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All Permanent Representatives  
and Permanent observers  
to the United Nations

8 March 2010

Excellency,

As you will be aware, on 21 December 2009, the President of the General Assembly appointed us as co-facilitators to lead the consultations on a United Nations global plan of action on preventing trafficking in persons, prosecuting traffickers and protecting and assisting victims of trafficking.

In this respect and in exercise of the mandate that has been conferred to us, it is our purpose to take this issue forward in a results oriented manner and in consistency with General Assembly resolution 64/178, adopted by consensus on 18 December 2009.

To that end, we are pleased to convene a first meeting with Member States on 19 March, at 3:00 pm, in Conference Room 1. The President of the General Assembly will address Member States on this occasion.

Please accept, Excellency, the assurances of my highest consideration.

Antonio Pedro Monteiro Lima  
Permanent Representative of Cape Verde

José Filipe Moraes Cabral  
Permanent Representative of Portugal

## **A Global Plan of Action against Trafficking in Persons: Possible goals and elements.**

The present paper is intended to launch the discussion at the first meeting of the process of consultations. It provides a background of the efforts by the General Assembly to combat trafficking in persons (Section I) and outlines some possible goals for the Global Plan of Action (Section II) as well as possible elements (Section III). These possible goals and elements have been identified by the Facilitators from the Background paper of the Secretary General, prepared for the thematic debate of the General Assembly on trafficking in persons of May 2009. The Facilitators would appreciate to have, at the first meeting, preliminary comments from Member States and Observers to this selection of possible goals and elements for a Global Plan of Action. The Facilitators would like to encourage all delegations to participate actively in these consultations and underline their readiness to take into account all the views expressed. To this effect, a deadline to submit written contributions and comments will be established at the first consultations meeting.

### **I- Background:**

During the last decade, the United Nations General Assembly has often discussed the topic of trafficking in persons<sup>1</sup> and significant efforts have been made in establishing normative and institutional mechanisms for the prevention and combat of trafficking in persons.

In the Millennium Declaration, adopted in September 2000, Member States resolved to intensify efforts to “fight transnational crime in its entire dimension including trafficking as well as smuggling in human beings”. A turning point in international efforts to address human trafficking was the adoption, by the General Assembly in **November 2000**, of the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, which built on other related conventions and instruments such as ILO convention 182, the Convention on the Rights of the Child, and the Convention on the Elimination of All Forms of Discrimination against Women, precipitating intense activity to combat trafficking in persons. The Protocol provided for the first time an internationally agreed definition of the crime and identified legal tools for fighting this crime. Focusing on prevention, protection and prosecution, the Protocol entered into force on 25 December 2003, and to date has 135 parties.

In **2004**, the Commission on Human Rights decided, in resolution 2004/110, to appoint a Special Rapporteur on trafficking in persons, especially women and children. This development highlighted the importance of a victims’ rights-based approach to combating trafficking in women and children. Since then, the Special Rapporteur has reported on an annual basis to the General Assembly on the human rights aspects of the victims of trafficking in persons.

In **2005**, the General Assembly adopted the **World Summit Outcome Document** (par.111-112) that expressed the concerns of MS at the negative effects on development, peace and security and human rights posed by trafficking in persons, recognized that trafficking in persons continues to pose a serious challenge to humanity and requires a concerted international response and urged all States to devise, enforce and strengthen effective measures to prevent, suppress and punish trafficking in persons and to protect victims.

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<sup>1</sup> GA Resolutions 61/144 (2006) and 63/156 (2008) focused on trafficking in women and girls, and GA Resolutions 61/180 (2006); 63/194 (2008) and 64/178 (2009) focused on improving coordination of efforts against trafficking in persons.



In 2006 and pursuant to a request from the Economic and Social Council (resolution 2006/27)— reinforced by GA Resolution 61/180—the Inter-Agency Cooperation Group against Trafficking in Persons (ICAT)<sup>2</sup> was established following the initial meeting in Tokyo. ICAT’s aim is to foster coordination and cooperation among relevant United Nations agencies and other international organizations involved in combating human trafficking.

The launch of UN GIFT in March 2007 provided all anti-trafficking actors including the UN, governments and civil society organizations a global forum to share respective experiences. This initiative, launched by UNODC in partnership with ILO, OHCHR, UNICEF, Organization for Security and Cooperation in Europe (OSCE), and IOM, further highlighted the need to collectively address human trafficking in a multi-faceted and holistic manner. On 13-15 February 2008, UN.GIFT organized a forum on trafficking in persons in Vienna (the “Vienna Forum”) which brought new and existing partners together in a broad-based effort to end trafficking in persons: i.e. governments, UN agencies, civil society, the private sector, the media, arts, trade unions, women leaders, and youth representatives. It took stock of what has already been done, and shared best practices with the broadest range of stakeholders. Following the Vienna Forum, in June 2008, the General Assembly convened a thematic debate on trafficking in persons, bringing again this issue to its agenda and giving Member States a framework for discussion concentrating on the “three P’s” (prevention, protection and prosecution).

Building upon the conclusions from the previous year, the thematic dialogue held in May 2009 used as its point of departure the “Background paper” of the Secretary-General on “Improving the coordination of efforts against trafficking in persons,” which pursuant to General Assembly resolution 63/194 of 18 December 2008, summarized the views of a broad and diverse group of Member States, International Organizations, and civil society stakeholders on a wide range of specific measures to ensure the full and effective implementations of all legal instruments relevant to trafficking in persons. The “Background paper” also summarized the responses by a significant number of Member States concerning the possible adoption of a Global Plan of Action on preventing trafficking in persons, prosecuting traffickers, and protecting and assisting victims of trafficking. The 2009 debate was a step forward in the discussion of a Global Action Plan and the President of the General Assembly appointed two facilitators (the Permanent Representatives of Cabo Verde and Portugal) to “start the process of informal consultations of Member States to draw up a UN global plan of action against human trafficking.” The resolution entitled “Improving the coordination of efforts against trafficking in persons” took note of the appointments of the two facilitators and the President of the General Assembly reconfirmed these nominations in a letter dated 21 December 2009.

#### **Relevant paragraphs of GA resolutions concerning a Global Plan of Action:**

**GA resolution 63/194** entitled “Improving the coordination of efforts against trafficking in persons”, in its OP11, called upon the SG “to collect the views of all stakeholders, including Member States and regional and international organizations, on how to achieve the full and effective coordination of efforts against trafficking in persons of all Member States, organizations, machineries, treaty bodies and all other partners within and outside the United Nations system, including civil society, and to ensure the full and effective implementation

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<sup>2</sup> ICAT includes the Division for the Advancement of Women of the Secretariat, the Office of the Special Representative of the Secretary-General for Children and Armed Conflict, the Office of the High Commissioner for Human Rights (OHCHR), UNODC, UNICEF, the United Nations Development Fund for Women (UNIFEM), UNFPA, UN High Commissioner on Refugees (UNHCR), the United Nations Fund for International Partnerships, the United Nations International Research and Training Institute for the Advancement of Women, ILO, the World Bank, IOM and INTERPOL.

of all legal instruments relevant to trafficking in persons, particularly the United Nations Convention against Transnational organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, without prejudice to the mandate of the working group established by the Conference of the Parties to the Convention, and submit, no later than 1 June 2009, a background paper to the General Assembly at its sixty-third session;”

**GA resolution 64/178** also entitled “Improving the coordination of efforts against trafficking in persons” in its OP8 “Takes note with appreciation of the decision of the President of the sixty third session of the General Assembly to appoint the co-facilitators to start consultations and consideration by Member States of a United Nations global plan of action on preventing trafficking in persons, prosecuting traffickers and protecting and assisting victims of trafficking, and stresses the need for the consultations to be held in an open, inclusive and transparent manner, taking into account all the views expressed by Member States;”

**Some relevant documents:**

- “Background paper” of the Secretary General distributed for the thematic debate of 13 May 2009:  
<http://www.un.org/ga/president/63/letters/SGBakgroundpaper.pdf>
- Summary of the thematic debate dialogue of the GA on the 13 May 2009
- Report of the SG to the 64<sup>th</sup> session of the GA (A/64/130)
- Report of the Special Rapporteur on trafficking in persons to the 64<sup>th</sup> session of the GA (A/64/290)
- International Framework for action to implement the Trafficking in Persons Protocol:  
[http://www.unodc.org/documents/human-trafficking/Framework\\_for\\_Action\\_TIP.pdf](http://www.unodc.org/documents/human-trafficking/Framework_for_Action_TIP.pdf)
- Global Report on Trafficking in persons (UNODC, Vienna -February 2009)

## II- The possible goals of a Global Plan of Action on Trafficking in Persons<sup>3</sup>

- a) A Global Plan of Action should be a tool for the international community to reiterate and reinforce its **political will** to combat trafficking in persons whilst raising national and international awareness to this crime. It would encourage Member States, the civil society, regional and international organizations to take an active stand against human trafficking.
- b) Framed by international standards and commitments, a Global Plan of Action will help Member States to advance implementation of their commitments to prevent and combat trafficking in persons. A Global Plan of Action can **promote universal ratification and effective implementation of relevant legal instruments**<sup>4</sup>. Therefore, a Global Plan of Action **should and would not duplicate** the existing legal instruments or divert the attention of Member States from their commitments regarding these instruments which remain of paramount importance.
- c) A Global Plan of Action can help to take stock of achievements made and support **efforts to identify and address challenges in the prevention and combat** against trafficking in persons; wherever necessary, a Global Plan of Action could help make recommendations to the relevant competent bodies or organizations regarding a way forward.
- d) A Global Plan of Action can contribute to **raising awareness** within the UN system but also among States and other stakeholders such as the business sector, civil society and the international mass media with a view to prevent trafficking, to protect victims and witnesses and to prosecute perpetrators.<sup>5</sup>
- e) A Global Plan of Action can advocate and contribute to the development of **national plans of action** against trafficking, the promotion of coordination of efforts across governmental departments and the promotion of relevant legislative reforms. It could also help **harmonize reporting on progress achieved** by Member States and could play an important role in identifying factors that lead to trafficking and, therefore, reduce the demand.<sup>6</sup>
- f) A Global Plan of Action would encourage **international coordination** of efforts against trafficking. A Global Plan of Action could *i)* encourage exchange of information on good practices and cross fertilization of experiences among stakeholders and *ii)* promote further cooperation between regional and international organizations involved in the provision of technical advice and assistance at country, regional, and global level<sup>7</sup> and *iii)* could encourage the **collection and sharing of reliable data** on trafficking in persons.
- g) A Global Plan of Action can help to establish **consistent and sustained protection and assistance to the victims**. A Global Plan of Action could help *i)* to take stock of the existing principles and guidelines on human rights of trafficked persons and *ii)* to promote efforts to protect, assist and provide redress to victims that could be used by States and international organizations.

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<sup>3</sup> The possible goals (section II) and the possible elements (section III) for a Global Plan of Action have been identified from the contributions made by Member States to the **Background paper of the Secretary-General** entitled "Improving the coordination of efforts against trafficking in persons" - May 2009

<sup>4</sup> The United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (2000), the UN Convention against Transnational Organized Crime, the Convention for the Elimination of Discrimination against Women, the Convention of the Rights of the Child (1989) and its Optional Protocols on sale of children, child prostitution and child pornography (2000) and on the involvement of children in armed conflict (2000) and ILO Convention n°182 concerning the Prohibition and immediate action for the Elimination of the Worst Forms of Child Labour (1999).

<sup>5</sup> Ibid. Part II (F), pg 21.

<sup>6</sup> Ibid., Part II(F), pg 22.

<sup>7</sup> Improving the coordination of efforts against trafficking in persons, Background Paper of the Secretary-General, Part II (F), pg 22.

### III – Possible elements to be included in a Global Plan of Action:

Guided by the relevant international standards and commitments, a Global Plan of Action could include encouragements and pledges such as:

- a) to reinvigorate the **political will and determination** of the international community to prevent and combat effectively trafficking in persons: the means to foster such will and determination will have to be identified and employed. The adoption by the General Assembly of a Global Plan of Action would be one concrete way to create the necessary political environment to ensure an effective international response to “*a crime that shames us all*” – trafficking in persons.
- b) to **promote universal ratification and effective implementation of all legal instruments relevant to trafficking in persons**. A particularly important commitment would be to **achieve universal ratification** to the Protocol to Prevent, Suppress and Punish Trafficking in Persons especially Women and Children which is crucial to effectively combat trafficking in persons.<sup>8</sup>
- c) to address the **Prevention** of trafficking, the **Protection** of victims and the **Prosecution** of perpetrators in the light of the **international definition by the Palermo Protocol** and other relevant standards, including the Convention on the Rights of the Child and ILO Convention n° 182 so that the multi-dimension of trafficking may be taken in account. Effective criminalization of trafficking in persons is essential. Criminalization of activities that facilitate, are associated with or are related to trafficking in persons should not be overlooked and the protection of victims should be effectively safeguarded.<sup>9</sup>
- d) to better tackle trafficking in persons: **trafficking is a covert activity** and, as such, it is difficult to understand and measure the magnitude of the phenomenon. Qualitative **disaggregated data** and information, systematically collected and analyzed, can enhance international, regional and national responses to prevent trafficking and protect persons at risk. A recommendation could be foreseen to increase our capacity to **collect basic data** which is, currently, very often lacking.<sup>10</sup>
- e) to mainstream efforts and strategies to combat trafficking into programmes aimed **at development, poverty eradication, natural disaster and post-conflict reconstruction** since the root causes and contributing factors to trafficking in persons include poverty, inequality, gender discrimination, and a culture of tolerance towards violence against women.<sup>11</sup>
- f) to **prevent victimization and re-victimization and to discourage demand** through education and awareness raising, effective involvement of **mass media** as well as promotion of public events and association of personalities to promote information and social mobilization campaigns directed at the general public and vulnerable groups.<sup>12</sup>
- g) to **provide** at the national level **appropriate training** of professionals working with victims of trafficking, especially women and children, and **needed resources** to the relevant sectors and institutions.

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<sup>8</sup> Ibid, Part I(A), pg 5.

<sup>9</sup> Ibid., Part I(B), pg 6.

<sup>10</sup> Ibid., Part I(G), pg 13.

<sup>11</sup> Ibid., Part II(C), pg 18.

<sup>12</sup> Improving the coordination of efforts against trafficking in persons, Background Paper of the Secretary-General, Part I(C), pg 7.

- h) **to ensure** the promotion and protection of the human rights of trafficked persons: human rights of the victims should be at the centre of all efforts to prevent and combat trafficking in persons and to protect, assist and provide redress to victims<sup>13</sup>.
- i) **to eliminate obstacles to the protection of victims** and to their access to assistance which are, *i.a.* lack of victim identification, insufficient victim cooperation with law enforcement including fear of police, lack of awareness of their status as victims and their legal rights, uncertainty about outcome of detection, fear of reprisal from traffickers and fear of stigmatisation in their communities of origin.<sup>14</sup> Special attention should be given to children who are victims - or at risk of- trafficking and that should be identified as such and be provided with appropriate assistance and protection.
- j) **to end impunity**; although the **number of convictions of traffickers** is increasing, impunity remains a significant problem. To date, two-fifths of Parties to the Trafficking Protocol have not reported a conviction for trafficking.<sup>15</sup>
- k) **to enhance efforts** to investigate alleged cases of trafficking, to prosecute perpetrators and to publicize convicted cases.
- l) **to strengthen international police cooperation** to enable the detection of complete trafficking chains and to exchange liaison officers among states of origin, transit and destination in the area of **border controls**.<sup>16</sup>
- m) **to encourage effective coordination of efforts at the international, regional and national level:** *i)* Bilateral, regional and international agreements have been developed to strengthen efforts to prevent and combat trafficking in persons *ii)* Regional and international organizations have promoted programs and good practices concerning trafficking that could be shared to enhance collaboration and maximize the effectiveness of the fight against trafficking.
- n) **to promote synergies** across the UN, intergovernmental and non-governmental organizations with a view to promoting a better coordination of efforts and to maximizing the effectiveness of actions to prevent and combat trafficking in persons.<sup>17</sup> The process could benefit from lessons learned from coordinating efforts across UN agencies.
- o) **to enhance synergies** by establishing greater linkages and promoting exchange of information and experiences between the Conference of the Parties of UNTOC, United Nations human rights treaty bodies and mechanisms.

<sup>13</sup> Recommended principles and guidelines on HR and human trafficking, 2002 (OHCHR)

<sup>14</sup> Improving the coordination of efforts against trafficking in persons, Background Paper of the Secretary-General, Part I(E), pg 10.

<sup>15</sup> Ibid., Part I(D), pg 8.

<sup>16</sup> Ibid., Part II(A), pg 15.

<sup>17</sup> Ibid., Part II(B), pg 17.



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The Permanent Missions of Portugal and Cape Verde present their compliments to the Office of the President of the 64<sup>th</sup> session of the General Assembly and, following the first meeting of the process of consultations on a United Nations Global Plan of Action on preventing trafficking in persons, have the honor to forward herewith the email addresses to which Members States, permanent Observers and interested UN agencies, funds and programs as well as other stakeholders can send, until March, 31, written comments and contributions on the possible goals and elements for a Global Plan of action identified by the Facilitators:

- [capeverde@un.int](mailto:capeverde@un.int)
- [svazpatto@missionofportugal.org](mailto:svazpatto@missionofportugal.org)
- [monasebian@un.org](mailto:monasebian@un.org) and [karas@un.org](mailto:karas@un.org)

The Permanent Missions of Portugal and Cape Verde would very much appreciate if the Office of the President of the 64<sup>th</sup> session of the General Assembly could circulate this Note all Permanent Representatives and Permanent Observers.

The Permanent Missions of Portugal and Cape Verde avail themselves of this opportunity to renew to the Office of the President of the 64<sup>th</sup> session of the General Assembly the assurances of their highest consideration.



New York, 22 March, 2010



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All Permanent Representatives  
and Permanent Observers  
to the United Nations

16 April 2010

Excellency,

We would like to thank Member States for the valuable and constructive contributions that we have received which helped us to draft a Global Plan of Action on trafficking in persons.

We are, therefore, pleased to convene a second meeting of the process of consultations on a Global Plan of Action and would encourage participation at Ambassadorial level. The meeting will take place on 21 April, at 10:00 am, in the General Assembly Hall. At this occasion, we intend to make a presentation of the draft Plan of Action, give further explanations regarding its content and invite preliminary general comments on the draft text.

Member States will have an opportunity to send, subsequently, written comments on this draft.

Please accept, Excellency, the assurances of my highest consideration.

