UK are embodied through local Multi-Agency Safeguarding Hubs.

**UNICEF UK strongly encourages the Australian Government to adopt a formal collaborative and multi-agency framework for identifying victims of modern slavery. It must be firmly embedded in the child protection system. The identification of a potential child trafficking victim should trigger a child protection response, ensuring the child’s best interests and safety are paramount.**

<sup>7</sup> UNODC, 169 Legislative Guide to the UN Trafficking Protocol, Part 2, paras 66 & 67

<sup>8</sup> Conference of the Parties to the United Nations Convention against Transnational Organized Crime, Working Group on 170 Trafficking in Persons, CTOC/COP/WG.4/2009/2, 21 April 2009, para. 13(h).

<sup>9</sup> Council of Europe, Explanatory Report on the Council of Europe Convention on Action against Trafficking in Human Beings, para. 131

<sup>10</sup> UNICEF, Reference Guide on protecting the rights of child victims in Europe, p. 43

[https://www.unicef.org/ceecis/UNICEF\\_Child\\_Trafficking\\_low.pdf](https://www.unicef.org/ceecis/UNICEF_Child_Trafficking_low.pdf)

<sup>11</sup> See its review and proposals for reform: <https://www.gov.uk/government/publications/review-of-the-national-referral-mechanism-for-victims-of-human-trafficking>



### **Presumption of age**

Section 51 of the Modern Slavery Act stipulates that in cases where the public authority is not certain of the person's age but has reasonable grounds to believe that the person may be under 18 and is a victim of trafficking, the public authority must assume for the purposes of providing assistance and support that the person is under 18. The Scottish Act also contains the presumption of age but not the Northern Ireland Act. UNICEF UK supports this approach. The statutory presumption of age provision is a positive development in principle that should offer important protections to children.

Children are entitled to additional protections given their specific rights, vulnerabilities and needs. This makes the identification of child victims crucial. However, it is not always apparent what the age of a (potential) victim is. For example they may be travelling under travel and identification documents that falsify their date of birth. For this reason, the provision under section 51 is important in as it grants the person immediate access to assistance, support and protection pending further investigations where there is any doubt.

Despite this statutory provision, in practice child victims of modern slavery are frequently age-disputed because they have been given false documents, or were forced to lie about their age, by their traffickers. Children whose age is disputed by a local authority are put at heightened risk of re-trafficking, exploitation or serious harm, particularly if they find themselves detained with adults, homeless or placed in adult accommodation and unable to access the services they need.

**UNICEF UK encourages the Australian Government to include a statutory presumption of age in a modern slavery act. If the person is age disputed, they should be presumed to be a child (and immediately assigned a guardian) until full and final determination of their age.**

### **Appointment of a guardian**

Section 48 of the Modern Slavery Act provides for "independent child trafficking advocates" to be established in England and Wales to represent and support children where there are reasonable grounds to believe they may be victims of modern slavery. A person appointed as an independent child trafficking advocate for a child must promote the child's well-being and act in the child's best interests.

The Northern Ireland Act envisages a guardian for all unaccompanied and separated migrant children (i.e. asylum seeking children), which is in line with recommendations from the UN Committee on the Rights of the Child.<sup>12</sup> In Scotland there had already been a guardianship service for asylum-seeking children which the 2015 act has now put on the statutory basis.

The relevance of a guardian is confirmed by the UNODC Legislative Guide to the UN Trafficking Protocol, which encourages State parties to consider "...appointing, as soon as the child victim is identified, a guardian to accompany the child throughout the entire process until a durable solution in the best interest of the child has been identified and implemented. To the extent possible, the same person should be assigned to the child victim throughout the entire process".<sup>13</sup>

A major flaw with all the three acts is that whilst they enshrine a guardian (independent advocate) they do not define their legal powers. Only a legal guardian can fully act in a child's best interests and ensure that these interests are respected. The majority of these children will also be involved in

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<sup>12</sup> General Comment no. 6 (2005) *Treatment of unaccompanied and separated children outside their country of origin*. Also, "Concluding observations on the fifth periodic report of the United Kingdom of Great Britain and Northern Ireland" adopted in 2016

<sup>13</sup> UNODC, 186 Legislative guide to the UN Trafficking Protocol, 2010, para. 65.



immigration, asylum and criminal proceedings and therefore need a legal guardian who can represent them in all of these processes or instruct a solicitor. A guardian who can instruct a solicitor to act in the child's best interests is needed since, for instance, trafficked children often do not disclose that they have been trafficked because they have been manipulated by their trafficker; are afraid of what the trafficker will do to their family; or have not understood or psychologically accepted that they have been trafficked. This may particularly be the case if they have been trafficked by a family member.

