



### Tool 3.1 The need for anti-trafficking legislation

#### Overview

*This tool explains the need for specific anti-trafficking legislation at the national level in order to combat trafficking in persons effectively.*

## Recommended Principles and Guidelines on Human Rights and Human Trafficking; report of the United Nations High Commissioner for Human Rights (E/2002/68/Add.1) (also see Tool 3.6)

#### *Guideline 4: Ensuring an adequate legal framework*

The lack of specific and/or adequate legislation on trafficking at the national level has been identified as one of the major obstacles in the fight against trafficking. There is an urgent need to harmonize legal definitions, procedures and cooperation at the national and regional levels in accordance with international standards. The development of an appropriate legal framework that is consistent with relevant international instruments and standards will also play an important role in the prevention of trafficking and related exploitation.



*A comprehensive national strategy to respond to the problem of trafficking in persons requires a coherent and comprehensive response to human trafficking under national law.*

Achieving an appropriate legal framework requires:

- Legislative reforms to bring national legislation into compliance with international human rights standards
- Ensuring that the offence of trafficking is created in domestic criminal law
- The criminalization of other offences related to trafficking in persons
- A review of the provisions of national law with respect to the liability of legal persons
- A review of immigration and other relevant legislation to ensure that the definition of “trafficking in persons” is incorporated and that it facilitates the development of a coherent and comprehensive response to human trafficking under domestic law.

## Recommended resource

### ***Legislative Guides for the Implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto***

UNODC has developed legislative guides to facilitate the incorporation of the Organized Crime Convention and its Protocols in the domestic legislation of States parties.



These guides can be consulted at:

[www.unodc.org/unodc/en/treaties/CTOC/legislative-guide.html](http://www.unodc.org/unodc/en/treaties/CTOC/legislative-guide.html)

UNODC is working on a model law to combat trafficking in persons. For more information please contact:  
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