Antonio Pedro Monteiro Lima  
Permanent Representative of Cape Verde

José Filipe Moraes Cabral  
Permanent Representative of Portugal

## **The United Nations Global Plan of Action to Combat Trafficking in Persons**

The General Assembly,

PP1. *Guided* by the purposes and principles of the Charter of the United Nations and *reaffirming* its role under the Charter, including on questions related to development, peace and security and human rights,

PP.2 *Reiterating* its strong condemnation of trafficking in persons, as it constitutes a serious threat to development, peace and security and human rights,

PP.3 *Recalling* the Millennium Declaration, adopted in September 2000, where Member States resolved to intensify efforts to “fight transnational crime in its entire dimension including trafficking as well as smuggling in human beings”,

PP.4 *Reaffirming* the General Assembly Resolution 55/25 of 2000, adopting the United Nations Convention against Transnational Organized Crime and its supplementing Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, which builds on other related conventions and instruments such as ILO convention 29 and 182, Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery of 1956, the Convention on the Rights of the Child and its Optional Protocol on the sale of children, child prostitution and child pornography, and the Convention on the Elimination of All Forms of Discrimination against Women,

PP.5 *Recognizing* that the aforementioned United Nations Trafficking in Persons Protocol, which entered into force on 25 December 2003, provided for the first time an internationally agreed definition of the crime of trafficking in persons, aiming at the prevention of trafficking in persons, protection of its victims and prosecution of its culprits,

PP.6 *Reaffirming* Commission on Human Rights resolution 2004/110, to appoint a Special Rapporteur on trafficking in persons, especially in women and children to highlight the importance of a victims’ rights-based approach to combating trafficking in persons, especially women and children and Human Rights Council resolution 6/14 of 2007 to appoint a Special Rapporteur on contemporary forms of slavery, including its causes and consequences,

PP.7 *Recalling* the World Summit Outcome Document (par.111-112) of 2005 adopted by the General Assembly that (a) expresses the concerns of Member States at the negative effects on development, peace and security and human rights posed by trafficking in persons, (b) recognizes that trafficking in persons continues to pose a serious challenge to humanity and requires a concerted international response, and (c) urges all States to devise, enforce and strengthen effective measures to prevent, suppress and punish trafficking in persons and to protect victims,



PP.8 *Recalling* that pursuant to a request from Economic and Social Council resolution 2006/27 “Strengthening international cooperation in preventing and combating trafficking in persons and protecting victims of such trafficking”, reinforced by GA Resolution 61/180, the Inter-Agency Coordination Group against Trafficking in Persons was established to foster coordination and cooperation among relevant United Nations agencies and other international organizations involved in combating human trafficking,

PP.9 *Recognizing* that the launch of UN.GIFT by the United Nations Office on Drugs and Crime in partnership with International Labor Organization, Office of the High Commissioner for Human Rights, United Nations Children’s Fund, Organization for Security and Cooperation in Europe and International Organization for Migration, in March 2007, and the Vienna Forum of 13-15 February 2008, provided all anti-trafficking actors including the United Nations, governments and civil society organizations a global forum to share respective experiences and further highlighted the need to collectively address human trafficking in a multi-faceted and holistic manner,

PP.10 *Recalling* the General Assembly Thematic Debate on Human Trafficking of 3 June 2008 giving Member States a framework for discussion concentrating on the “three P’s” (prevention, protection and prosecution), and the General Assembly Interactive Thematic Dialogue on “Taking Collective Action to End Human Trafficking” held on 13 May 2009,

PP.11 *Recalling* all General Assembly resolutions on measures to eliminate trafficking in persons, including the aforementioned resolution 63/194 and resolutions 64/178 on “Improving the coordination of efforts against trafficking in persons” (18 December 2009) and 61/180 also on “Improving the coordination of efforts against trafficking in persons” (20 December 2006), 61/144 on “Trafficking in women and girls” (19 December 2006), and 58/137 on “Strengthening international cooperation in preventing and combating trafficking in persons and protecting victims of such trafficking” (22 December 2003),

PP.12 *Noting* the relevant decisions adopted at the Conference of the Parties to the United Nations Convention against Transnational Organized Crime: Decision 1/5, Decision 2/3 and Decision 3/3, on the implementation of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children,

PP.13 *Considering* relevant regional mechanisms and initiatives, such as the Asia-Europe Meeting Action Plan to Combat against Trafficking in Persons, Especially Women and Children; ASEAN Declaration against Trafficking in Persons, Particularly Women and Children; Black Sea Economic Cooperation Organization Action Plan on Cooperation in Combating Crime; Coordinated Mekong Ministerial Initiative against Trafficking; Economic Community of West African States Declaration on the Fight against Trafficking in Persons; Ouagadougou Action Plan to Combat Trafficking in Human Beings, Especially Women and Children; Council of Europe Convention on Action against Trafficking in Human Beings; OSCE Action Plan to Combat Trafficking in Human Beings; Plan of Action of the Regional Conference on Migration (the Puebla Process multilateral regional forum of all Central and North American countries and the

Dominican Republic); Stability Pact for South-Eastern Europe Task Force on Trafficking in Human Beings, in Particular in its Organized Forms,

PP.14 *Recognizing* the need to develop a global plan of action against trafficking in persons that will

- promote universal ratification of the UN Convention against Transnational Organized Crime and its Trafficking Protocol as well as other relevant international instruments that address trafficking in persons,
- reinforce the implementation of existing instruments against trafficking in persons,
- help Member States to reinforce their commitments to prevent and combat trafficking in persons
- promote comprehensive, coordinated and consistent responses, at the national, regional and international levels, to counter trafficking in persons,
- promote a human rights based approach necessary to prevent trafficking in persons, protect its victims and prosecute its culprits
- raise awareness within the UN system and also among States and other stakeholders such as the business sector, civil society and the international mass media and the public at large,
- foster cooperation and coordination among all relevant stakeholders including Member States, international organizations, civil society organizations and the private sector,

1. Adopts the present resolution and its annex as the United Nations Global Plan of Action to Combat Trafficking in Persons (“the Plan of Action”), and

2. Decides, without prejudice to the continuation of the discussion at its relevant committees of all their agenda items related to trafficking in persons to undertake the following steps for the effective follow-up of the Plan of Action:

- (a) To launch the Plan of Action during the sixty-fourth session;
- (b) To encourage Member States, the United Nations and other international, regional and sub-regional organizations to support the implementation of the Plan of Action, including through mobilizing resources and expertise;
- (c) To further encourage civil society including non-governmental organizations and the private sector to engage, as appropriate, on how to enhance efforts to implement the Plan of Action;
- (d) To invite the Secretary-General to report annually to the General Assembly on the implementation of the Plan of Action.

## ANNEX

### **Plan of Action**

We, the States Members of the United Nations, reaffirm our commitments and decide to translate our political will into intensified efforts and concrete actions to prevent and combat trafficking in persons, protect and assist victims of trafficking, prosecute crimes of trafficking in persons and to promote partnerships to strengthen coordination and cooperation against trafficking in persons by:

1. Consistently, unequivocally and strongly condemning trafficking in persons, as it constitutes a serious threat to development, peace and security, and human rights;
2. Ensuring that the promotion and protection of the human rights of trafficked persons are at the centre of all efforts to prevent and combat trafficking in persons.
3. Taking urgent action to prevent trafficking in persons, protect its victims and prosecute its culprits and strengthen partnership to these ends by promoting and attaining universal ratification and effective implementation of the United Nations Convention against Transnational Organized Crime and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children as well as other relevant international instruments, including ILO convention 29 and 182, Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery of 1956, the Convention on the Rights of the Child and its Optional Protocol on the sale of children, child prostitution and child pornography, and the Convention on the Elimination of All Forms of Discrimination against Women;
4. Recognizing the role of the Conference of Parties to the Convention, established in accordance with Art. 32 of the UNTOC, to improve the capacity of States Parties to promote and review the implementation of the Convention, including the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children;
5. Supporting the establishment of a review mechanism to monitor the implementation of the United Nations Convention against Transnational Organized Crime and its Protocols;
6. Taking into account the recommendations of the Working Group on Trafficking in Persons established by the Conference of the Parties to the UN Convention against Transnational Organized Crime;
7. Supporting the Human Rights Council, and contributing to its work on the question of the promotion and protection of human rights for all in the fight against trafficking in persons;

8. Supporting the role of the Special Rapporteur on trafficking in persons, especially women and children, the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, the Special Rapporteur on violence against women, its causes and consequences, Special Rapporteur on the sale of children, child prostitution and child pornography, Special Representative to the Secretary-General on Violence Against Children and other relevant Special Rapporteurs and Representatives. The Special Rapporteurs should assist States by offering concrete advice, making country visits, liaising with the United Nations and regional organizations, and reporting on these issues;
9. Reaffirming the central role of the United Nations Office on Drugs and Crime (UNODC) in combating trafficking in persons and providing technical assistance to implement the United Nations Convention against Transnational Organized Crime and its Trafficking in Persons Protocol, by making use of existing capacity building tools, lessons learned and expertise available in international organizations, including inter alia, the International Framework for Action to Implement the Trafficking in Persons Protocol;
10. Also noting the important work of the United Nations High Commissioner for Refugees, the United Nations Children's Fund (UNICEF), the International Labor Organization, and the International Organization for Migration (IOM) in the global fight against trafficking in persons;
11. Making a commitment to address all forms of trafficking in persons that occur within and across national borders;

#### **I. Preventing trafficking in persons**

12. Mainstreaming the issue of trafficking in persons into policies and programmes aimed at addressing economic development, human rights, rule of law, good governance, natural disaster and post-conflict reconstruction;
13. Addressing the underlying root causes of trafficking in persons that make people vulnerable to exploitation, such as poverty, inequality, gender discrimination, and a culture of tolerance towards violence against women and children;
14. Adopting or implementing comprehensive policies and programmes at the national and regional levels and other measures to prevent all forms of trafficking in persons that are in line with relevant policies and programmes on migration, education, employment and crime prevention;
15. Conducting research and collection of disaggregated data by types of trafficking in persons, sex and age and data collection into the nature and extent of all forms of trafficking in persons, including root causes, trends of trafficking, information on traffickers, demand for exploitative services and labour and on the gaps and shortcomings in anti-trafficking policies and programmes;
16. Developing or strengthening processes for the identification of victims such as those developed by UNODC and IOM, including appropriate and non-

- discriminatory measures that help to identify trafficked victims among vulnerable populations;
17. Promoting awareness-raising campaigns to discourage the demand that fosters exploitation and inform persons at risk of being trafficked and the general public through education and effective involvement of mass media and monitoring the effectiveness of such campaigns;
  18. Increasing prevention efforts in countries of destination and transit by focusing on the demand for trafficked and exploited migrant labour and forced labour, and the demand for the goods produced as a result of such labour;
  19. Adopting specific measures to combat trafficking for labour exploitation and calling on producers and consumers of goods to abide by these measures;
  20. Strengthening the capacity of law enforcement, immigration and other relevant officials in the prevention of trafficking in persons, taking into account the need to respect human rights and child-and gender-sensitive issues and encouraging cooperation with non-governmental organizations, other relevant organizations and other elements of civil society;
  21. Encouraging the United Nations to work with Member States and relevant international, regional and sub-regional organizations to identify and share best practices to prevent trafficking in persons.

## **II. Protecting and assisting victims of trafficking**

22. Reaffirming that the promotion and protection of human rights for all and effective measures to respond to trafficking in persons are complementary and mutually reinforcing;
23. Stressing the need to promote and protect the rights of victims of trafficking in persons and to (re-) integrate both victims and perpetrators in the community, in line with the Office of the High Commissioner for Human Rights Guidelines on Human Rights and Human Trafficking and the UNICEF Guidelines on the Protection of Child Victims of Trafficking;
24. Ensuring that national legislation recognizes trafficked persons as victims of crime regardless of nationality, gender, age or form of exploitation or similar features;
25. Reviewing existing national services available to national and foreign victims of trafficking, and strengthening those services where needed as well as supporting the establishment or strengthening of national referral mechanisms;
26. Strengthening the capacity of service providers and others likely to encounter and identify possible victims of trafficking, such as law enforcement personnel, border control officers, consular embassy officials, judges and prosecutors and peacekeepers, and ensuring the availability of needed resources to the relevant sectors and institutions, including those of civil society;

27. Preventing secondary victimization in the context of investigations, in the judicial system and in victim assistance programmes, including by adopting appropriate measures to ensure that victims of trafficking are not penalized for engaging in illicit activities as a direct result of being trafficked or as a result of coercion;
28. Protecting the privacy and identity of victims of trafficking in persons before, during and after criminal proceedings, including, inter alia, by making legal proceedings relating to such trafficking confidential;
29. Protecting victims and witnesses from retaliation or intimidation, including by ensuring their physical safety;
30. Providing assistance and services for the physical, psychological and social recovery of trafficked persons and their full rehabilitation in cooperation with non-governmental organizations, other relevant organizations and other elements of civil society;
31. Adopting legislative or other appropriate measures to allow foreign victims to legalize their immigration status or pursue permanent residency or citizenship, in appropriate cases;
32. Ensuring the commitment by countries of origin to accept their nationals back and facilitate access to care and services and ensuring that the return of a foreign suspected victim of trafficking in persons to a State of which that person is a citizen or permanent resident is voluntary and is conducted with due regard for the safety of that person;
33. Adopting labour laws that provide legal rights and protections for workers at high risk for trafficking;
34. Providing specialized services to identified victims of trafficking in persons, including access to HIV prevention, treatment, care and support services;
35. Providing appropriate assistance and protection to children who are victims of trafficking or at risk of being trafficked, including for purposes such as illegal adoption or the removal of organs, including ensuring appropriate services and measures to guarantee the physical and psychological well-being of trafficked children as well as their education and reintegration in coordination with existing child protections systems;
36. Urging the General Assembly to establish a United Nations trust fund for the rehabilitation and compensation of victims of the most serious forms of trafficking in persons, with a special focus on women and children, and requesting the Secretary-General to entrust UNODC with managing the trust fund;
37. Providing victims of trafficking the possibility of obtaining compensation from confiscated proceeds of crime, at the national level;
38. Adopting measures to assist victims in pursuing civil damages against their traffickers;
39. Commending the role of civil society organizations in providing assistance and empowerment to victims of trafficking and helping them to seek redress as well as

facilitating the care of and provision of appropriate services to victims, including meaningful engagement and coordination with law enforcement officials;

40. Ensuring that domestic legal or administrative systems include measures to provide information to victims regarding their rights, the relevant court and administrative proceedings and assistance to enable their views and concerns to be presented and considered at appropriate stages of such proceedings;
41. Providing suspected victims of trafficking in persons with a recovery and reflection period in order for them to recover and escape the influence of traffickers and/or to take an informed decision on cooperating with the competent authorities, during which period it shall not be possible to enforce any order to expel the suspected victim from the State's territory.

### **III. Prosecuting crimes of trafficking in persons**

42. Ensuring the effective implementation of the United Nations Convention against Transnational Organized Crime by criminalizing trafficking in persons as defined by Article 3 of its supplementing Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children;
43. Prosecuting crimes of trafficking that encompass all forms of exploitation, including at a minimum the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs and all types of victims;
44. Ensuring the existence of legislation or offence criminalizing trafficking in persons which specifies that the consent of the victim is irrelevant when any of the improper means mentioned in the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children have been utilized;
45. Adopting legislative and other measures necessary to establish as criminal offences:
  - a. Attempting to commit an offence, as prescribed in the Protocol
  - b. Participating as an accomplice in an offence, as prescribed in the Protocol
  - c. Organizing or directing other persons to commit an offence, as prescribed in the Protocol
46. Ensuring the existence of legislation criminalizing trafficking in children which specifies there is no need to establish the means as set forth in the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, and the Convention on the Rights of the Child and its Optional Protocols;
47. Combating, dismantling and prosecuting organized criminal groups engaged in trafficking in persons;
48. Ensuring liability of all categories of offenders, including the liability of legal persons;

49. Enhancing efforts to investigate alleged cases of trafficking, to prosecute perpetrators and to publicize convicted cases with full respect to human rights;
50. Ensuring that penalties and sanctions for trafficking crimes are appropriate and proportionate to the gravity of the crime;
51. Making use of available technical assistance provided to strengthen the criminal justice response to trafficking in persons, including inter alia, by UNODC;
52. Promoting the more systematic use of freezing and confiscating assets of traffickers as an effective means to fight organized crime;
53. Vigorously investigating, prosecuting, and punishing corrupt public officials who engage in or facilitate the trafficking of persons, recognizing that trafficking would likely not occur at current levels without official complicity, and promoting a zero tolerance policy against corrupt officials;
54. Strengthening coordination and cooperation among States in combating crimes that might be connected with trafficking in persons, including money laundering, corruption, smuggling of migrants and all forms of organized crime;
55. Encouraging law enforcement, immigration or other relevant authorities of States to cooperate with one another by exchanging information, in accordance with domestic law, including cooperation among states of origin, transit and destination in order to enable joint investigations, prosecutions, and the detection of trafficking chains.

#### **IV. Strengthening partnerships against trafficking in persons**

56. Taking advantage of the networks provided by relevant international, regional and sub-regional organizations to share best practices in capacity-building for responding to trafficking in persons, and to facilitate their contributions to the international community's efforts in this area;
57. Encouraging effective cooperation and coordination of efforts at the national, regional and international level by developing bilateral, regional and international cooperation agreements, especially among countries of origin, transit and destination;
58. Stressing the importance of regional approaches to facilitate mutual legal assistance and the exchange of information including operational information, programs and good practices;
59. Concluding and implementing mutual legal assistance and extradition agreements to ensure the apprehension and prosecution of perpetrators of human trafficking, in accordance with the relevant provisions of national and international law;
60. Promoting cooperation between governmental institutions and non-governmental organizations, and other elements of civil society in establishing prevention, protection and prosecution policies and programmes;
61. Strengthening formal and informal cooperation between law enforcement agencies regionally and internationally;



62. Endeavoring to coordinate all stakeholders involved in the fight against trafficking in persons at the national level, including government institutions, non-governmental organizations, the private sector and workers and employers organizations;
63. Intensifying international cooperation to combat trafficking, consistent with the work of the open-ended working group on trafficking in persons and on international cooperation established by the Conference of the Parties to United Nations Convention against Transnational Organized Crime;
64. Promoting exchange of information and experiences between the Conference of the Parties of United Nations Convention against Transnational Organized Crime and United Nations human rights treaty bodies and mechanisms;
65. Encouraging UNODC and other international organizations to continue to assist States, upon request, to strengthen policy making, legislative arrangements and law enforcement practices, public awareness campaigns and capacity building; and to disseminate best practices in assisting victims of trafficking;
66. Further encouraging UNODC as well as other United Nations Agencies, Funds and Programmes to continue to improve the coherence and efficiency of technical assistance delivery in the field of trafficking in persons in coordination with the efforts of the Working Group on Technical Assistance established by the Conference of the Parties to the United Nations Convention against Transnational Organized Crime;
67. Requesting the Secretary-General as a matter of priority to strengthen the capacity of UNODC to collect information and periodically report on trafficking in persons patterns and flows at the national, regional and international levels, as well as share best practices and lessons learned from regional initiatives and mechanisms;
68. Promoting coordination and cooperation across the United Nations, especially amongst the existing various entities focusing on trafficking in persons, including via the Inter-Agency Coordination Group against Trafficking in Persons and UN.GIFT;
69. Urging the Secretary-General to expedite the strengthening of the United Nations Inter-Agency Coordination Group against Trafficking in Persons under the coordination of UNODC, in order to ensure overall coordination and coherence in the United Nations system's efforts to respond to trafficking in persons;
70. Encouraging Member States to consider making voluntary contributions to United Nations anti-human trafficking work, and to explore additional sources of funding in this regard, including reaching out to the private sector for contributions.



Permanent Mission of Cape Verde  
to the United Nations  
27, East 69<sup>th</sup> Street  
New York, N.Y. 10021



Permanent Mission of Portugal  
to the United Nations  
866, Second Avenue, 9<sup>th</sup> floor  
New York, N.Y. 10017

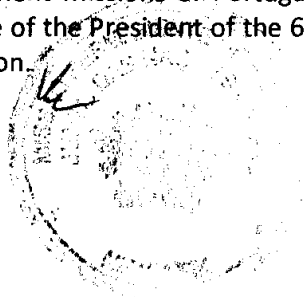
ONU/2010/89

The Permanent Missions of Portugal and Cape Verde present their compliments to the Office of the President of the 64<sup>th</sup> session of the General Assembly and, following the second meeting of the process of consultations on a United Nations Global Plan of Action on preventing trafficking in persons, have the honor to forward herewith the email addresses to which Members States, Permanent Observers and interested UN agencies, funds and programs as well as other stakeholders can send, until May 5, written comments on the draft Global Plan of action circulated by the Facilitators:

- [smonteiro@un.int](mailto:smonteiro@un.int)
- [svazpatto@missionofportugal.org](mailto:svazpatto@missionofportugal.org)
- [monasebian@un.org](mailto:monasebian@un.org) and [karas@un.org](mailto:karas@un.org)

The Permanent Missions of Portugal and Cape Verde would very much appreciate if the Office of the President of the 64<sup>th</sup> session of the General Assembly could circulate this Note to all Permanent Representatives and Permanent Observers.

The Permanent Missions of Portugal and Cape Verde avail themselves of this opportunity to renew to the Office of the President of the 64<sup>th</sup> session of the General Assembly the assurances of their highest consideration.



New York, 23 April, 2010



Permanent Mission of Cape Verde  
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27, East 69<sup>th</sup> Street  
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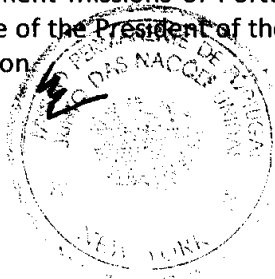
Permanent Mission of Portugal  
to the United Nations  
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New York, N.Y. 10017

ONU/2010/135

The Permanent Missions of Portugal and Cape Verde present their compliments to the Office of the President of the 64<sup>th</sup> session of the General Assembly and, following the second meeting of the process of consultations on a United Nations Global Plan of Action on preventing trafficking in persons, have the honor to forward herewith the compilation of all the written comments on the draft Global Plan of Action on trafficking in persons received from Member States, Permanent Observers and interested UN agencies, funds and programs.

The Permanent Missions of Portugal and Cape Verde would very much appreciate if the Office of the President of the 64<sup>th</sup> session of the General Assembly could circulate this Note to all Permanent Representatives and Permanent Observers.

The Permanent Missions of Portugal and Cape Verde avail themselves of this opportunity to renew to the Office of the President of the 64<sup>th</sup> session of the General Assembly the assurances of their highest consideration.