Furthermore, the research has found that local authorities often fail to understand, prioritise and adequately respond to trafficked children's needs.<sup>14</sup> This all too often results in these vulnerable children falling through the gaps and being housed in inappropriate unsafe accommodation such as bed and breakfasts and receiving inadequate adult and financial support. A legal guardian with powers to compel the local authority to act is therefore vital to ensure they are correctly assessed and get the services they are entitled to. Evidence from the evaluation of the Scottish guardianship pilot found that because guardians did not have legal powers and were not on the same statutory footing as local authority staff, they sometimes struggled to ensure local authorities provided trafficked children with the appropriate services.<sup>15</sup>

**UNICEF UK urges the Australian Government to introduce legal guardians for all unaccompanied migrant children, including potential victims of modern slavery. They should have statutory legal powers to ensure that the best interests of the child are protected and fulfilled.**

#### **Non-prosecution and non-punishment of modern slavery survivors**

Prosecution, the imposition of penalties and detention deny victims the rights to which they are entitled, such as access to justice and redress, or the right to protection against secondary victimisation and further trauma. Non-prosecution and non-application of penalties as well as a prohibition on the detention of victims are equally in the interest of the prosecution, as victims will refrain from seeking help from the authorities when they risk or fear being arrested and detained.<sup>16</sup>

Each of the three Acts in the UK to some extent attempts to protect victims from secondary victimisation through statutory defences and presumptions against prosecution, however each instrument has its limitations and does not amount to a full transposition of the international non-punishment principle as defined by the UN Office of the High Commissioner for Human Rights.

Section 45 of the Modern Slavery Act introduces a statutory defence for victims of modern slavery. In relation to children, this provides that a child is not guilty of an offence if the child does that act as a direct consequence of having been a victim of slavery or relevant exploitation, and a reasonable person in the same situation as the child would act in the same way. Schedule 4 of the Act sets out a substantial list of offences to which the defence will not apply.

The Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act in Northern Ireland also introduced a statutory defence in section 22, but with no reasonableness test for children. This defence is limited in that it applies only to offences which attract a maximum sentence of less than

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<sup>14</sup> Franklin, A. and Doyle, L. (2013) *Still at Risk: A review of support for trafficked children*. The Refugee Council and The Children's Society: <http://www.childrenssociety.org.uk/what-we-do/policy-and-lobbying/young-refugees-and-migrants/trafficking-and-exploitation>

<sup>15</sup> Crawley, H and Kohli, RKS, '*She endures with me*' *An evaluation of the Scottish Guardianship Service Pilot Final Report* <http://www.scottishrefugeecouncil.org.uk/guardianship>

<sup>16</sup> <http://www.ohchr.org/Documents/Publications/Traffickingen.pdf>



five years, as well as a small number of additional specified offences which are particularly linked to trafficking and exploitation.

There is no statutory defence in Scotland but the Lord Advocate's Instructions for prosecutors about the prosecution of suspected or confirmed victims of trafficking state that:

*"... if there is sufficient evidence that a child aged 17 or under has committed an offence and there is credible and reliable information to support the fact that the child: (a) is a victim of human trafficking or exploitation and (b) the offending took place in the course of or as a consequence of being the victim of human trafficking or exploitation, then there is a strong presumption against prosecution of that child for that offence."*

Serious concerns have been expressed regarding the formulation of the statutory defence in the Modern Slavery Act. GRETA, the Council of Europe body monitoring the implementation of the European Convention on Action against Trafficking in Human Beings has noted that section 45 of the Modern Slavery Act 2015 "... gives a rather narrow interpretation of the non-punishment principle" and has recommended that the reasonable person test is abolished.<sup>17</sup> Caroline Haughey has also raised several concerns around the statutory defence and recommended that "consideration should be given to clarifying and/ or enhancing the term 'direct consequence', and to clarifying the process by which s45 is raised and applied."<sup>18</sup>

In UNICEF UK's view the statutory defence in the Modern Slavery Act is not a full embodiment of the non-punishment principle as developed in international human rights law. It is much narrower in scope and has severe limitations for children (specifically, in relation to exempted offences and, in England and Wales, the requirement of the reasonable person test). Our research into the early implementation of the defence in relation to children (appended to this submission) also shows serious shortcomings in policy and practice in England and Wales.<sup>19</sup> In Northern Ireland and Scotland the monitoring systems, the flexible application of the non-punishment principle and a proactive approach by prosecutors to identify potential victims of trafficking have been essential in tackling inappropriate prosecutions.

