

STATEMENT BY ANTI-SLAVERY AUSTRALIA

UPR Pre-session 51 on Australia

Geneva, 26 November 2025

(Slide 1)

Good morning. It is a privilege to deliver this statement on behalf of Anti-Slavery Australia at the University of Technology Sydney – the only specialist legal, research and policy university centre in Australia working to end modern slavery.

Our advocacy is informed by academic research and importantly, the experiences of our legal practice clients with lived experience of trafficking and slavery. This statement will specifically address issues relating to Australia's response to trafficking and slavery including: (1) Access to support and effective remedy; (2) Child rights and (3) Legislative and policy frameworks.

i) Access to Protection, Support and Effective Remedy for Victims and Survivors

(Slide 2)

During Australia's 3rd UPR cycle, Qatar made a specific recommendation for the government to increase its efforts to support and protect victim-survivors of trafficking and slavery.

Since the last review, key initiatives have been established by the Australian Government that will increase access to protection and support. These include: the appointment of a national Anti-Slavery Commissioner; the publication of best practice trauma-informed, survivor engagement guides; as well as the establishment of two important initiatives. The Additional Referral Pathway into the government-funded Support for Trafficked People Program, although offering time-limited support, is significant as it enables eligible victim-survivors to access specialist support without the need to first engage with law enforcement.

The second initiative is the establishment of the Forced Marriage Specialist Support Program. Significantly, under this program, victim-survivors at risk of or in forced marriage will receive support for as long as needed with no requirement that they participate in the criminal justice system - with one exception. Victim-survivors in need of a visa under the Human Trafficking Visa Framework are required to be referred by law enforcement before a visa can be granted.

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In Australia, only 1 in 5 victim-survivors of trafficking and slavery are identified. In the previous financial year, the Australian Federal Police received 420 reports of trafficking and slavery. Of emerging concern is the issue of exit trafficking – whereby an individual is trafficked out of Australia - with the number of exit trafficking reports increasing by more than 100% on the previous year. However, clear repatriation protocols are currently lacking and this is an area that requires greater national focus.

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In addition, despite Australia's obligations to provide access to effective remedies for human rights harms, there is still no proper form of financial redress at a national level for federal modern slavery offences. Each of the 8 Australian States and Territories have enacted separate legislation to provide for statutory victims' of crime schemes, which, in the context of modern slavery, are inconsistent and produce unequal outcomes for victim-survivors. For example, they vary with regard to categories of harm, time-limits and remedies available. They

do not take into account the specific characteristics of trafficking and slavery, particularly the tool of coercion and for those harmed in more than one State or Territory, separate applications must be made in each jurisdiction.

Anti-Slavery Australia has, for over a decade, advocated for the establishment of a national compensation scheme for modern slavery victim-survivors and has developed a model scheme that has been presented to the Australian Government. Calls for such a scheme have been echoed by the Special Rapporteurs on trafficking in persons and contemporary forms of slavery following their country visits in 2011 and 2024 respectively.

Recommendations

(Slide 5)

Comprehensive protection of victims' rights in Australia is long overdue. We therefore urge States to emphasise the importance of such protection in the upcoming UPR cycle and specifically call on the Australian Government, within one year to:

- Establish a national compensation scheme for victim-survivors of modern slavery in support of Sustainable Development Goal 16.3.
- Delink access to support and visa pathways from participation in criminal justice processes.
- Develop and implement a repatriation protocol and government-funded grant scheme.

ii) Child Rights

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Through our Seeking Freedom project, our research indicates that children and young people in Australia are not being identified as victim-survivors of trafficking and slavery. Less than 1% (36 reports) of all reports of modern slavery in the last financial year related to child trafficking, despite almost 83,000 reports of online child sexual exploitation received in the same period. The Special Rapporteur on the sale and sexual exploitation of children expressed concern over these low identification figures following her visit to Australia in 2024. In our view, a contributing factor to this lack of identification could be the absence of child-specific measures within the current *National Action Plan to Combat Modern Slavery 2020-2025*.

Particularly concerning is that while the *National Action Plan to End Violence against Women and Children 2022-2032* recognises children and young people as victim-survivors in their own right, equivalent recognition is not afforded under the *National Action Plan to Combat Modern Slavery 2020-2025*, often leaving child dependents ineligible to access government funded specialist support, in violation of their right to special protection and assistance.

Recommendations

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We therefore appeal to the Australian Government to:

- Develop and implement a child rights-based response to modern slavery by 2027.
- Expand access to specialist supports by recognising child dependents of victims and survivors as survivors in their own right.

iii) Law and Policy

(Slide 8)

During the previous cycle, 11 recommendations were made in relation to Australia's human trafficking and slavery framework, including a recommendation by Greece to: '*Complete and implement the National Action Plan to Combat Modern Slavery*'.

The Australian government has made great strides towards implementation of the action items outlined in the *National Action Plan to Combat Modern Slavery 2020-2025*. For example, in the last 3 years, the government has undertaken a number of targeted reviews and conducted consultations with key stakeholders to inform new initiatives. While these efforts deserve to be commended, it is critical that the government now takes concrete steps to implement the recommendations and findings from these review and consultation processes.

Recommendations

(Slide 9)

We urge the Government of Australia to:

- Implement, at a minimum, the agreed recommendations of the Review into the *Modern Slavery Act 2018* (Cth) and the Targeted Review into Divisions 270 & 271 of the *Criminal Code Act 1995* (Cth), with exposure drafts of proposed reforms released by June 2026.

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Thank you for your kind attention today and I look forward to participating in further dialogue over the course of the week.