New York, 18 May, 2010

The United Nations Global Plan of Action to  
Combat Trafficking in Persons

Table of Inputs on First Draft

The General Assembly,

<p>PP1. <i>Guided</i> by the purposes and principles of the Charter of the United Nations and <i>reaffirming</i> its role under the Charter, including on questions related to development, peace and security and human rights,</p>	<p><b>Malaysia:</b> <i>Guided</i> by the purposes and principles of the Charter of the United Nations <del>and reaffirming its role under the Charter, including on questions related to development, peace and security and human rights</del></p> <p><b>Holy See:</b> ... <del>and</del> human rights <u>and dignity</u></p>
<p>PP.2 <i>Reiterating</i> its strong condemnation of trafficking in persons, as it constitutes a serious threat to development, peace and security and human rights,</p>	<p><b>African Group:</b> <i>Reiterating</i> its strong condemnation of trafficking in persons, as it constitutes a serious threat to development, peace and security and human rights, <u>and that trafficking in human beings, within and between states, is a scourge which states are determined to address,</u></p> <p><b>PP.2bis</b> <i>Reiterating its strong condemnation of the scourge of trafficking in persons, especially of women and children, within and between States, as a serious threat to human rights and human development</i></p> <p><b>PP.2 ter</b> <i>Recognizing that poverty, unemployment and the search for improved socio-economic opportunities are contributing factors, making persons vulnerable to becoming victims of trafficking,</i></p> <p><b>Colombia:</b> <i>Reiterating</i> its strong condemnation of <u>transnational organized crime, including trafficking in persons and the negative effects on</u> development, peace and security and human rights</p> <p><b>Malaysia:</b> <i>Reiterating</i> its strong condemnation of trafficking in persons, <del>as it constitutes a serious threat to development, peace and security and human rights,</del></p> <p><b>Nicaragua:</b> <i>Reiterating</i> its strong condemnation of trafficking in persons, <u>a form of contemporary slavery,</u></p> <p><b>Holy See:</b> ... <del>and</del> human rights <u>and dignity</u></p> <p><b>Thailand:</b> delete</p>
<p>PP.3 <i>Recalling</i> the Millennium Declaration, adopted in September 2000, where Member States resolved to intensify efforts to “fight transnational crime in its entire dimension including trafficking as well as smuggling in human beings”,</p>	<p><b>African Group:</b> <b>PP.3 bis</b> <i>Recognising that trafficking in persons is a fast-growing criminal industry that requires effective international cooperation and collaboration in order to prevent and suppress trafficking in persons and punish the perpetrators,</i></p> <p><b>Colombia:</b> delete. Exceeds scope of resolution and is repetitive with PP2. Would support to bring in original OP112, resolution 60/1.</p>

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<p>PP.4 <i>Reaffirming</i> the General Assembly Resolution 55/25 of 2000, adopting the United Nations Convention against Transnational Organized Crime and its supplementing Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, which builds on other related conventions and instruments such as ILO convention 29 and 182, Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery of 1956, the Convention on the Rights of the Child and its Optional Protocol on the sale of children, child prostitution and child pornography, and the Convention on the Elimination of All Forms of Discrimination against Women.</p>	<p><b>Belarus:</b> ...which builds on other related conventions and instruments such as ILO conventions 29 and 182...</p> <p><b>Canada:</b> ...and other related conventions</p> <p><b>IOM:</b> add International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families</p> <p><b>Japan:</b> <i>Add</i>, after “its supplementing Protocol to Prevent Suppress and Punish Trafficking in Persons, Especially Women and Children”, “(hereinafter “Trafficking in Persons Protocol)””.</p> <p><b>Malaysia:</b> PP.4 <i>Reaffirming the</i> General Assembly Resolution 55/25 of 2000, adopting the United Nations Convention against Transnational Organized Crime and its supplementing Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, <del>which builds on other related conventions and instruments such as ILO convention 29 and 182, Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery of 1956, the Convention on the Rights of the Child and its Optional Protocol on the sale of children, child prostitution and child pornography, and the Convention on the Elimination of All Forms of Discrimination against Women,</del></p> <p><del>PP.5 <i>Recognizing</i> that the aforementioned United Nations Trafficking in Persons Protocol, which entered into and its entry into force on 25 December 2003, which provided for the first time an internationally agreed definition of the crime of trafficking in persons, aiming at the prevention of trafficking in persons, protection of its victims and prosecution of its culprits,</del></p> <p><b>Thailand:</b> Persons, Especially Women and Children, and other related...</p> <p><b>UNICEF:</b> add Optional Protocol on the Involvement of Children in Armed Conflict</p>
<p>PP.5 <i>Recognizing</i> that the aforementioned United Nations Trafficking in Persons Protocol, which entered into force on 25 December 2003, provided for the first time an internationally agreed definition of the crime of trafficking in persons, aiming at the prevention of trafficking in persons, protection of its victims and prosecution of its culprits,</p>	<p><b>African Group:</b> Redraft as follows: <i>Recognizing</i> that the <u>United Nations Protocol to Prevent, Suppress and Punish Trafficking, Especially Women and Children aimed at the prevention of trafficking in persons, protection of its victims and prosecution of its culprits, provided for the first time an internationally agreed definition of the crime of trafficking in persons.</u></p> <p><b>Thailand:</b> ...crime of trafficking in persons, aiming at the prevention of trafficking in persons, protection of <u>trafficked</u> victims and prosecution of <u>traffickers</u></p>

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	<p><b>Malaysia:</b> (see PP.4 above)</p> <p><b>Japan:</b> <i>Delete</i> “aforementioned United Nations”</p> <p><b>Norway:</b> Paragraph PP5bis  <i>Recalling</i> the outcome of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime at its fourth session, held in Vienna from 8 to 17 October 2008, as well as the progress made by the Conference of the Parties to the United Nations Convention against Transnational Organized Crime open-ended interim Working Group on Trafficking in Persons during its meeting, held in Vienna on 14 and 15 April 2009. (taken from A/RES/64/178 pp4)</p> <p><b>UNAIDS:</b> ...crime of trafficking in persons, aiming at the prevention of trafficking in persons, protection of <a href="#">trafficked persons</a> and prosecution of <a href="#">perpetrators of trafficking</a>.</p>
<p>PP.6 <i>Reaffirming</i> Commission on Human Rights resolution 2004/110, to appoint a Special Rapporteur on trafficking in persons, especially in women and children to highlight the importance of a victims’ rights-based approach to combating trafficking in persons, especially women and children and Human Rights Council resolution 6/14 of 2007 to appoint a Special Rapporteur on contemporary forms of slavery, including its causes and consequences,</p>	<p><b>Thailand:</b> delete</p> <p><b>USA:</b> add the Special Rapporteur on Sale of Children and the Special Representative on Violence Against Children</p>
<p>PP.7 <i>Recalling</i> the World Summit Outcome Document (par.111-112) of 2005 adopted by the General Assembly that (a) expresses the concerns of Member States at the negative effects on development, peace and security and human rights posed by trafficking in persons, (b) recognizes that trafficking in persons continues to pose a serious challenge to humanity and requires a concerted international response, and (c) urges all States to devise, enforce and strengthen effective measures to prevent, suppress and punish trafficking in persons and to protect victims,</p>	<p><b>African Group:</b> <i>Recalling</i> the World Summit Outcome Document (<del>para. 111-112</del>) of 2005 adopted by the General Assembly that recognizes <del>a) expresses the concerns of Member States at the negative effects on development, peace, security and human rights posed by trafficking in persons, b) recognizes that trafficking in persons continues to pose a serious challenge to humanity and requires a concerted international response, and c) urges all states to devise, enforce and strengthen effective measures to prevent, suppress and punish trafficking in persons and protect victims;</del> that trafficking in persons continues to pose a serious challenge to humanity and requires a concerted <a href="#">global</a> response, <a href="#">based on partnership and cooperation</a> and urges all states to devise, enforce and strengthen effective measures to prevent, suppress and punish trafficking in persons and to protect victims;</p> <p><b>Colombia:</b> suggests to keep the original language in paragraph 112 of the World Summit Document referred to here.</p> <p><b>Thailand:</b> delete</p> <p><b>UNAIDS:</b> ...prevent, suppress and punish trafficking in persons and to protect <a href="#">trafficked persons</a>.</p>
<p>PP.8 <i>Recalling</i> that pursuant to a request from Economic</p>	<p><b>Belarus:</b> ...reinforced by GA Resolution 61/180</p>

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<p>and Social Council resolution 2006/27 “Strengthening international cooperation in preventing and combating trafficking in persons and protecting victims of such trafficking”, reinforced by GA Resolution 61/180, the Inter-Agency Coordination Group against Trafficking in Persons was established to foster coordination and cooperation among relevant United Nations agencies and other international organizations involved in combating human trafficking,</p>	<p><a href="#">"Improving the coordination of efforts against trafficking in persons" (20 December 2006)</a>,</p> <p><b>Norway:</b> Supporting <del>the role of</del> and cooperating with the Special Rapporteur on trafficking in persons, especially ... [This change would put the emphasis on actual cooperation with the SP and not just tacit support of the role.]</p>
<p>PP.9 <i>Recognizing</i> that the launch of UN.GIFT by the United Nations Office on Drugs and Crime in partnership with International Labor Organization, Office of the High Commissioner for Human Rights, United Nations Children’s Fund, Organization for Security and Cooperation in Europe and International Organization for Migration, in March 2007, and the Vienna Forum of 13-15 February 2008, provided all anti-trafficking actors including the United Nations, governments and civil society organizations a global forum to share respective experiences and further highlighted the need to collectively address human trafficking in a multi-faceted and holistic manner,</p>	<p><b>OHCHR:</b> <i>Recognizing</i> that the launch of UN.GIFT by <a href="#">a partnership of UN agencies and IGOs</a>, <a href="#">including</a> the United Nations Office on Drugs and Crime <del>in partnership with</del> International...</p> <p><b>IOM:</b> ... provided <del>all</del> anti-trafficking actors including the United Nations...</p>
<p>PP.10 <i>Recalling</i> the General Assembly Thematic Debate on Human Trafficking of 3 June 2008 giving Member States a framework for discussion concentrating on the “three P’s” (prevention, protection and prosecution), and the General Assembly Interactive Thematic Dialogue on "Taking Collective Action to End Human Trafficking" held on 13 May 2009,</p>	<p><b>Belarus:</b> ...held on 13 May 2009 <a href="#">which underlined the importance of strengthening collective action by Member States and other stakeholders, including regional and international organizations, NGOs, the private sector and media</a>.</p>
<p>PP.11 <i>Recalling</i> all General Assembly resolutions on measures to eliminate trafficking in persons, including the aforementioned resolution 63/194 and resolutions 64/178 on “Improving the coordination of efforts against trafficking in persons” (18 December 2009) and 61/180 also on “Improving the coordination of efforts against trafficking in persons” (20 December 2006), 61/144 on “Trafficking in women and girls” (19 December 2006), and 58/137 on “Strengthening international cooperation in preventing and combating trafficking in persons and protecting victims of such trafficking” (22 December 2003),</p>	<p><b>Belarus:</b> ...<del>61/180</del> and resolutions 64/178 on "Improving the coordination of efforts against trafficking in persons" (18 December 2009) and <del>63/194</del> also on "Improving the coordination of efforts against trafficking in persons" (<del>18</del> December 2008).</p> <p><b>Thailand:</b> <i>Recalling</i> all General Assembly resolutions on measures <a href="#">improve the coordination of efforts and strengthen international cooperation to combat and eliminate trafficking in persons, and in this regard, recognizing that trafficking in persons continues to pose a serious challenge to humanity and requires a concerted international response based on a victim-centered approach</a>.</p>
<p>PP.12 <i>Noting</i> the relevant decisions adopted at the Conference of the Parties to the United Nations Convention against Transnational Organized Crime: Decision 1/5, Decision 2/3 and Decision 3/3, on the implementation of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children,</p>	<p><b>Thailand:</b> delete</p> <p><b>USA:</b> Replace “<i>Noting</i>” with “<i>Recognizing</i>” to reinforce the primacy of the Conference of Parties to the Transnational Organized Crime Convention</p>
<p>PP.13 <i>Considering</i> relevant regional mechanisms and initiatives, such as the Asia-Europe Meeting Action Plan to Combat against Trafficking in Persons, Especially Women and Children; ASEAN Declaration against Trafficking in Persons, Particularly Women and</p>	<p><b>African Group:</b> <del>Considering</del> <i>Recalling</i> relevant regional mechanisms and initiatives, such as ... Economic Community of West African States Declaration on the Fight against Trafficking in Persons; <a href="#">ECOWAS/ECCAS Joint Plan of Action to</a></p>

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<p>Children; Black Sea Economic Cooperation Organization Action Plan on Cooperation in Combating Crime; Coordinated Mekong Ministerial Initiative against Trafficking; Economic Community of West African States Declaration on the Fight against Trafficking in Persons; Ouagadougou Action Plan to Combat Trafficking in Human Beings, Especially Women and Children; Council of Europe Convention on Action against Trafficking in Human Beings; OSCE Action Plan to Combat Trafficking in Human Beings; Plan of Action of the Regional Conference on Migration (the Puebla Process multilateral regional forum of all Central and North American countries and the Dominican Republic); Stability Pact for South-Eastern Europe Task Force on Trafficking in Human Beings, in Particular in its Organized Forms,</p>	<p><a href="#">combat Trafficking in Persons, Especially Women and Children</a>, Ouagadougou Action Plan to Combat Trafficking in Human Beings; ... Stability Pact for South-Eastern Europe Task force on Trafficking in Human Beings, in Particular in its Organized Forms, <a href="#">as well as all other relevant national initiatives</a>;</p> <p><b>Canada:</b> Add a reference to the OAS, most notably the 1<sup>st</sup> and 2<sup>nd</sup> meetings of national authorities on TiP and the development of OAS workplan to combat TiP.</p> <p><b>Colombia:</b> would prefer a general formulation instead of listings. If facilitators insist on listing, Colombia would ask to mention the Anti Trafficking in Persons section of the Organization of American States.</p> <p>Colombia would prefer a shorter formulation as follows:  <a href="#">Recognizing the importance of initiatives and mechanisms with a regional perspective and its value in promoting and enhancing sharing of experiences, technical assistance, cooperation and mutual legal assistance.</a></p> <p>New para 13bis:  <a href="#">Reaffirming that effective action to prevent and combat trafficking in persons, especially women and children, requires a comprehensive international approach in the countries of origin, transit and destination that includes measures to prevent such trafficking, to punish the traffickers and protect the victims of such trafficking, including by protecting their internationally recognized human rights.</a></p> <p><b>Indonesia:</b> Add reference to Bali Process in list "...in Particular in its Organized Forms,"...cognizant of the fact that these initiatives have complemented and strengthened bilateral cooperation in various regions as consequence. These initiatives also demonstrated the political will that exist in the regions to work together to combat trafficking in persons and other transnational crimes, while acknowledging each region possess its own characteristics of menace. Inviting States to further build on existing regional agreements, mechanisms, and efforts as to strengthen a network of anti-trafficking in persons."</p> <p><b>IOM:</b> add The South Asian Association for Regional Cooperation (SAARC) Convention on Prevention and Combating the Trafficking in Women and Children for Prostitution (2002) and a regional plan of action to strengthen their cooperation.</p> <p><b>Nicaragua:</b> ... (the Puebla Process multilateral regional forum of all Central and North American countries and the Dominican Republic); <a href="#">Central</a></p>
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	<p><a href="#">American Coalition against trafficking in persons</a> Stability Pact for South-Eastern Europe Task Force on Trafficking in Human Beings, in Particular in its Organized Forms,</p> <p><b>Thailand:</b> <i>Considering</i> relevant <a href="#">sub-regional</a>, regional <a href="#">and cross-regional</a> mechanisms and initiatives, such as the Asia-Europe Meeting Action Plan to Combat against Trafficking in Persons, Especially Women and Children; ASEAN Declaration against Trafficking in Persons, Particularly Women and Children; <a href="#">the Bali Process</a>;</p> <p><b>UNICEF:</b> Recommend consideration of other regional efforts for inclusion such as EU legislation and initiatives (See: the Stockholm Programme and new Action Plan, The Stability Pact Task Force on Trafficking in Human Beings for South Eastern Europe is not operational any more. It was closed in November 2004.<sup>1</sup>)</p>
<p>PP.14 <i>Recognizing</i> the need to develop a global plan of action against trafficking in persons that will</p> <ul style="list-style-type: none"> <li>• promote universal ratification of the UN Convention against Transnational Organized Crime and its Trafficking Protocol as well as other relevant international instruments that address trafficking in persons,</li> <li>• reinforce the implementation of existing instruments against trafficking in persons,</li> <li>• help Member States to reinforce their commitments to prevent and combat trafficking in persons</li> <li>• promote comprehensive, coordinated and consistent responses, at the national, regional and international levels, to counter trafficking in persons,</li> <li>• promote a human rights based approach necessary to prevent trafficking in persons, protect its victims and prosecute its offenders</li> <li>• raise awareness within the UN system and also among States and other stakeholders such as the business sector, civil society and the international mass media and the public at large,</li> <li>• foster cooperation and coordination among all relevant stakeholders including Member States, international organizations, civil society organizations and the private sector,</li> </ul> <p>1. Adopts the present resolution and its annex as the United Nations Global Plan of Action to Combat Trafficking in Persons (“the Plan of Action”), and</p> <p>2. Decides, without prejudice to the continuation of the discussion at its relevant committees of all their agenda items related to trafficking in persons to undertake the following steps for the effective follow-up of the Plan of Action:</p>	<p><b>African Group:</b> delete PP14 OP1:</p> <p><a href="#">Adopts the present resolution and its annex as the United Nations Global Plan of Action to Combat Trafficking in Persons (hereinafter referred to as “the Plan of Action”) and launches the Plan of Action during the sixty-fourth session of the General Assembly.</a></p> <p>OP 1bis <a href="#">Decides that the objectives of the United Nations Plan of Action on Trafficking in Persons shall be:</a></p> <ul style="list-style-type: none"> <li>• <a href="#">To promote universal ratification of the UN Convention against Transnational Organized Crime and its Trafficking Protocol as well as other relevant international instruments that address trafficking in persons.</a></li> <li>• <a href="#">To reinforce international and regional cooperation in accordance with the relevant provisions of the UNCTO and its protocol and provide technical assistance for an effective implementation of these instruments</a></li> <li>• <a href="#">To enhance capacity building for those States in need and to this end create a Trust Fund for the implementation of the Global Plan of Action.</a></li> <li>• <a href="#">To assist Member States to reinforce their commitments to prevent and combat trafficking in persons.</a></li> <li>• <a href="#">To promote comprehensive, coordinated</a></li> </ul>

<sup>1</sup> See also [http://ec.europa.eu/justice\\_home/fsj/crime/trafficking/fsj\\_crime\\_human\\_trafficking\\_en.htm](http://ec.europa.eu/justice_home/fsj/crime/trafficking/fsj_crime_human_trafficking_en.htm)

