



Commonwealth Human Rights Initiative (CHRI)

47th Regular Session of the United Nations Human Rights Council

Item 3: Interactive Dialogue of the Special Rapporteur on trafficking in persons, especially women and children

Oral Statement delivered by the Commonwealth Human Rights Initiative (CHRI)

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The Commonwealth Human Rights Initiative thanks the Special Rapporteur for her inaugural report on implementing the non-punishment principle to protect victims of human trafficking.

Only 24 of 54 Commonwealth States have included the non-punishment principle in domestic legislation. Numerous international and regional human rights instruments call upon States to ensure victims of trafficking are not held liable for unlawful conduct that occurred as a consequence of being trafficked. We especially appreciate the Special Rapporteur highlighting the breadth of punishments the principle must be applied to, which includes criminal, civil, financial, and administrative measures.

Between July 2017 and February 2020, 21 Commonwealth governments detained or deported foreign victims of trafficking on the basis of immigration violations, thus violating the non-punishment principle and the rights of victims of trafficking.

Implementation of the principle also relies on training of frontline responders to effectively identify trafficked persons. Legal assistance must be provided to ensure victims have access to protection and remedy. The recent judgment by the European Court of Human Rights, in the case of *V.C.L. and A.N. v. United Kingdom*, highlights the importance of early-identification for ensuring justice for victims of trafficking.

We urge all Member States to effectively implement the non-punishment principle to fulfill their commitments to protect trafficking victims.