**UNICEF UK urges the Australian Government is urged to include in a modern slavery law (and associated guidance) the non-punishment principle so that children are not detained, charged or punished for offences committed as a direct consequence of being trafficked – in other words, no punitive action of any kind should be imposed on the child. There should be no limitations or qualifications (e.g. reasonable person test) and no exemptions. In addition, the law should lay out an obligation on the government to introduce a full-range of targeted implementation measures (e.g. monitoring and reporting, training, awareness raising) that are sustained over time.**

### **Reflection and recovery period**

In line with the human rights based approach the need for victims of modern slavery to be able to exercise their rights effectively is paramount. The assistance and support provided should include at least a minimum set of measures that are necessary to enable the victim to recover and escape from their traffickers. A reflection and recovery period allows modern slavery victims to start recovering and

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<sup>17</sup> GRETA (2016) 21; *Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by the United Kingdom*

<https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=09000016806abcdc>

<sup>18</sup> Ibid, supra 1

<sup>19</sup> Unicef UK (2017), *Victims, not criminals: Trafficked children and the non-punishment principle in the UK*

<https://www.unicef.org.uk/publications/>





make informed and thoughtful decisions about the options available to them. It should be noted that a reflection period is by definition not tied to co-operation with the authorities and should by no means be used to compel victims to co-operate. The provision of a reflection and recovery period is equally important for victims of internal trafficking as for third country national victims. The UK regulations envisage a reflection and recovery period of 45 days.

The concept of a reflection and recovery period is relatively recent. In its Toolkit to Combat Trafficking in Persons, UNODC has compiled national legislation on the reflection period, existing guidelines, and discussions in various fora.<sup>20</sup> Empirical evidence suggests that a minimum period of 90 days is required for the cognitive functioning and emotional strength of a trafficked person to increase to a level at which they are able to make well-considered decisions about their safety and co-operation with the authorities against the traffickers, as well as to offer detailed evidence about past events.<sup>21</sup> This is especially important in the case of children.

The UN agencies, including UNICEF, encourage countries to include in their national legislation a period of reflection and recovery of a minimum of 90 days for all victims of modern slavery. For child victims, such decisions should reflect consideration of their best interests.<sup>22</sup>

**UNICEF UK calls on the Joint Committee to reconsider its previous position that “... the current automatic reflection period of 45 days is appropriate”<sup>23</sup> and to explore the benefits of a 90 day period as an integral part of a victim-focused response.**

#### **The appointment of a National Rapporteur**

The Modern Slavery Act has created a post of an Independent Anti-Slavery Commissioner. The Commissioner has a UK-wide remit that covers victim protection, the prevention and prosecution of modern slavery offences, and the development of national and international partnerships. The Commissioner has been in post since October 2014 and has proven a very effective additional mechanism in the UK’s fight against modern slavery.

Nevertheless, it has to be stressed that the Commissioner was not intended to be the UK’s national rapporteur, as envisaged by international standards<sup>24</sup> and implemented by best practice (for example in the Netherlands and Finland), although the role does share some functions equivalent to one.

National Rapporteurs or equivalent mechanisms should be created and mandated to ensure that a human rights-based approach is used to formulate policy and legislation, plans for programmes and budgets, and to monitor and report on anti-trafficking efforts and responses. The establishment of a National Rapporteur or equivalent mechanism should seek to achieve greater clarity and transparency on who is accountable for action, ultimately improving the preventative and protective response for victims, including children.<sup>25</sup> **UNICEF UK asks the Australian Government to seriously consider establishing a National Rapporteur for modern slavery and human trafficking.**

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<sup>20</sup> UNODC (2010), *Toolkit to Combat Trafficking in Persons*, pages 326-334

<sup>21</sup> Cathy Zimmerman et al (2006), *Stolen Smiles. The physical and psychological health consequences of women and adolescents trafficked into Europe*, page 3. London School of Hygiene and Tropical Medicine

<sup>22</sup> Joint UN Commentary on the EU Directive – A Human Rights-Based Approach, 2011

<sup>23</sup> *Trading Lives: Modern Day Human Trafficking*, Inquiry of the Human Rights Sub-Committee of the Joint Standing Committee on Foreign Affairs, Defence and Trade, June 2013

<sup>24</sup> For instance the European Union Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims

<sup>25</sup> Ibid, supra 22

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## **ABOUT UNICEF UK**

UNICEF UK is an integral part of UNICEF, the United Nations Children's Fund. UNICEF works in 190 countries through country programmes, regional offices and national committees. UNICEF is mandated by the UN General Assembly to advocate for the protection of children's rights, to help meet their basic needs and to expand their opportunities to reach their full potential. UNICEF is guided by the UN Convention on the Rights of the Child and strives to establish children's rights as enduring ethical principles and international standards of behaviour towards children. It also has a specific role in giving advice and assistance to governments in matters relating to children's rights.

## **FOR MORE INFORMATION**

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