<p>(a) To launch the Plan of Action during the sixty-fourth session;</p> <p>(b) To encourage Member States, the United Nations and other international, regional and sub-regional organizations to support the implementation of the Plan of Action, including through mobilizing resources and expertise;</p> <p>(c) To further encourage civil society including non-governmental organizations and the private sector to engage, as appropriate, on how to enhance efforts to implement the Plan of Action;</p> <p>(d) To invite the Secretary-General to report annually to the General Assembly on the implementation of the Plan of Action,</p>	<p><u>and consistent responses, at the national, regional and international levels, to counter trafficking in persons,</u></p> <ul style="list-style-type: none"> <li>• <u>To promote a human rights based approach necessary to prevent trafficking in persons, protect its victims and prosecute its culprits,</u></li> <li>• <u>To raise awareness within the UN system and also among States and other stakeholders such as the business sector, civil society and the international mass media and the public at large,</u></li> <li>• <u>To foster cooperation and coordination among all relevant stakeholders including Member States, international organizations, civil society organizations and the private sector,</u></li> </ul> <p>OP.2 Further <u>decides</u>, without prejudice to the continuation...</p> <p><del>(a) To launch the Plan of Action during the sixty-fourth session;</del></p> <p>(d) To <del>invite</del> <u>request</u> the Secretary-General to report annually to the General Assembly on the implementation of the Plan of Action.</p> <p><b>d bis)</b> <u>To encourage States to include in their periodic reporting to relevant United Nations bodies the challenges faced and progress made in the fight against trafficking in persons</u></p> <p><b>d ter)</b> <u>To further request the Secretary-General to present proposals regarding developing a monitoring mechanism for the implementation of the Plan of Action in his report to the sixty-fifth session of the General Assembly, to be considered and adopted by the General Assembly</u></p> <p><b>Belarus:</b> (b) To encourage Member States, the United Nations and other international, regional and sub-regional organizations, <u>including through interaction within Inter-Agency Coordination Group</u> to support...</p> <p><b>Canada:</b> Replace bullets with a, b, c, etc.</p> <p>Bullet 6: ... within the UN system and also among States and other stakeholders such as the <u>private</u>, sector, civil society and the international mass media</p> <p>OP2(c): add a reference to the media</p> <p><b>Colombia:</b> delete PP14</p>
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	<p>Paragraph 1: Some of the following elements could be included:</p> <ul style="list-style-type: none"> <li>• Promote universal ratification and effective implementation of the Trafficking Protocol supplementing UNTOC;</li> <li>• Encourage the adoption of a comprehensive, balanced and human rights based international approach that emphasizes protection and assistance to the victims;</li> <li>• Promote international cooperation and mutual legal assistance, including at national and regional levels;</li> <li>• Raise national and international awareness to the seriousness of the crime and the risks for victims;</li> <li>• Foster coordination of efforts and the strengthening of synergies between competent entities of the UN system and other relevant stakeholders;</li> </ul> <p>Paragraph 2: delete</p> <p><b>EU:</b> replace OP2(d) with: <a href="#"><u>Urges those Member States of the United Nations that have not yet done so to ratify or accede as soon as possible to the United Nations Convention against Transnational Organized Crime and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, considering the central role of these instruments in the Plan of Action.</u></a></p> <p><b>Indonesia:</b> Paragraph 2(d) requires the Secretary-General to report annually about its implementation, yet many of the paragraphs contained in the draft plan of action do lack specificities and thus would render the work of the Secretariat more complex in gauging with exactness the progress of its implementation.</p> <p><b>IOM:</b> Bullet 2</p> <ul style="list-style-type: none"> <li>• reinforce the implementation of existing instruments against trafficking in persons <a href="#"><u>and related human rights violations.</u></a></li> </ul> <p><b>Japan:</b> Bullet 1. <i>Add</i>, after “promote universal ratification” in line 1, “acceptance, approval or accession”. <i>Add</i>, after “and its Trafficking” in line 2, “in Persons”. (rationale) Article 16 of the Trafficking in Persons Protocol</p> <p>OP2(b). <i>Delete</i> “, including through mobilizing resource and expertise” (rationale) To be submitted if necessary.</p> <p>OP2(d).</p>
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	<p><i>Delete</i> whole paragraph. (rationale) To be submitted if necessary.</p> <p><b>Malaysia:</b> bullet 5: ...promote a <del>human rights-based-balanced</del> approach, <del>which recognizes the development, human rights and criminal justice perspectives</del> necessary to prevent trafficking in persons, protect its victims and prosecute its culprit,</p> <ol style="list-style-type: none"> <li>a) To launch the Plan of Action during the sixty-fourth session; <del>To examine in three years progress made in implementation of the Strategy;</del></li> <li>b) To encourage Member States, the United Nations and other international, regional and sub-regional organizations to support the implementation of the Plan of Action, including through mobilizing resources and expertise;</li> <li>c) To further encourage civil society including non-governmental organizations and the private sector to engage, as appropriate, on how to enhance efforts to implement the Plan of Action;</li> <li>d) To invite the Secretary-General <del>to report annually to the General Assembly on the implementation of the Plan of Action, to contribute to future deliberations of the General Assembly on the review of the implementation of the Strategy;</del></li> </ol> <p><b>Singapore:</b> Recognising the need to develop a global plan of action against trafficking in persons that will ... reinforce the implementation of existing instruments against trafficking in persons <del>by State Parties</del></p> <p><b>Switzerland:</b> In OP 2, you probably mean in fact the relevant GA <u>Main</u> Committees (i.e. the 3.Com and 6.Com) when you speak of “<i>its relevant Committees</i>”. We note in OP 2 b that “to support the implementation of the Plan of Action, <i>including through mobilizing resources...</i>” implies that the financing of the GPoA through the UN general budget won’t suffice to implement the GPoA and thus voluntary contributions by States would be needed Include a reference to <u>existing best practices and lessons learnt</u> in PP.14.</p> <p><b>Thailand:</b> <i>Recognizing</i> the need to develop a global plan of action against trafficking in persons that will <u>foster cooperation and coordination among all relevant stakeholders including Member States, international...</u></p> <p>Decides <u>to</u> invite the Secretary-General to report annually to the General Assembly on the implementation of the Plan of Action</p>
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promote universal ratification of the UN Convention against Transnational Organized Crime and its Trafficking Protocol as well as other relevant international instruments that address trafficking in persons.¶  
reinforce the implementation of existing instruments against trafficking in persons.¶  
help Member States to reinforce their commitments to prevent and combat trafficking in persons.¶  
promote comprehensive, coordinated and consistent responses, at the national, regional and international levels, to counter trafficking in persons.¶  
promote a human rights based approach necessary to prevent trafficking in persons, protect its victims and prosecute its culprits.¶  
raise awareness within the UN system and also among States and other stakeholders such as the business sector, civil society and the international mass media and the public at large.¶

**Deleted:** , without prejudice to the continuation of the discussion at its relevant committees of all their agenda items related to trafficking in persons to undertake the following steps for the effective follow-up of the Plan of Action:¶  
To launch the Plan of Action during the sixty-fourth session;¶  
To encourage Member States, the United Nations and other international, regional and sub-regional organizations to support the implementation of the Plan of Action, including through mobilizing resources and expertise;¶  
To further encourage civil society including non-governmental organizations and the private sector to engage, as appropriate, on how to enhance efforts to implement the Plan of Action;¶

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	<p><b>UNICEF:</b> Recommend consideration for rewording under first and second bullet points: "... as well as other international <u>human rights standards and instruments that address trafficking in persons...</u>"; "... implementation of existing <u>human rights standards and instruments against trafficking in persons...</u>"</p> <p><b>USA:</b> Delete "Recognizing the need to develop a global plan of action against trafficking in persons that will" and replace with "Recognizing the need to promote universal ratification and implementation of the UN Convention against Transnational Organized Crime and its Trafficking Protocol, a global plan of action could,"</p> <ul style="list-style-type: none"> <li>• delete the first 2 bullets</li> <li>• 3rd bullet: delete "help" and replace with "encourage"</li> </ul> <p>OP 2 (b): Delete "to support the implementation of the Plan of Action, including through mobilizing resources and expertise." And replace with "to take appropriate steps for the further implementation of the Trafficking in Persons Protocol."</p> <p>OP 2 (c): Delete "on how to enhance efforts to implement the Plan of Action" and replace with "on how to enhance efforts to implement the Trafficking in Persons Protocol".</p> <p>OP 2 (d): Delete paragraph.</p>
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<p><b>ANNEX: PLAN OF ACTION</b> We, the States Members of the United Nations, reaffirm our commitments and decide to translate our political will into intensified efforts and concrete actions to prevent and combat trafficking in persons, protect and assist victims of trafficking, prosecute crimes of trafficking in persons and to promote partnerships to strengthen coordination and cooperation against trafficking in persons by:</p>	<p><b>African Group:</b> Redraft as follows: <u>We, the States Members of the United Nations, determined to put the heinous crime of trafficking in persons, especially women and children, have resolved to translate our political will into concrete actions by adopting the following Plan of Action:</u></p> <p><b>Belarus:</b> ...partnerships <u>with all stakeholders</u> to strengthen coordination and cooperation against trafficking in persons <u>with the aim to put an end to this shameful crime</u> by:</p> <p><b>Colombia:</b> We, the States Members of the United Nations, reaffirm our commitment <u>to prevent and combat trafficking in persons, protect and assist victims of trafficking, prosecute the crime of trafficking in persons and resolve to:</u></p> <p><b>Switzerland:</b> In the first line of the annexed GPoA, we should not only reaffirm our political commitments to prevent and combat trafficking in persons but also our legal obligations to do so.</p> <p><b>Thailand:</b> We, the Members <u>States</u> of the United Nations, reaffirm our commitments <u>and political will</u> and decide to <u>support our</u> intensified efforts and concrete actions to prevent and combat trafficking in persons, protect and assist victims of trafficking <u>and prosecute crimes of trafficking in persons by</u></p>
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	<p><a href="#">strengthening the UN system in its anti-trafficking work and promoting</a> partnerships to strengthen coordination and cooperation against trafficking in persons. <a href="#">In this regard, we undertake to do the following</a></p>	<p><b>Deleted:</b> and to promote</p>
<p>1. Consistently, unequivocally and strongly condemning trafficking in persons, as it constitutes a serious threat to development, peace and security, and human rights;</p>	<p><b>African Group:</b> <a href="#">To universally condemn trafficking in all its forms and manifestations.</a></p> <p><b>Colombia:</b> Consistently, unequivocally and strongly condemn trafficking in persons <a href="#">[as it poses] OR [and its] negative effects on</a> development, peace and security, and human rights New Paragraph 1bis: <a href="#">Recognize that trafficking in persons for the purpose of exploitation includes, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs as set forth in the Trafficking Protocol supplementing UNTOC.</a></p> <p><b>EU:</b> Consistently, and strongly condemning trafficking in persons, as it constitutes a <a href="#">criminal activity and, has negative effects on</a> development, peace and security, and human rights;</p> <p><b>Holy See:</b> ...and human rights <a href="#">and dignity</a></p> <p><b>Thailand:</b> delete</p> <p><b>Japan:</b> <i>Change</i> “development, peace and security, and human rights” to “development, peace and security, <a href="#">human security</a> and human rights” (rationale) Trafficking in Persons is a threat to human security. There are projects funded through the United Nations Trust Fund for Human Security which aim at providing assistance to the victims of trafficking in persons.</p>	<p><b>Deleted:</b> ing</p> <p><b>Deleted:</b> ,</p> <p><b>Deleted:</b> constitutes a serious threat to</p> <p><b>Deleted:</b> unequivocally</p> <p><b>Deleted:</b> serious threat</p> <p><b>Deleted:</b> to</p>
<p>2. Ensuring that the promotion and protection of the human rights of trafficked persons are at the centre of all efforts to prevent and combat trafficking in persons.</p>	<p><b>African Group:</b> <a href="#">To promote a Human Rights-based approach to addressing trafficking;</a></p> <p><b>Canada:</b> Ensuring that <a href="#">the human rights of</a> trafficked persons are at the centre of all efforts to prevent and combat trafficking in persons <a href="#">and to protect, assist and provide redress to victims.</a></p> <p><b>China:</b> Ensuring that the <a href="#">severe punishment to traffickers, decrease and elimination of trafficking in persons as a crime</a> are at the centre of all efforts to prevent and combat trafficking in persons.</p> <p><b>EU:</b> Switch order of paragraph 2 and 3 New paragraph 2: Taking urgent action to prevent trafficking in persons, protect its victims and prosecute its <a href="#">offenders</a> and strengthen partnership...</p> <p><b>Holy See:</b> ...and human rights <a href="#">and dignity</a></p> <p><b>Malaysia:</b> Ensuring that the promotion and</p>	<p><b>Deleted:</b> the</p> <p><b>Deleted:</b> promotion and protection of t</p> <p><b>Deleted:</b> promotion and protection of the human rights of trafficked persons</p> <p><b>Deleted:</b> culprits</p>

	<p>protection of the human rights of trafficked persons, <u>preventing trafficking in persons through addressing its root causes and contributing factors, such as poverty, underdevelopment, and marginalisation, and strengthening the criminal justice response</u> are at the centre of all efforts to prevent and combat trafficking in persons</p> <p><b>Thailand:</b> delete</p>
<p>3. Taking urgent action to prevent trafficking in persons, protect its victims and prosecute its culprits and strengthen partnership to these ends by promoting and attaining universal ratification and effective implementation of the United Nations Convention against Transnational Organized Crime and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children as well as other relevant international instruments, including ILO convention 29 and 182, Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery of 1956, the Convention on the Rights of the Child and its Optional Protocol on the sale of children, child prostitution and child pornography, and the Convention on the Elimination of All Forms of Discrimination against Women;</p>	<p><b>African Group:</b> <u>To take urgent action to prevent trafficking in persons, protect its victims and prosecute its culprits and strengthen partnership to these ends by promoting and attaining universal ratification and effective implementation of the United Nations Convention against Transnational Organized Crime and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children as well as other relevant international instruments, including ILO convention 29 and 182, Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery of 1956, the Convention on the rights of the Child and its Optional Protocol on the sale of children, child prostitution and child pornography, and the Convention on the Elimination of All forms of Discrimination against Women:</u></p> <ul style="list-style-type: none"> <li>a) <u>To address the root causes of trafficking, including poverty, insecurity, underdevelopment, conflict, discrimination and exclusion, violence against women, as well as an increased demand for sex trade and sex tourism.</u></li> <li>b) <u>To reiterate commitment to existing international, regional, sub-regional and national instruments and initiatives on trafficking;</u></li> <li>c) <u>To ensure effective coordination and coherence among the various instruments and actors;</u></li> <li>d) <u>To achieve the objectives of Prevention, Protection, Prosecution and Partnership in the fight against trafficking;</u></li> <li>e) <u>To address the demand-and-supply aspect of trafficking;</u></li> <li>f) <u>To address in particular the vulnerability of women and children;</u></li> <li>g) <u>To identify and promote the role of civil society, especially in awareness-raising and the provision of relevant services for victims.</u></li> <li>h) <u>To strengthen regional and international cooperation.</u></li> <li>i) <u>To assist member-states to share best practices and secure technical and other assistance for implementing the various instruments and initiatives on trafficking.</u></li> </ul>

	<p>j) <a href="#">To establish a Trust Fund to compensate victims of trafficking;</a></p> <p>k) <a href="#">To establish the primary responsibility of national governments to take local action to fight trafficking</a></p> <p><b>Canada:</b> Delete first two lines and begin OP3 with ... Ratifying and effectively implementing the United Nations Convention against Transnational Organized Crime and its Protocol to Prevent,....</p> <p><b>Colombia:</b> full stop after Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children.</p> <p><b>EU:</b> Switch order of paragraph 2 and 3</p> <p>Paragraph 3 bis  <a href="#">Taking prompt action, in the case of Member States that have not yet done so, to ratify or accede to the United Nations Convention against Transnational Organized Crime and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children and to fully implement all its provisions, notably the criminalization of human trafficking in all its forms as defined in article 3 of the said protocol.</a></p> <p><b>Indonesia:</b> Taking <a href="#">continuously</a> urgent action...</p> <p><b>IOM:</b> add International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families</p> <p><b>Japan:</b> <i>Add</i>, after “universal ratification”, “acceptance, approval or accession”.          (rationale) Article 16 of the Trafficking in Persons Protocol</p> <p><b>Malaysia:</b> <b>To split the paragraph into two as follows:</b>          Taking urgent action to prevent trafficking in persons, protect its victims and prosecute its culprits and strengthen partnership to these ends by promoting and attaining universal ratification and effective implementation of the United Nations Convention against Transnational Organized Crime and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children <del>as well as other relevant international instruments, including ILO convention 29 and 182; Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery of 1956, the Convention on the Rights of the Child and its Optional Protocol on the sale of children, child prostitution and child pornography, and the Convention on the Elimination of All Forms of Discrimination against Women;</del></p> <p>Promote universal ratification and implementation</p>
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	<p>of other relevant international legal instruments related to trafficking in persons such as ILO convention 29 and 182, Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery of 1956, the Convention on the Rights of the Child and its Optional Protocol on the sale of children, child prostitution and child pornography, and the Convention on the Elimination of All Forms of Discrimination against Women;</p> <p><b>Norway:</b> <del>Taking urgent action to prevent trafficking in persons, protect its victims and prosecute its culprits and strengthen partnership to these ends by</del> promoting and attaining, <b>as a matter of priority</b>, universal ratification and effective implementation of the United Nations Convention... (continues to the end unchanged)          [NOTE: The purpose of this change is to highlight the centrality of the legal framework to combat trafficking, while removing the repetition of prevention, protection and prosecution already outlined in the chapeau of the plan.]</p> <p><b>Singapore:</b> Taking urgent action to prevent trafficking in persons, protect its victims and prosecute its culprits and strengthen partnership to these ends by <del>promoting and attaining</del> <b>taking efforts to promote</b> universal ratification...</p> <p><b>Thailand:</b> delete</p> <p><b>UNICEF:</b> add Optional Protocol on the Involvement of Children in Armed Conflict (remove this reference) and International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families</p> <p><b>UNAIDS:</b> Taking urgent action to prevent trafficking in persons, protect <del>trafficked persons</del> and prosecute <del>traffickers</del> and strengthen partnership...</p> <p><b>USA:</b> After “promoting and..” add “consider, as a priority, signing and ratifying by 2012” delete “attaining universal ratification” and change “effective implementation” to “effectively implementing...” Delete the list of international documents and add “as applicable” after “international instruments.”</p>
<p>4. Recognizing the role of the Conference of Parties to the Convention, established in accordance with Art. 32 of the UNTOC, to improve the capacity of States Parties to promote and review the implementation of the Convention, including the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children;</p>	<p><b>African Group:</b> <del>Recognizing-To Recognize</del> the role of the Conference of Parties to the Convention, established...</p> <p><b>Canada:</b> Recognizing the <u>primary</u> role of the Conference of Parties to the Convention <u>against Transnational Organized Crime</u>, established in accordance with Art. 32 of the UNTOC, to improve the capacity of States Parties to promote and review</p>

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	<p>the implementation of the Convention, including the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children</p> <p><b>EU:</b> Recognizing <u>and supporting</u> the role of the Conference of Parties, established in accordance with Art. 32 of the UNTOC, to improve the capacity of States Parties to promote and review the implementation of the Convention, <u>and its additional protocols</u></p> <p><b>Japan:</b> <i>Change</i> “the Conference of Parties to the Convention” to “the Conference of <u>the</u> Parties to the Convention”.</p> <p><b>Thailand:</b> delete</p> <p><b>USA:</b> Delete “Recognizing the role of the Conference of Parties to the Convention established in accordance with Art.32 of the UNTOC” and replace with “Reaffirming that, in accordance with Art.32 of the UNTOC, the Conference of Parties to the Convention is established...”</p>	<p><b>Deleted:</b> to the Convention</p> <p><b>Deleted:</b> including the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children</p>
<p>5. Supporting the establishment of a review mechanism to monitor the implementation of the United Nations Convention against Transnational Organized Crime and its Protocols;</p>	<p><b>African Group:</b> <del>Supporting</del> <u>To support</u> the establishment of a review mechanism...</p> <p><b>Belarus:</b> Supporting the establishment of a review mechanism to monitor the implementation of the United Nations Convention against Transnational Organized Crime and its Protocols <u>to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children</u></p> <p><b>Canada:</b> replace OP5 with... Encouraging the Conference of the Parties to the UNTOC Convention to continue its efforts in exploring options regarding an appropriate and effective mechanism to assist the Conference in the review of implementation of the Convention and Protocols thereto.</p> <p><b>China:</b> delete</p> <p><b>Colombia:</b> delete</p> <p><b>EU:</b> Supporting the establishment, <u>through the UNTOC Conference of the Parties</u>, of an <u>effective</u> review mechanism to monitor the implementation of the <u>UNTOC and its additional protocols</u></p> <p><b>Indonesia:</b> merge with paragraph 4 as it contains the same idea. In paragraph 4, it is rightly so mentioned that the CoP of UNTOC plays an important role in reviewing the implementation of the UNTOC. This is echoed by the formulation of paragraph 5.</p> <p><b>Liechtenstein:</b> <del>Supporting</del> <u>Encouraging the Conference of States Parties</u> <del>the to establishment of</del></p>	<p><b>Formatted:</b> Font: 10 pt, Font color: Black, Complex Script Font: 10 pt</p> <p><b>Formatted:</b> Font: 10 pt, Complex Script Font: 10 pt, Strikethrough</p> <p><b>Formatted:</b> Font: 10 pt, Complex Script Font: 10 pt, Not Strikethrough</p> <p><b>Formatted:</b> Font: 10 pt, Complex Script Font: 10 pt, Not Strikethrough</p> <p><b>Formatted:</b> Font: 10 pt, Complex Script Font: 10 pt, Not Strikethrough</p> <p><b>Deleted:</b> United Nations Convention against Transnational Organized Crime and its Protocols</p>

	<p>a review mechanism to monitor the implementation of the UNTOC and its Protocols;</p> <p><b>Thailand:</b> delete</p> <p><b>USA:</b> After “establishment” add “through the UNTOC Conference of Parties, of an effective pilot” after “Convention” add “and its additional protocols</p>
<p>6. Taking into account the recommendations of the Working Group on Trafficking in Persons established by the Conference of the Parties to the UN Convention against Transnational Organized Crime;</p>	<p><b>African Group:</b> <del>Taking-To take</del> into account...</p> <p><b>Canada:</b> Taking into account the <a href="#">activities and recommendations of the open-ended interim Working Group</a>...</p> <p><b>Indonesia:</b> add: “<a href="#">Welcoming the progress made by various activities and working groups under the auspices of Conference of the State Parties of the UN Convention against TOC and further encouraging them to make progresses in the areas of technical assistance.</a>”</p> <p><b>Thailand:</b> delete</p>
<p>7. Supporting the Human Rights Council, and contributing to its work on the question of the promotion and protection of human rights for all in the fight against trafficking in persons;</p>	<p><b>African Group:</b> <del>Taking-To take into account and support</del> the Human Rights Council...</p> <p><b>Thailand:</b> delete</p>
<p>8. Supporting the role of the Special Rapporteur on trafficking in persons, especially women and children, the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, the Special Rapporteur on violence against women, its causes and consequences, Special Rapporteur on the sale of children, child prostitution and child pornography, Special Representative to the Secretary-General on Violence Against Children and other relevant Special Rapporteurs and Representatives. The Special Rapporteurs should assist States by offering concrete advice, making country visits, liaising with the United Nations and regional organizations, and reporting on these issues;</p>	<p><b>African Group:</b> <del>Supporting-To support</del> the role of the Special Rapporteur...</p> <p><b>Canada:</b> Supporting the <a href="#">efforts and specific mandates</a> of the Special Rapporteur</p> <p>delete last sentence “The Special Rapporteurs should...”</p> <p><b>China:</b> ...Special Representative to the Secretary-General on Violence Against Children and other relevant Special Rapporteurs and Representatives <a href="#">while taking into account the code of conduct for special procedure mandate holders</a>. The Special Rapporteurs, <a href="#">at the request or with the consent of States</a>, should assist States by offering...</p> <p><b>EU:</b> ...The <a href="#">mandate holders</a> should assist States by offering concrete advice, making country visits, liaising with the United Nations and regional organizations, and reporting on these issues. <a href="#">UN Member States are asked to accede to requests for visits by the mandate holders</a></p> <p><b>Indonesia:</b> Special Rapporteurs, <a href="#">upon the request of Member-State</a>, should assist...”</p> <p><b>IOM:</b> add Special Rapp on the Human Rights of Migrants</p>

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	<p><b>Norway:</b> Supporting <del>the role of and cooperating with</del> the Special Rapporteur on trafficking in persons, especially...</p> <p>[This change would put the emphasis on actual cooperation with the SP and not just tacit support of the role.]</p> <p><b>Thailand:</b> delete</p> <p><b>UNICEF:</b> Recommend reference be made of the <a href="#">UN Special Rapporteur on the Human Rights of Migrants</a></p> <p><b>USA:</b> Delete “The Special Rapporteurs should assist States by offering concrete advice, making country visits, liaising with the United Nations and regional organizations, and reporting on these issues. Add after “.....Representatives” “by acceding to their requests for country visits in order that they may assist States in offering recommendations for improving national responses.”</p>
<p>9. Reaffirming the central role of the United Nations Office on Drugs and Crime (UNODC) in combating trafficking in persons and providing technical assistance to implement the United Nations Convention against Transnational Organized Crime and its Trafficking in Persons Protocol, by making use of existing capacity building tools, lessons learned and expertise available in international organizations, including inter alia, the International Framework for Action to Implement the Trafficking in Persons Protocol;</p>	<p><b>African Group:</b> <del>Reaffirming</del> <u>To stress</u> the central role of the United Nations Office on Drugs and Crime (UNODC)...</p> <p><b>Canada:</b> recommend splitting as follows:  <u>9(a)</u> Reaffirming the central role of the United Nations Office on Drugs and Crime (UNODC) <u>as mandated in UNGA resolution 55/25</u> in combating trafficking in persons and providing technical assistance to implement the United Nations Convention against Transnational Organized Crime and its Trafficking in Persons Protocol.  <u>9(b)</u> <del>Making</del> use of existing capacity building tools, lessons learned and expertise available in international organizations, including inter alia, the International Framework for Action to Implement the Trafficking in Persons Protocol</p> <p><b>Malaysia:</b> To move up further in the text as point 7, after the points regarding the Conventions and the work of the COP. As the main United Nations agency to combat and coordinate action on TiP, this paragraph should be moved further up to reflect the important role of the UNODC.</p> <p><b>OHCHR:</b> <u>Paragraph 9bis</u>  <u>Reaffirming the leading role of OHCHR on promoting a human rights-based approach to all aspects of combating human trafficking, as provided for in the Recommended Principles and Guidelines on Human Rights and Human Trafficking, and as recognized by the Human Rights Council.</u></p> <p><b>Thailand:</b> “Reaffirm <del>the</del> central role of the United Nations Office on Drugs and Crime (UNODC) in <del>providing</del> technical assistance to implement the</p>

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	<p>United Nations Convention against Transnational Organized Crime and its Trafficking in Persons Protocol.”</p> <p><b>USA:</b> Place paragraph after OP 6</p>
<p>10. Also noting the important work of the United Nations High Commissioner for Refugees, the United Nations Children’s Fund (UNICEF), the International Labor Organization, and the International Organization for Migration (IOM) in the global fight against trafficking in persons;</p>	<p><b>African Group:</b> <del>Also noting To Recognize</del> the important work of the United Nations High Commissioner for Refugees...</p> <p><b>Belarus:</b> ...Refugees (<a href="#">UNHCR</a>), the United Nations Children's Fund (UNICEF), the International Labor Organization (<a href="#">ILO</a>), and the International Organization for Migration (IOM) <u>as well as International Criminal Police (INTERPOL) and UNESCO</u> in the global fight against trafficking in persons;</p> <p><b>Colombia:</b> delete. The organizations or entities mentioned in the document should be restricted to the ones participating in the Inter-Agency Coordination Group against Trafficking in Persons (ICAT), and for the sake of coherence any of them should be singularized in a separated paragraph.</p> <p><b>EU:</b> Also noting the important work of the United Nations High Commissioner for <a href="#">Human Rights</a>, the United Nations Children’s Fund...</p> <p>Paragraph 10bis <a href="#">Strongly urging all responsible UN entities to coordinate their efforts to fight trafficking in persons effectively and protect the human rights of its victims, including via the Inter-Agency Coordination Group against Trafficking in Persons and UN.GIFT;</a></p> <p>Paragraph 10ter (moved from paragraph 39) <a href="#">Commending the role of civil society organizations and non-governmental organizations in providing assistance and empowerment to victims of trafficking and helping them to seek redress as well as facilitating the care of and provision of appropriate services to victims, including meaningful engagement and coordination with law enforcement officials;</a></p> <p><b>IOM:</b> when analyzing the language of paragraph 9, the introductory language of paragraph 10 is very weak and we would appreciate if Member States could a) recognize (rather than note) the important work and b) the existing capacity building tools, etc. of paragraph 9 should be replicated in paragraph 10</p> <p><b>Japan:</b> <i>Add</i>, after “United Nations Children’s Fund (UNICEF),” in line 2, “United Nations Educational, Scientific and Cultural Organization (UNESCO), Office of the High Commissioner for Human Rights (OHCHR),” . (rationale) To be submitted if necessary.</p>

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	<p><b>Thailand:</b> replace with “<u>Note</u>, the important work of the United Nations High Commissioner for Refugees, the United Nations Children’s Fund (UNICEF), the International Labor Organization, and the International Organization for Migration (IOM) in the global fight against trafficking in persons”</p> <p><b>UNICEF:</b> Suggest adding reference to the <u>Office of the High Commissioner for Human Rights (OHCHR)</u></p>
<p>11. Making a commitment to address all forms of trafficking in persons that occur within and across national borders;</p>	<p><b>African Group:</b> <u>To make a commitment to address all forms of trafficking in persons that occur within and across national borders and in doing so to consider establishing direct channels of communication between the relevant and competent authorities, agencies and services, including special units and focal points and where appropriate, establish joint border patrols trained in the prevention of trafficking in human beings and strengthen the existing ones.</u></p> <p><u>11 bis</u> <u>To adopt appropriate strategies which take into account the specificity of all cases and further coordinate the actions at local, national, sub-regional, regional and international levels in an inclusive manner</u></p> <p><b>Belarus:</b> ...national borders, <u>including trafficking in human organs, tissue and cells</u></p> <p><b>Canada:</b> Making a commitment to <u>Addressing</u> all forms of trafficking in persons that occur within and across national borders</p> <p><b>EU:</b> Making a commitment to address all forms of trafficking in persons that occur within and across national borders, <u>including as a result of conflict, instability or humanitarian emergencies</u></p> <p><b>Indonesia:</b> Making a commitment to address all forms of trafficking in persons <del>that occur within and across national borders</del>. The explanation is as follows: The last part of this paragraph brings confusion at the technical level as the definition of trafficking as stipulated by the UNTOC covers both within and across national border. The last paragraph is simply redundant. Moreover, the first part is also redundant because the urge to make commitment is already being covered by the chapeau of this draft</p> <p><b>Indonesia:</b> Paragraph 11 bis: <u>Stressing that trafficking in persons are global problems in nature involving origin, transit and destination countries, which require comprehensive</u></p>

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	<p><a href="#">international cooperation in combating it.</a></p> <p><b>Indonesia:</b> Paragraph 11 ter:  <a href="#">Noting with grave concerns the links between trafficking in persons and other forms of transnational crime and are concerned that many of the trafficking activities were being orchestrated by criminal networks that were also involved in the illicit trafficking of narcotics, document fraud, money laundering, arms smuggling, terrorism and other transnational crimes.</a></p> <p><b>OHCHR:</b> Making a commitment to address all forms of trafficking in persons that occur within and across national borders <a href="#">both in peace time and in the context of armed conflict</a>;</p> <p><b>Thailand:</b> delete</p> <p><b>IOM:</b> We would suggest inserting a paragraph that specifically addresses the issue of internal trafficking and the need for states to demonstrate commitment to addressing the problem.</p>
<p><b>I. Preventing trafficking in persons</b></p> <p>12. Mainstreaming the issue of trafficking in persons into policies and programmes aimed at addressing economic development, human rights, rule of law, good governance, natural disaster and post-conflict reconstruction;</p>	<p><b>African Group:</b>  <b><del>I. Preventing</del>Prevention of trafficking in persons</b>  <a href="#">We resolve to undertake the following measures to prevent and combat trafficking in persons:</a></p> <p>12. <del>Mainstreaming</del> <a href="#">To mainstream</a> the issue of trafficking in persons into policies ...</p> <p><b>Australia:</b> It would be misleading and unhelpful to suggest that all human rights policies and programmes would and should address the issue of people trafficking as they have a much broader function.</p> <p><b>Belarus:</b> ...good governance, <a href="#">education</a>, natural disaster</p> <p><b>China:</b> Mainstreaming the issue of trafficking in persons, <a href="#">as appropriate</a>, into...</p> <p><b>EU:</b> ...at addressing economic <a href="#">and social</a> development...</p> <p><b>Thailand:</b> delete</p> <p><b>UNICEF:</b> Suggest considering <a href="#">“mainstreaming in migration managements and gender equality and empowerment work”</a> and adding <a href="#">“strengthening child protection systems”</a></p>
<p>13. Addressing the underlying root causes of trafficking in persons that make people vulnerable to exploitation, such as poverty, inequality, gender discrimination, and a culture of tolerance towards violence against women and children;</p>	<p><b>African Group:</b> <del>Addressing</del> <a href="#">To address</a> the underlying root causes of trafficking...</p> <p><b>Belarus:</b> ...poverty, <a href="#">lack of decent work</a>, inequality.... women and children <a href="#">as well as armed conflicts</a></p>

	<p><b>Canada:</b> vulnerable to exploitation, <u>including</u> poverty, inequality, <u>lack of opportunity, social exclusion...</u></p> <p><b>Colombia:</b> delete OR change to:          “Address the social and economic factors that increase vulnerability to trafficking and create awareness of trafficking, its causes and consequences. “</p> <p><b>EU:</b> ...that make people vulnerable to exploitation <u>by this serious crime</u>, such as poverty, inequality, gender discrimination, <u>social exclusion and marginalization</u> and a culture of tolerance towards violence against women, <u>young people</u> and children;</p> <p><b>Japan:</b> We would like to know if the list of root causes of trafficking in persons described in this paragraph is a direct quote of agreed language.</p> <p><b>Nicaragua:</b> Addressing the underlying root causes of trafficking in persons that make people vulnerable to exploitation, <u>particularly the extreme poverty and hunger which are the greatest global threat that requires the collective commitment of the international community for its eradication</u>, as well as,...</p> <p><b>Holy See:</b> ...gender discrimination, <u>armed conflicts, instability</u></p> <p><b>Thailand:</b> delete</p> <p><b>UNAIDS:</b> Addressing the underlying root causes of trafficking in persons that make people vulnerable to exploitation, such as poverty, inequality, gender <u>and ethnic</u> discrimination, <u>racism</u>, and a culture of tolerance towards violence against women and children;</p>
<p>14. Adopting or implementing comprehensive policies and programmes at the national and regional levels and other measures to prevent all forms of trafficking in persons that are in line with relevant policies and programmes on migration, education, employment and crime prevention;</p>	<p><b>African Group:</b> <del>Adopting</del> <u>To adopt and/or Implementing</u> <del>implement</del> comprehensive policies and programmes...</p> <p><b>Belarus:</b> 14.bis <u>Encouraging developing by UNESCO and UNICEF together with other international organizations, state and private funds, respective non-governmental organizations educational programmes aimed at prevention of human trafficking and their dissemination among Member States;</u></p> <p><b>Cuba:</b> 14 bis: “Encouraging States Parties to take or strengthen measures, including through bilateral or multilateral cooperation, to alleviate the factors that make persons, especially women and children, vulnerable to trafficking, such as poverty, underdevelopment and lack of equal opportunity.” (A/RES/55/25)</p>

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	<p><b>Cuba:</b> 14 ter: “Urging the developed countries to fulfill their Official Development Commitments in a timely and predictable manner as been agreed in the Major United Nations Conferences and Summits, in order to support the efforts of developing countries to fight the trafficking in persons.” (Based in paragraph 309 Final Document Sharm El-Sheikh)</p> <p><b>EU:</b> Adopting <u>and</u> implementing comprehensive policies and programmes at the national and regional levels and other measures to prevent all forms of trafficking in persons that are in line with relevant policies and programmes on migration, education, employment <u>combating all forms of discrimination</u> and crime prevention</p> <p><b>OHCHR:</b> <del>Adopting or implementing</del> comprehensive policies and programmes at the national and regional levels and other measures to prevent all forms of trafficking in persons that are in line with relevant policies and programmes on <u>safe and gainful</u> migration, education, employment, <u>empowerment of women and participation in decision-making</u>, and crime prevention <u>and in accordance with international human rights standards</u></p> <p><b>Singapore:</b> Adopting or implementing <u>as</u> necessary comprehensive policies and programmes at the national and regional levels and other measures, <u>in line with relevant domestic laws, policies and programmes on migration, education, employment and crime prevention</u>, to prevent all forms of trafficking in persons <del>that are in line with relevant policies and programmes on migration, education, employment and crime prevention;</del>”</p> <p><b>Thailand:</b> delete</p> <p><b>UNICEF:</b> Recommend adding: “ <u>human rights and child rights, gender equality</u>” after “in line with relevant policies and programme s on migration...”</p>	<p><b>Deleted:</b> or</p> <p><b>Deleted:</b> Adopting or implementing comprehensive policies and programmes at the national and regional levels and other measures to prevent all forms of trafficking in persons that are in line with relevant policies and programmes on migration, education, employment and crime prevention;</p> <p><b>Deleted:</b></p>
<p>15. Conducting research and collection of disaggregated data by types of trafficking in persons, sex and age and data collection into the nature and extent of all forms of trafficking in persons, including root causes, trends of trafficking, information on traffickers, demand for exploitative services and labour and on the gaps and shortcomings in anti-trafficking policies and programmes;</p>	<p><b>African group:</b> <del>Conducting</del> <u>To conduct</u> research and collect disaggregated...</p> <p><b>15bis</b> <u>To involve local communities, local authorities, non-governmental organizations, faith-based organizations, members of civil society and the business community/sector in awareness-raising campaigns and to educate them on the provisions of existing legal instruments on human trafficking.</u></p> <p><b>Belarus:</b> 15.bis <u>Encouraging UNODC together with IOM and other relevant organizations to work out the universally acceptable concept definition of the “victim of trafficking” to be used as a guide by all law enforcement and other organizations and agencies in their actions towards the trafficking</u></p>	<p><b>Formatted:</b> Left, Space Before: 0 pt, After: 0 pt</p> <p><b>Formatted:</b> Bullets and Numbering</p>

	<p><u>victims:</u></p> <p><b>Canada:</b> ...trafficking in persons, <u>as well as</u> root causes, trends of trafficking, information on <u>perpetrators, the demand that fosters all forms of exploitation</u> and on the <u>gaps and shortcomings</u> in anti-trafficking <u>laws, policies and programmes</u>;</p> <p><b>China:</b> Conducting research <u>and collection of disaggregated data by types of trafficking in persons, sex and age and data collection into the nature and extent of all forms of trafficking in persons</u>, including root causes, trends of trafficking, <u>information on traffickers, demand for exploitative services and labour and on</u> the gaps and shortcomings in anti-trafficking policies and programmes</p> <p><b>Colombia:</b> ...all forms of trafficking in persons, including <u>root causes conditions of vulnerability</u>, trends...</p> <p><b>EU:</b> Conducting research and collecting <u>data that should be suitably disaggregated to enable a proper analysis of the nature and extent of trafficking in a comparative fashion</u>;</p> <p><b>Nicaragua:</b> and labour and on the gaps and shortcomings in anti-trafficking policies and programmes; <u>Giving priority to information provided by national official sources</u></p> <p><b>Singapore:</b> <u>Endeavouring to conduct</u> <del>Conducting</del> research and collection of disaggregated data by types of trafficking in persons, sex and age and data collection into the nature and extent of all forms of trafficking in persons, including root causes, trends of trafficking, information on traffickers, demand for exploitative services and labour and on the gaps and shortcomings in anti-trafficking policies and programme</p> <p><b>Japan:</b> <i>Delete</i> whole paragraph. (rationale) To be submitted if necessary.</p> <p><b>Thailand:</b> delete</p> <p><b>UNICEF:</b> suggest adding the following after: “...gaps and shortcomings in anti-trafficking policies and programmes, <u>and including participatory and applied research with men, women and children who have been identified as victims of trafficking or potential victims or are considered to be at risk of trafficking</u>”</p> <p><b>USA:</b> Delete “by types of trafficking in persons, sex and age and data collection into the nature and extent of all forms of trafficking in persons” and “including”. After “data” add “with the aim of</p>	<p><b>Formatted:</b> Left, Indent: Before: 0.01", Space Before: 0 pt, After: 0 pt</p> <p><b>Deleted:</b> including</p> <p><b>Deleted:</b> traffickers</p> <p><b>Deleted:</b> , demand for exploitative services and labour</p> <p><b>Deleted:</b> and shor</p> <p><b>Deleted:</b> o</p> <p><b>Deleted:</b> of</p> <p><b>Deleted:</b> disaggregated data by types of trafficking in persons, sex and age and data collection into the nature and extent of all forms of trafficking in persons, including root causes, trends of trafficking, information on traffickers, demand for exploitative services and labour and on the gaps and shortcomings in anti-trafficking policies and programmes;</p> <p><b>Formatted:</b> Style9, Indent: Before: 0", Hanging: 0.2", Tabs: 0.48", Left</p>
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<p>16. Developing or strengthening processes for the identification of victims such as those developed by UNODC and IOM, including appropriate and non-discriminatory measures that help to identify trafficked victims among vulnerable populations;</p>	<p>understanding”</p> <p><b>African Group:</b> <del>Developing or strengthening To develop and/or strengthen</del> processes for the identification of victims such as...</p> <p><b>Belarus:</b> ...nondiscriminatory measures, <u>criteria and methodology</u> that help...</p> <p><b>EU:</b> ...by UNODC <u>and other organisations</u>, including...</p> <p><b>Malaysia:</b> Developing or strengthening processes for the identification of victims <del>such as those developed by UNODC and IOM</del>, including appropriate and non-discriminatory measures that help to identify trafficked victims among vulnerable populations;</p> <p><b>Thailand:</b> delete</p> <p><b>UNAIDS:</b> Developing or strengthening processes for the identification of <u>trafficked persons</u>, such as those developed by UNODC and IOM, including appropriate and non-discriminatory measures that help to identify trafficked <u>persons</u> among vulnerable populations;</p> <p><b>UNICEF:</b> the aim here is most likely to be “to proactively identify potential victims among vulnerable populations without discriminatory measures”. Also suggest adding at the end of the of the paragraph “<u>particularly in mixed migration flows</u>”</p>	<p><b>Deleted:</b> ¶</p> <p><b>Formatted:</b> Font: Times New Roman, 10 pt, Not Bold, Complex Script Font: 10 pt, English U.K.</p> <p><b>Deleted:</b> and IOM</p> <p><b>Deleted:</b> victims</p> <p><b>Deleted:</b> victims</p>
<p>17. Promoting awareness-raising campaigns to discourage the demand that fosters exploitation and inform persons at risk of being trafficked and the general public through education and effective involvement of mass media and monitoring the effectiveness of such campaigns;</p>	<p><b>African Group:</b> <del>Promoting To carry out</del> awareness-raising campaigns to discourage the demand that fosters...</p> <p><u>17bis To stress the role of education in raising awareness on the prevention of trafficking in persons and to promote education in particular human rights education, and human rights learning as a sustainable way to prevent trafficking in persons;</u></p> <p><u>17ter To reinforce mechanisms for the registration of births and the provision of identity documents,</u></p> <p><b>Belarus:</b> ...mass media, <u>non-governmental organizations and private sector</u>, and</p> <p>17.bis <u>Encouraging the United Nations to organize global campaign against trafficking in persons in international mass media with participation of international organizations, Member States, NGOs and business community;</u></p> <p><b>Canada:</b> Promoting awareness-raising campaigns to discourage the demand that fosters <u>all forms of exploitation, especially women and children, that leads to trafficking</u> and inform...</p>	

	<p><b>Colombia:</b> delete OR change to :  <u>Promote awareness raising campaigns aimed at the most vulnerable groups by providing potential victims of trafficking with sufficient information about the risks of human trafficking</u></p> <p>17bis:  <u>Discourage the demand for services of trafficking persons for sexual exploitation, forced labour, slavery or other practices similar to slavery and servitude and, in this connection, promoting zero tolerance towards all forms of trafficking</u></p> <p><b>EU:</b> <u>Increasing prevention through the promotion of effective awareness-raising campaigns in countries of destination to discourage the demand that fosters exploitation and in country of origins to inform persons at risk of being trafficked and the general public. These campaigns should be conducted through education and effective involvement of mass media and should be monitored to assess their effectiveness;</u></p> <p><b>Holy See:</b> ...that fosters exploitation <u>and fuels trafficking</u></p> <p><b>Japan:</b> <i>Delete</i> “and monitoring the effectiveness of such campaigns”.          (rationale) To be submitted if necessary.</p> <p><b>OHCHR:</b> Promoting awareness-raising campaigns to discourage the demand <u>as a root cause of trafficking, which that fosters exploitation, including sexual exploitation,</u> and inform persons at risk of being trafficked and the general public through education and effective involvement of mass media and monitoring the effectiveness of such campaigns;</p> <p><b>Singapore:</b> Promoting awareness-raising campaigns to discourage the demand that fosters exploitation <u>of persons, especially women and children, that leads to trafficking</u> and inform persons at risk of being trafficked and the general public through education and effective involvement of mass media and monitoring the effectiveness of such campaigns</p> <p><b>Thailand:</b> delete</p>
<p>18. Increasing prevention efforts in countries of destination and transit by focusing on the demand for trafficked and exploited migrant labour and forced labour, and the demand for the goods produced as a result of such labour;</p>	<p><b>African Group:</b> <u>Increasing prevention efforts-To develop prevention mechanisms</u> in countries of destination and...</p> <p><b>Australia:</b> Drafters should consider carefully the specifics of any measures that might in the future be contemplated as part of action under paragraphs 18 and 19. Any such measures would need to be fully consistent with international trade obligations.</p> <p><b>Belarus:</b> ...result of such labour <u>with the</u></p>

**Deleted:** Promoting awareness-raising campaigns to discourage the demand that fosters exploitation and inform persons at risk of being trafficked and the general public through education and effective involvement of mass media and monitoring the effectiveness of such campaigns;

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	<p><a href="#">involvement into such efforts of private sector and civil society</a>;</p> <p><b>Canada:</b> Increasing prevention efforts in countries of <a href="#">origin</a>, destination and transit by focusing on the demand <a href="#">that fosters all forms of trafficking including labour trafficking and</a> the demand for the goods...</p> <p>EU: delete</p> <p><b>Holy See:</b> the phrase “<i>focusing on the demand for trafficked and exploited migrant and forced labour</i>” contains two different concepts (trafficking and exploitation of migrant labour) which need to be reconsidered, as the exploitative conditions of work do not automatically qualify as trafficking or forced labour</p> <p><b>Thailand:</b> delete</p> <p><b>UNICEF:</b> suggest adding at the end of the paragraph after “of such labour”; <a href="#">strengthening the monitoring of labour standards and working conditions in sectors that are known to be prone to precarious work or labour exploitation, including in the informal sectors, and increasing the identification of sites of exploitation</a></p> <p><b>USA:</b> Add “source,” before “destination.” Change “...trafficked and exploited migrant labour and forced labour...” to “trafficked and exploited labour” Delete “the goods produced as a result of such labour” and replace with “cheap labor, as well as addressing the demand for children and the exploitation of trafficking victims in the commercial sex trade”</p>
<p>19. Adopting specific measures to combat trafficking for labour exploitation and calling on producers and consumers of goods to abide by these measures;</p>	<p><b>African Group:</b> <del>Adopting</del> <b>To adopt</b> specific measures to combat trafficking...</p> <p><b>Australia:</b> Drafters should consider carefully the specifics of any measures that might in the future be contemplated as part of action under paragraphs 18 and 19. Any such measures would need to be fully consistent with international trade obligations.</p> <p><b>Canada:</b> delete and address outstanding issues with OP18 and section on prosecution</p> <p><b>Colombia:</b> delete</p> <p>EU: Adopting specific measures to combat trafficking <a href="#">within countries</a></p> <p><b>Japan:</b> <i>Delete</i> whole paragraph. (rationale) It is unclear what “specific measures” are in this paragraph. We therefore would suggest deleting this whole paragraph.</p> <p><b>Nicaragua:</b> <del>19 bis Adopting specific measures to</del></p>

**Deleted:** for trafficked and exploited migrant labour and forced labour

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	<p><u>eliminate the demand for trafficking in person for the purpose of sexual exploitation</u> (A/RES/64/178)PP15</p> <p><b>Holy See:</b> the phrase “<i>Adopting specific measures</i>” is vague and unclear. After §19 a new paragraph (§19 bis) could be added: <u>Adopting, where appropriate, and strengthening the existing laws against prostitution, child pornography and sexual exploitation</u></p> <p><b>Thailand:</b> delete</p> <p><b>Syria:</b> there is a need to adopt specific measures to combat trafficking for commercial exploitation, including the exploitation of the prostitution of others or other forms of sexual exploitation</p>
<p>20. Strengthening the capacity of law enforcement, immigration and other relevant officials in the prevention of trafficking in persons, taking into account the need to respect human rights and child-and gender-sensitive issues and encouraging cooperation with non-governmental organizations, other relevant organizations and other elements of civil society;</p>	<p><b>African Group:</b> <del>Strengthening</del> <u>To strengthen</u> the capacity of law enforcement, immigration... other relevant organizations and other elements of civil society, <u>in accordance with national law;</u></p> <p><b>Belarus:</b> ...immigration, <u>education</u> and other relevant officials</p> <p><b>Canada:</b> ...taking into account the need to respect human rights and child-and gender-sensitive issues and encouraging cooperation with <u>civil society, including</u> non-governmental organizations, other relevant organizations;</p> <p><b>EU:</b> Strengthening <u>or continuing to strengthen</u> the capacity...</p> <p><b>Holy See:</b> ...human rights and <del>child-and best interest of the child and</del> gender-sensitive issues...with non-governmental organizations, <u>religious-based communities...</u></p> <p><b>Singapore:</b> Strengthening the capacity of law enforcement...and encouraging cooperation, <u>where appropriate,</u> with non-governmental organizations, other relevant organizations and other elements of civil society</p> <p><b>Thailand:</b> delete</p> <p><b>UNICEF:</b> Suggest adding “<u>social welfare, labour</u>” before “law enforcement, immigration and other relevant officials”</p>
<p>21. Encouraging the United Nations to work with Member States and relevant international, regional and sub-regional organizations to identify and share best practices to prevent trafficking in persons.</p>	<p><b>African Group:</b> <del>Encouraging</del> <u>To encourage</u> the United Nations to work with Member...</p> <p><b>Canada:</b> delete or replace with “Working together and in conjunction with relevant international, regional and sub-regional organizations to identify and share best practices to prevent trafficking in</p>

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	<p>persons.”</p> <p><b>Cuba:</b> 21 bis: “Encouraging national efforts being made to prevent and combat this scourge and to work together in a collaborative manner and within a regional and international framework without imposing unilateral requirements or evaluations on States.” (Based in paragraph 509 Final Document Sharm El-Sheikh)</p> <p><b>Indonesia:</b> Encouraging the United Nations to <a href="#">intensify</a> work with</p> <p><b>Thailand:</b> delete</p>
<p><b>II. Protecting and assisting victims of trafficking</b></p> <p>22. Reaffirming that the promotion and protection of human rights for all and effective measures to respond to trafficking in persons are complementary and mutually reinforcing;</p>	<p><b>African Group:</b> <del>Protecting and assisting</del> <b>Protection of and assistance to victims of trafficking</b></p> <p><del>We resolve to undertake the following measures reaffirming that the promotion and protection of human rights and effective measures to respond to trafficking in persons are complementary and mutually reinforcing:</del></p> <p>Paragraph 22: delete</p> <p><b>Canada:</b> delete (repetitive with OP1 and 2)</p> <p><b>Thailand:</b> delete</p>
<p>23. Stressing the need to promote and protect the rights of victims of trafficking in persons and to (re-) integrate both victims and perpetrators in the community, in line with the Office of the High Commissioner for Human Rights Guidelines on Human Rights and Human Trafficking and the UNICEF Guidelines on the Protection of Child Victims of Trafficking;</p>	<p><b>African Group:</b> <del>Stressing-To stress</del> the need to promote and protect the rights of victims of trafficking in persons and to (re-) integrate victims in the community <del>taking into consideration the supportive role of the Office of the High Commissioner for Human Rights (OHCHR) and the United Nations Children’s Fund (UNICEF) in this regard;</del></p> <p><b>Colombia:</b> ... (re-)integrate victims in the community, in</p> <p><b>EU:</b> Stressing the need to promote and protect the rights of victims of trafficking in persons, <del>taking into account</del> the Office of the High Commissioner for Human Rights Guidelines on Human Rights and Human Trafficking and the UNICEF Guidelines on the Protection of Child Victims of Trafficking <del>and stressing also the need to reintegrate the victims in society;</del></p> <p><del>23bis Stressing the need to fully implement the respective Articles referring to victim protection of UNTOC and its additional Protocols.</del></p> <p><b>IOM:</b> add IOM’s Handbook on Direct Assistance for Victims of Trafficking is cited as one of the three concrete tools that provides detailed guidance on protection and assistance translating the Protocol’s provisions into a human rights based approach to implementation</p> <p><b>OHCHR:</b> ... in line with the Office of the High Commissioner for Human Rights <a href="#">Recommended</a></p>

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	<p><a href="#">Principles and Guidelines on Human Rights...</a></p> <p><b>Thailand:</b> delete</p> <p><b>UNAIDS:</b> Stressing the need to promote and protect the rights of <a href="#">trafficked persons</a>, and to (re-) integrate both <a href="#">them</a> and perpetrators in the community;</p> <p><b>UNICEF:</b> Recommend reference to the <a href="#">UN Guidelines on Justice in Matters Affecting Child Victims and Witnesses of Crime</a></p> <p><b>USA:</b> Delete “both” and “and perpetrators.” The correct title of OHCHR’s document is “Recommended Principles and Guidelines on Human Rights and Human Trafficking.” Add at the end of paragraph “..and the WHO’s Ethical and Safety Recommendations for Interviewing Trafficked Women.”</p>	<p><b>Deleted:</b> victims of trafficking in persons</p> <p><b>Deleted:</b> victims</p>
<p>24. Ensuring that national legislation recognizes trafficked persons as victims of crime regardless of nationality, gender, age or form of exploitation or similar features;</p>	<p><b>African Group:</b> <del>Ensuring-To ensure</del> that national legislation recognizes trafficked persons as victims of crime regardless of nationality, gender, age or form of exploitation or similar features, <del>while encouraging national legislation to criminalize trafficking in human beings</del>;</p> <p><b>Canada:</b> replace with “Ensuring that national legislation effectively criminalizes all forms of trafficking, regardless of the type of exploitation of the characteristics of the victim”</p> <p><b>EU:</b> <del>Ensure that trafficked persons are recognised, first and foremost, as...</del></p> <p><b>Japan:</b> We think that it is not appropriate for this Plan of Action to give guidance to the content of national legislation.</p> <p><b>OHCHR:</b> Ensuring that national legislation recognizes trafficked persons as victims of <a href="#">a crime</a> regardless of nationality, <a href="#">immigration status</a>, gender, age or form of exploitation or similar features</p> <p><b>Singapore:</b> Ensuring that <del>national legislation recognizes trafficked persons</del> <a href="#">trafficked persons are treated</a> as victims of crime regardless of nationality, gender, age or form of exploitation or similar features</p> <p><b>Thailand:</b> delete</p> <p><b>UNICEF:</b> Suggest adding “<a href="#">immigration status</a>” to the current list beginning with “nationality, gender, age or form of exploitation or similar features”; suggest further adding “... and irrespective of the collaboration of the victim of trafficking with law enforcement authorities, the outcome of a related trial and a conviction of the perpetrator under the anti-trafficking law”</p>	<p><b>Deleted:</b> ing</p> <p><b>Deleted:</b> national legislation recognizes</p>



<p>25. Reviewing existing national services available to national and foreign victims of trafficking, and strengthening those services where needed as well as supporting the establishment or strengthening of national referral mechanisms;</p>	<p><b>USA:</b> delete</p> <p><b>African Group:</b> <del>Reviewing</del> <del>To review</del> existing national services available to <del>national and foreign</del> victims of trafficking, and <del>to strengthening</del> those services, where needed as well as supporting the establishment or strengthening of national referral mechanisms;</p> <p><b>Canada:</b> ...of national referral mechanisms, <del>as appropriate.</del></p> <p><b>EU:</b> Reviewing existing national services available to national and foreign victims of trafficking, <del>according to Article 6 of the Protocol to Prevent, Suppress and Punish trafficking in persons</del> and strengthening those services where needed as well as supporting the establishment or strengthening of referral mechanisms</p> <p><b>Japan:</b> <i>Change</i> “services” to “measures”. We think that it is up to each State to decide whether or not they support the establishment or the strengthening of referral mechanisms. (rationale) To be submitted if necessary.</p> <p><b>OHCHR:</b> referral mechanisms <del>as well as by creating the institution of a National Rapporteur on trafficking in persons;</del></p> <p><b>Thailand:</b> delete</p> <p><b>UNAIDS:</b> Reviewing existing national services available to national and foreign <del>trafficked persons,</del> and strengthening those services where needed as well as supporting the establishment or strengthening of national referral mechanisms</p> <p><b>UNICEF:</b> Needs clarification on what is meant by “national services”. It is unclear whether this means services that are provided by the state (i.e. government) or whether “national services” means all services including those implement by NGOs, civil society and international organizations. Also suggested replacing the word “foreign” with “<del>non-national</del>”</p>	<p><b>Deleted:</b> national</p> <p><b>Deleted:</b> victims of trafficking</p>
<p>26. Strengthening the capacity of service providers and others likely to encounter and identify possible victims of trafficking, such as law enforcement personnel, border control officers, consular embassy officials, judges and prosecutors and peacekeepers, and ensuring the availability of needed resources to the relevant sectors and institutions, including those of civil society;</p>	<p><b>African Group:</b> <del>Strengthening</del> <del>To strengthen</del> the capacity of service providers...</p> <p><b>Canada:</b> ...consular embassy officials, <del>judges and prosecutors and</del> peacekeepers, and...</p> <p><b>EU:</b> Strengthening <del>or continuing to strengthen social protection mechanisms</del> and the capacity <del>and training</del> of service providers and others, <del>as stipulated by Art. 29 of UNTOC and Art. 10 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons;</del></p> <p><b>Japan:</b> <i>Change</i> “service providers and others” to “officials”.</p>	<p><b>Deleted:</b> ,</p> <p><b>Deleted:</b> likely to encounter and identify possible victims of trafficking, such as law enforcement personnel, border control officers, consular embassy officials, judges and prosecutors and peacekeepers, and ensuring the availability of needed resources to the relevant sectors and institutions, including those of civil society</p>

	<p>(rationale) To be submitted if necessary.</p> <p><b>Thailand:</b> delete</p> <p><b>UNAIDS:</b> Strengthening the capacity of service providers and others likely to encounter and identify possible <u>trafficked persons</u>, such as...</p> <p><b>UNICEF:</b> Again suggest adding “<u>social welfare and labour personnel and professionals in the health sector</u>” to the currently listed entities such as “law enforcement, border control offices, consular embassy officials, judges and prosecutors and peacekeeper”</p> <p><b>USA:</b> After “border control officers” add “labor inspectors”</p>	<p><b>Deleted:</b> victims of</p> <p><b>Deleted:</b> ing</p>
<p>27. Preventing secondary victimization in the context of investigations, in the judicial system and in victim assistance programmes, including by adopting appropriate measures to ensure that victims of trafficking are not penalized for engaging in illicit activities as a direct result of being trafficked or as a result of coercion;</p>	<p><b>African Group:</b> <del>Preventing-To prevent</del> secondary victimization...</p> <p><b>Canada:</b> replace with “Urges Governments to take all appropriate measures to ensure that victims of trafficking are not penalized for being trafficked and that they do not suffer from victimization as a result of actions taken by government authorities, and encourages Governments to prevent, within their legal framework and in accordance with national policies, victims of trafficking in persons from being prosecuted for their illegal entry or residence.”</p> <p><b>EU:</b> Preventing <u>re-victimization, as stipulated by Art. 9 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons</u>;</p> <p><b>Holy See:</b> §27, page 7: after the “<i>illicit activities</i>” include <u>or for being irregular migrants</u></p> <p><b>Japan:</b> <i>Add</i>, after “measures” in line 3, “within the limits of domestic law of each Member States”.  <i>Add</i>, after “victims of trafficking” in the same line, “in persons”.  <i>Add</i>, after “are not penalized” in the same line, “in appropriate cases”.                  (rationale) To be submitted if necessary.</p> <p><b>Singapore:</b> delete</p> <p><b>Thailand:</b> delete</p> <p><b>UNAIDS:</b> Preventing secondary victimization in the context of investigations, in the judicial system and in assistance programmes <u>for trafficked persons</u>, including by adopting appropriate measures to ensure that <u>trafficked persons</u> are not penalized...</p> <p><b>UNICEF:</b> Currently the paragraph only makes reference to one aspect of “means” used to trafficking people, namely coercion. Singling out one “means” places undue weight to the element and loses out the significance of others. Also suggest</p>	<p><b>Deleted:</b> secondary</p> <p><b>Deleted:</b> in the context of investigations, in the judicial system and in victim assistance programmes, including by adopting appropriate measures to ensure that victims of trafficking are not penalized for engaging in illicit activities as a direct result of being trafficked or as a result of coercion</p> <p><b>Deleted:</b> victim</p> <p><b>Deleted:</b> victims of trafficking</p>

	<p>including also reference to the protection from sanctions under other than criminal law: "... ensure that victims of trafficking are not '<del>sanctioned or</del>' penalised for '<del>illegal entry or stay</del>' or engaging...</p>	
<p>28. Protecting the privacy and identity of victims of trafficking in persons before, during and after criminal proceedings, including, inter alia, by making legal proceedings relating to such trafficking confidential;</p>	<p><b>African Group:</b> <del>Protecting-To protect</del> the privacy and identity of victims...</p> <p><b>EU:</b> Protecting the privacy and identity <u>and promoting the safety of witnesses, victims of trafficking in persons and their families, in particular before, during and after criminal proceedings, as stipulated by Art. 24 and Art. 25 of UNTOC and Art.6 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons;</u></p> <p><b>Holy See:</b> It is unclear what is meant by "<i>making legal proceedings relating to such trafficking confidential</i>" and what such confidentiality will entail</p> <p><b>Singapore:</b> <u>In appropriate cases and to the extent possible under its domestic law, Pprotecting the privacy and identity of victims of trafficking in persons before, during and after criminal proceedings;</u> including, inter alia, by making legal proceedings relating to such trafficking confidential</p> <p><b>Thailand:</b> delete</p> <p><b>UNAIDS:</b> Protecting the privacy and identity of <del>trafficked</del> persons before...</p> <p><b>UNICEF:</b> Suggest adding explicit reference to data protection</p> <p><b>USA:</b> After "...proceedings" delete "including, inter alia, by making legal proceedings relating to such trafficking confidential."</p>	<p><b>Deleted:</b> of victims of trafficking in persons before,</p> <p><b>Deleted:</b> including, inter alia, by making legal proceedings relating to such trafficking confidential</p> <p><b>Deleted:</b> victims of</p> <p><b>Deleted:</b> ing in</p>
<p>29. Protecting victims and witnesses from retaliation or intimidation, including by ensuring their physical safety;</p>	<p><b>African Group:</b> <del>Protecting-To protect</del> victims and witnesses...</p> <p><b>EU:</b> delete</p> <p><b>Singapore:</b> <del>Protecting victims and witnesses from retaliation or intimidation, including by ensuring their physical safety</del> <u>Endeavouring to provide for the physical safety of victims of trafficking in persons while they are within its territory</u></p> <p><b>Thailand:</b> delete</p> <p><b>UNAIDS:</b> Protecting <u>trafficked persons</u> and witnesses from retaliation or intimidation, including by ensuring their physical safety;</p> <p><b>UNICEF:</b> Suggest reference be made to <u>the special needs of child victims and witnesses of crime as per the ECOSOC Resolution of 2005/20 on Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime.</u> Also suggest adding reference</p>	<p><b>Formatted:</b> Bullets and Numbering</p> <p><b>Deleted:</b> victims</p>

	<p>to the “<u>safety of their family members when necessary</u>”</p> <p><b>USA:</b> Request revision as follows: “Protecting victims and witnesses from retaliation or intimidation, and <u>facilitating their cooperation with law enforcement</u>, including by ensuring their physical safety, and <u>devising alternatives to incarceration or criminal detention.</u>”</p>
<p>30. Providing assistance and services for the physical, psychological and social recovery of trafficked persons and their full rehabilitation in cooperation with non-governmental organizations, other relevant organizations and other elements of civil society;</p>	<p><b>African Group:</b> <del>Providing</del> <u>To provide</u> assistance and services for the physical, psychological and social recovery of trafficked persons and their full rehabilitation in their communities in cooperation with <u>sub-regional, regional and international organizations as well as</u> non-governmental organizations, other relevant organizations and civil society;</p> <p><b>EU:</b> Providing assistance and services for the physical, psychological and social recovery of trafficked persons and their <u>rehabilitation in</u> cooperation with non-governmental organizations, other relevant organizations and other <u>actors</u> of civil society, <u>as stipulated by Article 6 of the UN Protocol on Prevent, Suppress and Punish Trafficking in persons</u></p> <p><b>Holy See:</b> §30, page 7: it is imprecise whether the activities of “<i>providing assistance and services</i>” will be primarily funded by the United Nations trust fund (cf. §36). Further, after “<i>non-governmental organizations</i>” include <u>religious-based communities</u></p> <p><b>Japan:</b> <i>Change</i> “and their full rehabilitation” to “and their rehabilitation”. (rationale) It is not always possible to achieve victims’ “full” rehabilitation.</p> <p><b>Singapore:</b> <u>Considering the implementation of measures to provide</u> for the physical, psychological and social recovery of victims of trafficking <u>trafficked persons and their full rehabilitation including, in appropriate cases, in cooperation with</u> non-governmental organizations, other relevant organizations and other elements of civil society</p> <p><b>Thailand:</b> delete</p>
<p>31. Adopting legislative or other appropriate measures to allow foreign victims to legalize their immigration status or pursue permanent residency or citizenship, in appropriate cases;</p>	<p><b>African Group:</b> <del>Adopting legislative or other appropriate</del> <u>To enact, where it does not already exist, and adopting</u> legislative <del>or other appropriate</del> <u>and all necessary</u> measures to allow foreign victims to...</p> <p><b>Canada:</b> Adopting legislative or other appropriate measures to allow foreign victims to <u>remain in the territory temporarily or permanently</u>, in appropriate cases;</p> <p><b>EU:</b> Adopting legislative or other appropriate measures <u>that may permit</u> victims <u>of trafficking in persons to remain in its territory, temporarily or</u></p>

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	<p><a href="#">permanently, in appropriate cases, as stipulated by Art. 7 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons</a>;</p> <p><b>IOM:</b> OP31 bis “Making use of available technical assistance to member states in providing assistance for protection of victims of trafficking in persons, including inter alia, by IOM”</p> <p><b>Japan:</b> <i>Change</i> whole paragraph to “Considering the adoption of legislative or other appropriate measures that permit victims of trafficking in persons to remain in its territory, temporarily or permanently, in appropriate cases”. (rationale) It should be agreeable to all delegations to quote Article 7 paragraph 1 of the Trafficking in Persons Protocol.</p> <p><b>Malaysia:</b> delete</p> <p><b>OHCHR:</b> ...permanent residency or citizenship, <a href="#">including access to the asylum process</a>, in appropriate cases...</p> <p><b>Singapore:</b> delete</p> <p><b>Thailand:</b> delete</p> <p><b>UNAIDS:</b> Adopting legislative or other appropriate measures to allow foreign <a href="#">trafficked persons</a> to legalize...</p> <p><b>UNICEF:</b> Ideally, paragraph 41 should come before paragraph 31 or else the two paragraphs can be combined. Recommend language <a href="#">to propose reflection and recovery period, possibilities for temporary residency, and possibilities that temporary residency is reckonable towards a long-term status – pathways to permanent residency and citizenship</a></p> <p><b>USA:</b> After “..citizenship” add “..or obtain temporary work permits,</p>	<p><b>Deleted:</b> to legalize their immigration status or pursue permanent residency or citizenship, in appropriate cases</p> <p><b>Deleted:</b> victims</p>
<p>32. Ensuring the commitment by countries of origin to accept their nationals back and facilitate access to care and services and ensuring that the return of a foreign suspected victim of trafficking in persons to a State of which that person is a citizen or permanent resident is voluntary and is conducted with due regard for the safety of that person;</p>	<p><b>African Group:</b> <del>Ensuring</del> <a href="#">To ensure</a> the commitment by countries of origin... and is conducted with due <del>regard</del> <a href="#">respect</a> for the safety of that person;</p> <p><b>Australia:</b> retains the right to remove unlawful non-citizens involuntarily, consistent with international obligations and Australian domestic law.</p> <p><b>Canada:</b> ...of which that person is a citizen or permanent resident is <a href="#">preferably</a> voluntary and...</p> <p><b>China:</b> Ensuring the commitment by countries of origin to accept their nationals back and facilitate access to care and services and ensuring <del>that</del> <a href="#">the</a> return of a foreign suspected victim of trafficking in</p>	<p><b>Deleted:</b> -that</p>

	<p>persons to a State of which that person is a citizen or permanent resident and <del>is voluntary and is conducted with due regard for</del> the safety of that person</p> <p><b>Cuba:</b> Ensuring the commitment by countries of origin to accept <del>in accordance with national legislation</del> their national back and facilitate access to care and services and ensuring that the return of a foreign suspected victim of trafficking in person to a State of which that person is a citizen or permanent resident is voluntary and is conducted with due regard for the safety of that person</p> <p><b>EU:</b> Ensuring the commitment by countries of origin to accept their nationals back and <del>ensuring that the return is conducted with due regard to safety and shall preferably be voluntary, as stipulated by Art. 8 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons;</del></p> <p><b>Holy See:</b> after “safety” include <del>and dignity</del></p> <p><b>Japan:</b> <i>Change</i> “is voluntary” to “is preferably voluntary”. (rationale) It should be agreeable to all delegations to adhere to Article 8 paragraph 2 of the Trafficking in Persons Protocol.</p> <p><b>OHCHR:</b> ...of a foreign <del>suspected presumed</del> victim of trafficking in persons...</p> <p><b>Singapore:</b> permanent resident <del>is voluntary and</del> is conducted with due regard for the safety of that person</p> <p><b>Thailand:</b> delete</p> <p><b>UNAIDS:</b> ...facilitate access to care and services and ensuring that the return of a foreign suspected <del>trafficked</del> person...</p> <p><b>UNICEF:</b> Suggest inclusion of <del>family tracing and family assessment</del> as additional requisite to the currently identified requisites of voluntariness and due regard for safety for the return of trafficked victims. Further suggest inclusion of a sentence or a creation of a new paragraph along the lines of “<del>Individual case assessment is done for each individual person, including a best interests determination for children, taking the child’s own views into account, and that includes also family tracing and assessment, prior to a decision about stay or return being made</del>”</p> <p><b>USA:</b> delete</p>	<p><b>Deleted:</b> facilitate access to care and services and ensuring that the return of a foreign suspected victim of trafficking in persons to a State of which that person is a citizen or permanent resident is voluntary and is conducted with due regard for the safety of that person</p> <p><b>Deleted:</b> suspected</p> <p><b>Deleted:</b> victim of</p> <p><b>Deleted:</b> ing in</p> <p><b>Deleted:</b> s</p>
<p>33. Adopting labour laws that provide legal rights and protections for workers at high risk for trafficking;</p>	<p><b>African Group:</b> <del>Adopting To adopt</del> labour laws that provide legal rights and protections for workers at high risk of trafficking ...</p>	

	<p><b>Belarus:</b> ... trafficking <a href="#">and encouraging involvement of labour market institutions in the fight against human trafficking</a>;</p> <p><b>Canada:</b> clarify that protections would be afforded to all workers</p> <p><b>EU:</b> delete</p> <p><b>Japan:</b> We would like to seek clarification as to whether the purpose of this paragraph is to protect workers that are often subject to victimization by establishing labor laws that provides workers with rights and adequate protection.</p> <p><b>OHCHR:</b> Adopting labour laws that provide legal rights and protections for workers at high risk <a href="#">of being trafficked</a></p> <p><b>Singapore:</b> delete</p> <p><b>Thailand:</b> delete</p> <p><b>UNICEF:</b> Suggest moving the sentence to the prevention section and adding here a reference to the possibility of labour migrants and persons who have worked under exploitative conditions to seek and receive legal advice and assistance in claiming their rights without risking sanctions due to an undocumented immigration status and / or working situation</p>
<p>34. Providing specialized services to identified victims of trafficking in persons, including access to HIV prevention, treatment, care and support services;</p>	<p><b>African Group:</b> <del>Providing</del> <b>To provide</b> specialized services ...</p> <p><b>China:</b> Providing specialized services to identified victims of trafficking in persons, <a href="#">such as</a> access to HIV prevention, treatment, care and support services</p> <p><b>EU:</b> Providing specialized services to identified victims of trafficking in persons, <a href="#">in line with Article 6 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children</a>, including <a href="#">access to comprehensive health services, including</a> access to HIV prevention, treatment, care and support services, <a href="#">taking into account that human trafficking for the purposes of sexual exploitation has serious, immediate and long term implications for health, including sexual and reproductive health</a>;</p> <p><b>Japan:</b> <i>Delete</i> whole paragraph. (rationale) Reference is already made to the provision of assistance and services for physical recovery in paragraph 30 which is based on Article 6 paragraph 3 of the Trafficking in Persons Protocol. We also think that there is no reason to emphasize the provision of HIV / AIDS prevention, treatment, care and support services.</p> <p><b>Singapore:</b> Providing, <a href="#">where appropriate</a>,</p>

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	<p>specialized services to identified victims of trafficking in persons, <del>including access to HIV prevention, treatment, care and support service</del></p> <p><b>Thailand:</b> delete</p> <p><b>UNAIDS:</b> Providing <a href="#">access to</a> specialized services, <del>which shall be voluntary, confidential and with informed consent</del>, to identified <del>trafficked</del> persons, including HIV prevention, treatment, care and support services.</p> <p><b>UNICEF:</b> Suggest inclusion of other services such as “<del>legal and psycho-social services and health</del>” services. Giving “access to HIV prevention ... services” as a sole example in this paragraph further reinforces the current misconception that trafficking occurs only for the end purpose of sexual exploitation. Also, given the gaps in formal victim identification process, it is suggested that “providing specialised services” be made not only to identified victims of trafficking but also “<del>suspected</del>” victims of trafficking “<del>on a confidential basis with informed consent</del>”</p>	<p><b>Formatted:</b> Bullets and Numbering</p> <p><b>Deleted:</b> victims of</p> <p><b>Deleted:</b> ing in</p>
<p>35. Providing appropriate assistance and protection to children who are victims of trafficking or at risk of being trafficked, including for purposes such as illegal adoption or the removal of organs, including ensuring appropriate services and measures to guarantee the physical and psychological well-being of trafficked children as well as their education and reintegration in coordination with existing child protections systems;</p>	<p><b>African Group:</b> <del>Providing To further provide</del> appropriate assistance and protection to...</p> <p><b>Canada:</b> replace with “Ensuring that all actions undertaken in relation to child victims and children at risk should be guided by applicable human rights standards and in particular by the principles of protection and respect for children’s rights as set out in the UN CRC and in its Optional Protocol on the sale of children, child prostitution and child pornography. 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 the primary consideration.”</p> <p><b>Colombia:</b> Providing appropriate assistance and protection to children who are victims of trafficking or at risk of being trafficked, <del>including for purposes such as illegal adoption or the removal of organs</del>, including...</p> <p><b>EU:</b> Providing appropriate assistance and protection <a href="#">in the best interest of the child</a> to children who are victims of trafficking, <del>as stipulated in Art. 6 para 4 of the Palermo Protocol</del>, including...</p> <p><b>OHCHR:</b> ...<del>including by</del> ensuring appropriate services...</p> <p><b>Thailand:</b> delete</p>	<p><b>Deleted:</b> or at risk of being trafficked, including for purposes such as illegal adoption or the removal of organs,</p>



	<p><b>UNAIDS:</b> Providing appropriate assistance and protection to children who are trafficked or at risk of being trafficked...</p> <p><b>UNICEF:</b> Suggest change the currently cited end purposes of “illegal adoption” to either “<a href="#">child marriage</a>” as an example or “<a href="#">adoption for the purpose of exploitation</a>”. Referring only to “illegal adoption” does not send the right message as “illegal adoption” may not be for the end purposes of exploitation by the adopting parties as the illegality is mostly undertaken in processing papers for adoption. Referring to “illegal adoption” is like confusing the concepts of “smuggling” and “trafficking” where the former focuses on the illegality and the latter on exploitation</p> <p><b>USA:</b> After “..trafficking or” add “..to the best extent possible, those...”. Delete “including for purposes such as illegal adoption or the removal of organs.”</p>
<p>36. Urging the General Assembly to establish a United Nations trust fund for the rehabilitation and compensation of victims of the most serious forms of trafficking in persons, with a special focus on women and children, and requesting the Secretary-General to entrust UNODC with managing the trust fund;</p>	<p><b>African Group:</b> <a href="#">Urging To urge</a> the General Assembly to establish a United Nations Trust...</p> <p><b>Australia:</b> it would be more appropriate for funding issues to be addressed in 5th Committee discussions or in other UN fora (such as the Conference of Parties to the UN Convention against Transnational Organised Crime (UNTOC) and the Commission on Crime Prevention and Criminal Justice). Funding needs to be handled in a manner consistent with the usual budgetary measures.</p> <p><b>EU:</b> delete</p> <p><b>Holy See:</b> Setting up a United Nations trust fund for victims is worthwhile.</p> <p><b>IOM:</b> In addition to the managing agency however, we suggest the establishment of a Steering Committee, as is usually the practice. Given IOM’s work and capacity on compensation and reparation of victims of other human rights violations, we would gladly volunteer to be part of such a Steering Committee</p> <p><b>Japan:</b> We think that the establishment of a trust fund for victims of trafficking in persons is questionable. There already exist trust funds for assisting victims of trafficking in persons such as the United Nations Voluntary Trust Fund on Contemporary Forms of Slavery and the United Nations Trust Fund for Human Security and duplication of funds must be avoided.</p> <p>With reference to A/RES/46/122 which established the abovementioned trust fund on contemporary forms of slavery, the description of the criteria for this new trust fund for the victims of trafficking in persons is not sufficient. Having said that, we think</p>

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	<p>that this plan of action is not the right place to refer to the establishment of a trust fund.</p> <p>In any case “and compensation” in line 2 should be deleted.</p> <p><b>OHCHR:</b> ...trust fund for the...  <a href="#">[alternative: To consider reinforcing the existing Trust Fund for Victims of Contemporary Forms of Slavery, administered by OHCHR, which already provides a substantial portion of its funding to rehabilitation of victims of trafficking, including by altering the name of the Fund to better reflect its role in assisting the victims of trafficking through efforts at the UN level. Providing compensation to the victims of trafficking, including through confiscation of the assets of traffickers, should be properly addressed through the national judicial system of each Member State. Effective monitoring of the process for provision of compensation to the victims should be established on the national level in order to ensure fairness and accountability of such process in the service of the human rights of the victims.]</a></p> <p><b>Switzerland:</b> It seems odd to urge the GA to do so in an annex of the same GA resolution, especially if such a political request at international level is mentioned among many other measures of a more technical character to be implemented on the national level. In other words, shouldn't such an urgent request be mentioned in the draft resolution itself?</p> <p><b>Thailand:</b> delete</p> <p><b>UNAIDS:</b> Urging the General Assembly to establish a United Nations trust fund for the rehabilitation and compensation of <a href="#">persons who have experienced</a> the most...</p> <p><b>USA:</b> delete</p>
<p>37. Providing victims of trafficking the possibility of obtaining compensation from confiscated proceeds of crime, at the national level;</p>	<p><b>African Group:</b> delete</p> <p><b>Canada:</b> Providing victims of trafficking the possibility of obtaining compensation <del>from confiscated proceeds of crime</del>, at the national level</p> <p><b>China:</b> <a href="#">Endeavoring to provide</a> victims of trafficking the possibility of obtaining compensation <del>from confiscated proceeds of crime</del>, at the national level</p> <p><b>Colombia:</b> delete OR change to <a href="#">Adopt measures that offer victims of trafficking in persons the possibility of obtaining compensation for damage suffered</a></p> <p><b>EU:</b> delete</p>

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	<p><b>Japan:</b> <i>Delete</i> whole paragraph. (rationale) It is irrelevant to impose obligations as such on States.</p> <p><b>Singapore:</b> <i>Where appropriate and applicable,</i> Providing victims of trafficking the possibility of obtaining compensation <i>for damage suffered from confiscated proceeds of crime, at the national level')</i></p> <p><b>Thailand:</b> delete</p> <p><b>UNAIDS:</b> Providing <u>trafficked persons</u> the possibility of obtaining compensation from confiscated proceeds of crime, at the national level;</p> <p><b>UNICEF:</b> Suggest adding reference to standard procedures of compensation for victims of crime to the extent that they exist at the national level: "... possibility of obtaining compensation <i>for victims of crime, including</i> from confiscated proceeds</p>	<p><b>Formatted:</b> Bullets and Numbering</p> <p><b>Deleted:</b> victims of t</p> <p><b>Deleted:</b> ing</p>
<p>38. Adopting measures to assist victims in pursuing civil damages against their traffickers;</p>	<p><b>African Group:</b> <del>Adopting</del> <b>To adopt</b> measures to assist victims in pursuing civil damages against their traffickers;</p> <p><b>Belarus:</b>...services, <u>including shelters for rehabilitation</u>, to victims, <u>as well as</u> meaningful</p> <p><b>EU:</b> Adopting measures to <u>ensure that victims can seek compensation for the damage suffered as stipulated by Art. 25 para 2 of UNTOC and Article 6 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons</u>;</p> <p><b>OHCHR:</b> Adopting measures to <u>effectively</u> assist victims in pursuing civil damages against their traffickers</p> <p><b>Thailand:</b> delete</p> <p><b>UNAIDS:</b> Adopting measures to assist <u>trafficked persons</u> in pursuing civil damages against their traffickers;</p>	<p><b>Deleted:</b> including</p> <p><b>Deleted:</b> assist</p> <p><b>Deleted:</b></p> <p><b>Deleted:</b> in pursuing civil damages against their traffickers</p> <p><b>Formatted:</b> Bullets and Numbering</p> <p><b>Deleted:</b> victims</p>
<p>39. Commending the role of civil society organizations in providing assistance and empowerment to victims of trafficking and helping them to seek redress as well as facilitating the care of and provision of appropriate services to victims, including meaningful engagement and coordination with law enforcement officials;</p>	<p><b>African Group:</b> (PLEASE NOTE THAT PARAS. 39 - 41 were re-arranged thus: previous para 39 now 41, 40 moved to 39 and 41 moved to 40. This was to ensure that the issue of the role of the CSOs is not placed in the middle of actions by member states)</p> <p>New Paragraph 39: <del>Ensuring that domestic</del> <b>To ensure that national</b> legal or administrative systems include measures to provide information to victims regarding their rights, the relevant court and administrative proceedings and assistance to enable their views and concerns to be presented and considered at appropriate stages of such proceedings;</p> <p><b>Belarus:</b> ...facilitating the care of and provision of appropriate services, <u>including shelters for</u></p>	

	<p><a href="#">rehabilitation</a>, to victims, <a href="#">as well as</a> meaningful engagement and coordination with law enforcement officials;</p> <p><b>Canada:</b> recommend moving to preamble</p> <p><b>EU:</b> moved to paragraph 10 ter</p> <p><b>OHCHR:</b> ...officials, <a href="#">and to provide support to victims by providing financial assistance to service providers, as well as extend protection to ensure the safety of victims and service providers</a>;</p> <p><b>Singapore:</b> <del>Considering, where appropriate, the adoption of</del> <a href="#">Adopting</a> measures to assist victims in pursuing civil damages against their traffickers</p> <p><b>Thailand:</b> delete</p> <p><b>UNAIDS:</b> Commending the role of civil society organizations in providing assistance and empowerment to <a href="#">trafficked persons</a> and helping them to seek...</p> <p><b>USA:</b> Delete “Commending” and replace with “Acknowledging the important...”. Delete sentence starting with “including” and replace with “and encouraging law enforcement agencies to explore ways to enhance meaningful engagement and coordination with civil society organizations</p>
<p>40. Ensuring that domestic legal or administrative systems include measures to provide information to victims regarding their rights, the relevant court and administrative proceedings and assistance to enable their views and concerns to be presented and considered at appropriate stages of such proceedings;</p>	<p><b>African Group:</b> New paragraph 40 <del>Providing suspected</del> <a href="#">To provide victims of trafficking in persons with a recovery and reflection period in order for them to recover and escape the influence of traffickers and/or to take an informed decision on cooperating with the competent authorities, during which period it shall not be possible to enforce any order to expel the suspected victim from the State’s territory.</a></p> <p><b>EU:</b> ...appropriate stages of such proceedings <a href="#">as stipulated by Art. 25 of UNTOC and Art. 6 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons</a></p> <p><b>Singapore:</b> Ensuring that domestic legal or administrative systems <del>include</del> <a href="#">contains</a> measures to provide information to victims <a href="#">of trafficking in persons, in appropriate cases regarding their rights,</a> <del>the information on</del> relevant court and administrative proceedings and assistance to enable their views and concerns to be presented and considered at appropriate stages of <del>such proceedings-criminal</del> <a href="#">proceedings against offenders, in a manner not prejudicial to the rights of the defence</a></p> <p><b>Thailand:</b> delete</p> <p><b>UNAIDS:</b> Ensuring that domestic legal or administrative systems include measures to provide</p>

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	<p>information to <a href="#">trafficked persons</a> regarding their rights <a href="#">and legal assistance in</a> relevant court and administrative</p> <p><b>USA:</b> After “victims” add “in a language they understand” Before “assistance” add “facilitate access to”</p>	<p><b>Deleted:</b> vict</p> <p><b>Deleted:</b> ims</p> <p><b>Deleted:</b> , the</p>
<p>41. Providing suspected victims of trafficking in persons with a recovery and reflection period in order for them to recover and escape the influence of traffickers and/or to take an informed decision on cooperating with the competent authorities, during which period it shall not be possible to enforce any order to expel the suspected victim from the State’s territory;</p>	<p><b>African Group:</b> New Paragraph 41 <del>Commending To stress the importance of the role of civil society organizations and the private sector in providing assistance and empowerment to victims of trafficking and helping them to seek redress as well as facilitating the care of and provision of appropriate services to victims, including meaningful engagement and coordination with law enforcement officials</del></p> <p><b>China:</b> delete</p> <p><b>EU:</b> delete</p> <p><b>Indonesia:</b> Paragraph 41 bis <del>Noting cooperation should be based on an acknowledgment that each State had a sovereign right and legitimate interest to develop and implement its own laws to address trafficking in persons. Noting also that trans-organized criminal groups are continuously adapting and arming themselves with new technologies and methods of victimizing innocent people. Further noting that victims of trafficking require specific and sustained assistance to allow them to gain their livelihood free from the fear reach of traffickers. Furthermore, acknowledging that victims of trafficking should be provided unconditional access to assistance services, regardless of whether the person has reported to the police or given a statement in criminal proceedings, as soon as the competent authorities have an indication that she or he has been the subject to the crime of trafficking.</del></p> <p><del>a. Inviting States to review and enact strong national legislation criminalizing trafficking in persons, strong law enforcement mechanisms and cooperation in the effective prosecution of such activities in accordance with their domestic law.</del></p> <p><del>b. Further inviting States to consider in enhancing continuously its victim support programs to cater the sprawling needs of victims of trafficking, inter-alia, provision of shelter and other basic needs, health care, well-being, and livelihood.</del></p> <p><del>c. Inviting also States, where appropriate and in accordance with their national laws, to consider the possibility to set up national compensation fund from funder from confiscated proceed to assist victims of trafficking.</del></p> <p><del>d. Urging governments and other stakeholders</del></p>	

	<p><u>to facilitate the dignified and humane assistance to victims of trafficking.</u></p> <p>e. <u>Requesting UNODC and its developmental partners to continue to implement victim support projects.</u></p> <p>f. <u>Further requesting UNODC to conduct study on ways and means to increase participation of civil society and philanthropic organizations to provide meaningful and sustainable assistance to victims of trafficking.</u></p> <p>g. <u>Urging UNODC in cooperation with relevant stakeholders to increase public awareness campaign on trafficking in persons namely victims of trafficking.</u></p> <p>h. <u>Inviting civil society organizations in the field of providing assistance to victims of trafficking to increase its role in empowering trafficked persons and helping them to seek redress that would in turn complement the work of governments and international organization and contribute in combating trafficking in persons at the national, regional, and global levels.</u></p> <p><b>Malaysia:</b> delete</p> <p><b>OHCHR:</b> ...any order to expel the <del>suspected presumed</del> victim from the State’s territory.</p> <p><b>Singapore:</b> delete</p> <p><b>Thailand:</b> delete</p> <p><b>UNAIDS:</b> Providing suspected <del>trafficked</del> persons with a recovery and reflection period in order for them to recover and escape the influence of traffickers and/or to take an informed decision on cooperating with the competent authorities, during which period it shall not be possible to enforce any order to expel the suspected <del>trafficked person</del> from the State’s territory;</p> <p><b>USA:</b> Delete “with a recovery and reflection period in order for them to recover and escape the influence of traffickers and/or to take an informed decision on cooperating with the competent authorities, during which period it shall not be possible to enforce any order to expel the suspected victims from the State’s territory.” Replace with “..the opportunity to consult with non-governmental organization advisors to assist victims in decision-making regarding cooperation with law enforcement and their participation in judicial proceedings.”</p>
<p><b>III. Prosecuting crimes of trafficking in persons</b> 42. Ensuring the effective implementation of the United Nations Convention against</p>	<p><b>African Group: <del>Prosecuting Prosecution of crimes of trafficking in persons</del></b></p>

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<p>Transnational Organized Crime by criminalizing trafficking in persons as defined by Article 3 of its supplementing Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children;</p>	<p><u>We resolve to undertake the following measures to maximize law enforcement measures in respect of the crime of trafficking in persons and with due regard to the need to deter the commission of such a crime:</u></p> <p><u>42. To ensuring the effective implementation of the United Nations Convention against Transnational Organized Crime by implement all relevant legal instruments eriminalizing that criminalize trafficking in persons. as defined by Article 3 of its supplementing Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children</u></p> <p><b>Belarus:</b>... Prosecuting crimes of <u>transnational and non-transnational</u> trafficking</p> <p><b>Canada:</b> replace with “Criminalizing all forms of trafficking in persons in accordance with Article 3 of the Protocol to Prevent...”</p> <p><b>Liechtenstein:</b> We do not see the need for extensive quotation, paraphrasing or reference to the implementation of the provisions of UNTOC and its Protocols (as for example in para 42, 43, 44, 45, 46, 47, 48). In general, to include a chapter on Prosecution does not seem to bring specific value added with regard to the provisions of the Palermo regime. It would clearly fall within the responsibility of the Conference of States Parties to assign the competence to assess national implementation (to which the chapter makes extensive reference). Any insecurity concerning this competence that might arise with the inclusion of a chapter on prosecution in the GPA should be avoided.</p> <p><b>Singapore:</b> Streamline paragraphs that duplicate existing provisions in the Palermo Protocols regarding the criminalization/prosecution of crimes of trafficking by deleting paragraphs 43, 44, 45, 46 and 42, and incorporate the substance of these paragraphs in amended paragraph 42</p> <ul style="list-style-type: none"> <li>• 42. Ensuring the effective implementation of <u>Member States’ obligations under</u> the United Nations Convention against Transnational Organised Crime, <u>where applicable</u>, by criminalizing trafficking in persons <u>in accordance with Article 5 as defined by Article 3</u> of its supplementing Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children</li> </ul> <p><b>Thailand:</b> delete</p>
<p>43. Prosecuting crimes of trafficking that encompass all forms of exploitation, including at a minimum the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the</p>	<p><b>African Group:</b> <del>Prosecuting</del> <u>To prosecute</u> crimes of trafficking that encompass all forms <u>and types of</u> exploitation, including <u>commercial and sexual</u> exploitation, <del>including at a minimum the exploitation of the prostitution of others or</del> other forms of sexual exploitation, forced labour or</p>

<p>removal of organs and all types of victims;</p>	<p>services, slavery or practices similar to slavery, servitude or the removal of organs and <del>tissues all types of victims</del>;</p> <p><b>Belarus:</b> Prosecuting crimes of <u>transnational and non-transnational</u> trafficking that encompass...</p> <p><b>EU:</b> Prosecuting <u>all forms of human trafficking as stipulated by Article 3 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons</u>;</p> <p><b>Japan:</b> <i>Add</i>, after “all forms of exploitation,” in line 1, “within the limits of domestic law of each Member States.” <i>Delete</i> “and all types of victims” in line 4. (rationale) To be submitted if necessary.</p> <p><b>Singapore:</b> delete</p> <p><b>Thailand:</b> delete</p> <p><b>UNAIDS:</b> <u>replace with full Palermo definition: “The recruitment, transportation, transfer, harbouring or receipt of persons by means of threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power, or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at minimum, the exploitation of prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.”</u></p> <p><b>USA:</b> delete</p>	<p><b>Deleted:</b> crimes of</p> <p><b>Deleted:</b> that encompass all forms of exploitation, including at a minimum the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs and all types of victims</p> <p><b>Formatted:</b> Bullets and Numbering</p>
<p>44. Ensuring the existence of legislation or offence criminalizing trafficking in persons which specifies that the consent of the victim is irrelevant when any of the improper means mentioned in the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children have been utilized;</p>	<p><b>African Group:</b> <del>Ensuring the existence To enact and enforce legislations or offence and strengthen existing ones that criminalize</del>ing trafficking in persons, <del>which specifies that especially women and children even where it has been with the consent of the victim is irrelevant when any of the improper means mentioned as reflected</del> in the Protocol to Prevent Suppress and Punish Trafficking in Persons, especially Women and Children <del>have been utilized, the Convention on the Elimination of All Forms of Discrimination Against Women and the Convention on the Rights of the Child and its Optional Protocols,</del></p> <p><b>Canada:</b> delete (streamlined with OP42)</p> <p><b>China:</b> <u>Ensuring that the consent of a victim of trafficking in persons to the intended exploitation set forth in the Art. 3(a) of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children shall be irrelevant where any of the means set forth in this Art. 3(a) of the Protocol have been used</u></p>	<p><b>Deleted:</b> the existence of legislation or offence criminalizing trafficking in persons which specifies</p> <p><b>Deleted:</b> the</p> <p><b>Deleted:</b> is irrelevant when any of the improper means mentioned in</p> <p><b>Deleted:</b> utilized</p>



	<p><b>EU:</b> Ensuring the existence of legislation or offence criminalizing trafficking in persons <a href="#">and guidelines</a> which specify that the consent of the victim <a href="#">of the exploitation</a> is irrelevant when any of the improper means <a href="#">referred to in Article 3 of</a> the Protocol...</p> <p><b>Japan:</b> <i>Change</i> whole paragraph to “Ensuring the existence of legislation or offence criminalizing trafficking in persons consistent with Article 3 (b) of the Trafficking in Persons Protocol which establishes that the consent of a victim of trafficking in persons to the intended exploitation set forth in subparagraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used”. (rationale) It should be agreeable to all delegations to quote Article 3 (b) of the Trafficking in Persons Protocol.</p> <p><b>Singapore:</b> delete</p> <p><b>Thailand:</b> delete</p> <p><b>USA:</b> delete</p>	<p><b>Deleted:</b> ies</p> <p><b>Deleted:</b> mentioned in</p>
<p>45. Adopting legislative and other measures necessary to establish as criminal offences:</p> <ol style="list-style-type: none"> <li>a. Attempting to commit an offence, as prescribed in the Protocol</li> <li>b. Participating as an accomplice in an offence, as prescribed in the Protocol</li> <li>c. Organizing or directing other persons to commit an offence, as prescribed in the Protocol</li> </ol>	<p><b>African Group:</b> <del>Adopting</del> <b>To adopt</b> legislative and other measures necessary to establish <a href="#">trafficking in persons</a> as criminal offences...</p> <p><b>China:</b> Adopting legislative and other measures necessary to establish as criminal offences:</p> <ol style="list-style-type: none"> <li>a. <a href="#">Subject to the basic concepts of its legal system, attempting to commit an offence established in accordance with paragraph 1 of article 5 of the, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children</a></li> <li>b. Participating as an accomplice in an offence <a href="#">established in accordance with paragraph 1 of article 5 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children</a></li> <li>c. Organizing or directing other persons to commit an offence <a href="#">established in accordance with paragraph 1 of article 5 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children</a></li> </ol> <p><b>EU:</b> Adopting legislative and other measures necessary to establish as criminal offences:</p> <ol style="list-style-type: none"> <li>a. Attempting to commit an offence,</li> <li>b. Participating as an accomplice in an offence,</li> <li>c. Organizing or directing other persons to commit an offence,</li> </ol> <p><a href="#">As stipulated by Article 5 of the Protocol on Prevention, Suppression and Punishment of Trafficking in Persons.</a></p>	<p><b>Deleted:</b> A</p> <p><b>Deleted:</b> , as prescribed in</p> <p><b>Formatted:</b> Left, Space Before: 0 pt, After: 0 pt, Numbered + Level: 1 + Numbering Style: a, b, c, ... + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Tab after: 0.5" + Indent at: 0.5"</p> <p><b>Deleted:</b> , as prescribed in</p> <p><b>Deleted:</b> , as prescribed in</p> <p><b>Deleted:</b> , as prescribed in the Protocol</p> <p><b>Deleted:</b> , as prescribed in the Protocol</p> <p><b>Deleted:</b> , as prescribed in the Protocol</p>

	<p><b>Singapore:</b> delete</p> <p><b>Thailand:</b> delete</p> <p><b>USA:</b> delete</p>
<p>46. Ensuring the existence of legislation criminalizing trafficking in children which specifies there is no need to establish the means as set forth in the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, and the Convention on the Rights of the Child and its Optional Protocols;</p>	<p><b>African Group:</b> delete (idea moved to paragraph 44)</p> <p><b>Belarus:</b> 46.bis <a href="#">Ensuring further the existence of legislation criminalizing trafficking in persons for the purpose of removal of organs and tissues for transplantation;</a></p> <p><b>Canada:</b> delete (streamlined with OP42)</p> <p><b>China:</b> Ensuring <a href="#">that the recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered trafficking in persons even if this does not involve any of the means set forth in Art. 3(a) of the</a> Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, and the Convention on the Rights of the Child and its Optional Protocols</p> <p><b>Colombia:</b> delete</p> <p><b>EU:</b> Ensuring the existence of legislation criminalizing trafficking in children <a href="#">regardless of the means used to that purpose as stipulated by Article 3 of the</a> Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children;</p> <p><b>Japan:</b> <i>Change</i> whole paragraph to “Ensuring the existence of legislation criminalizing trafficking in children consistent with Article 3 (c) of the Trafficking in Persons Protocol which establishes that the recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered “trafficking in persons” even if this does not involve any of the means set forth in subparagraph (a) of this article”. (rationale) It should be agreeable to all delegations to quote Article 3 (c) of the Trafficking in Persons Protocol.</p> <p><b>Singapore:</b> delete</p> <p><b>Thailand:</b> delete</p> <p><b>UNICEF:</b> Suggest moving the paragraph up to follow after paragraph 44</p> <p><b>USA:</b> After “Ensuring the..” add “criminalization of” and delete “existence of legislation criminalizing” After “children” add “without any requirement..” and delete “which specifies there is no need..”</p>
<p>47. Combating, dismantling and prosecuting</p>	<p><b>African Group:</b> <del>Combating, dismantling and</del></p>

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<p>organized criminal groups engaged in trafficking in persons;</p>	<p><del>prosecuting</del> <b>To combat, dismantle and prosecute</b> organized criminal groups engaged in trafficking in persons;</p> <p><b>Australia:</b> goal not achievable</p> <p><b>Canada:</b> replace with “Ensuring that participating in the activities of an organized criminal group is criminalized in accordance with Article 5 of UNTOC and taking steps to investigate, dismantle, and prosecute organized criminal groups engaged in trafficking in persons.”</p> <p><b>Colombia:</b> delete OR change to: <u>Criminalize, combat, prosecute and dismantle organized crime groups engaged in trafficking in persons in accordance with UNTOC.</u></p> <p><b>EU:</b> Combating and prosecuting organized criminal groups engaged in trafficking in persons</p> <p><b>Thailand:</b> delete</p>
<p>48. Ensuring liability of all categories of offenders, including the liability of legal persons;</p>	<p><b>African Group:</b> <del>Ensuring</del> <b>To ensure</b> liability of all categories of offenders, including the liability of legal persons</p> <p><b>Australia:</b> goal not achievable</p> <p><b>China:</b> Ensuring liability of all categories of offenders, (delete “including liability of legal persons”)</p> <p><b>EU:</b> Ensuring liability of all categories of offenders, including the liability of legal persons, <u>as stipulated by Article 10 of UNTOC</u></p> <p><b>OHCHR:</b> Ensuring liability of all categories of offenders, including <u>public and private actors and including</u> the liability of legal persons</p> <p><b>Thailand:</b> delete</p>
<p>49. Enhancing efforts to investigate alleged cases of trafficking, to prosecute perpetrators and to publicize convicted cases with full respect to human rights;</p>	<p><b>African Group:</b> <del>Enhancing</del> <b>To enhance</b> efforts to investigate alleged cases of trafficking...</p> <p><b>EU:</b> Enhancing efforts to investigate alleged cases of trafficking, <u>strengthening means to combat trafficking, including through more systematic use of freezing assets for the purpose of eventual confiscation, according to the provisions of Article 12 of UNTOC, and, prosecuting perpetrators, ensuring that the penalties are proportionate to the gravity of the crime.</u></p> <p><b>Thailand:</b> delete</p> <p><b>USA:</b> After “with full respect to human rights” add “of victims”</p>
<p>50. Ensuring that penalties and sanctions for trafficking crimes are appropriate and proportionate to the gravity of the crime;</p>	<p><b>African Group:</b> <del>Ensuring</del> <b>To ensure</b> that penalties and sanctions for trafficking crimes...</p>

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	<p><b>EU:</b> delete</p> <p><b>Japan:</b> We think that it is not appropriate for this Plan of Action to give guidance to the content of national legislation.</p> <p>It is also the discretion of the judicial branch to decide the appropriate and proportionate penalties on a case by case basis.</p> <p><b>Thailand:</b> delete</p>
<p>51. Making use of available technical assistance provided to strengthen the criminal justice response to trafficking in persons, including inter alia, by UNODC;</p>	<p><b>African Group:</b> <del>Making To make</del> use of available technical assistance provided to...</p> <p><b>Thailand:</b> delete</p>
<p>52. Promoting the more systematic use of freezing and confiscating assets of traffickers as an effective means to fight organized crime;</p>	<p><b>African Group:</b> <del>Promoting the more systematic use of freezing and confiscating of</del> <del>To freeze and confiscate the</del> assets of traffickers as an effective means to fight organized crime, <del>in accordance with national laws</del>;</p> <p><b>Canada:</b> Promoting the more systematic use of freezing and confiscating assets of traffickers as an effective means <del>to fighting this criminal activity</del></p> <p><b>Colombia:</b> redraft in accordance with UNTOC provisions on confiscation and seizure</p> <p><b>EU:</b> delete</p> <p><b>Holy See:</b> §52, page 9, could be stronger in its formulation, so that all assets and profits obtained by trafficking in persons will be confiscated. This should be expressed in line with §§37-38 on page 7</p> <p><b>Japan:</b> We think that it is up to each State to decide how to make use of the freezing and confiscating of assets established in national laws.</p> <p><b>Thailand:</b> delete</p> <p><b>USA:</b> Delete “fight organized crime” and replace with “remove any financial benefits from traffickers and provide restitution to victims.”</p>
<p>53. Vigorously investigating, prosecuting, and punishing corrupt public officials who engage in or facilitate the trafficking of persons, recognizing that trafficking would likely not occur at current levels without official complicity, and promoting a zero tolerance policy against corrupt officials;</p>	<p><b>African Group:</b> <del>Vigorously investigating, prosecuting and punishing corrupt</del> <del>To investigate, prosecute and strongly punish</del> public officials <del>who engaged in or facilitate</del> <del>accused of engaging in or facilitating</del> the trafficking of persons, recognizing that trafficking would likely not occur at current levels without official complicity, and promoting a zero tolerance policy against <del>such</del> officials;</p> <p><b>Canada:</b> replace with “Examining the linkages between corruption and human trafficking and taking legislative, programming and policy action to specifically respond to the linkages between these two issues.”</p>

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	<p><b>China:</b> Vigorously investigating, prosecuting, and punishing corrupt public officials who engage in or facilitate the trafficking of persons, <del>recognizing that trafficking would likely not occur at current levels without official complicity,</del> and promoting a zero tolerance policy against corrupt officials</p> <p><b>Colombia:</b> redraft in accordance with UNTOC: <u>Ensure that national legislation and anti-corruption policies provide measures to investigate, prosecute and punish public officials who engage in or facilitate trafficking in persons.</u></p> <p><b>EU:</b> <u>In line with the United Nations Convention against Corruption, and UNTOC,</u> vigorously investigating, prosecuting, and punishing corrupt public officials who engage in or facilitate the trafficking of persons, <u>and promoting a zero tolerance policy against corrupt officials,</u> recognizing that trafficking would likely not occur at current levels without official complicity;</p> <p><b>Thailand:</b> delete</p>
<p>54. Strengthening coordination and cooperation among States in combating crimes that might be connected with trafficking in persons, including money laundering, corruption, smuggling of migrants and all forms of organized crime;</p>	<p><b>African Group:</b> <del>Strengthening</del> <u>To strengthen</u> coordination and cooperation among States <u>and within the framework of activities undertaken in sub-regional, regional and international organizations</u> in combating crimes that might be connected with trafficking in persons, including money laundering, corruption, smuggling of migrants and all forms of organized crime, <u>including through the exchange of information and best practices;</u> (MOVE Para TO PARTNERSHIP SECTION)</p> <p><b>EU:</b> delete</p> <p><b>Thailand:</b> delete</p>
<p>55. Encouraging law enforcement, immigration or other relevant authorities of States to cooperate with one another by exchanging information, in accordance with domestic law, including cooperation among states of origin, transit and destination in order to enable joint investigations, prosecutions, and the detection of trafficking chains;</p>	<p><b>African Group:</b> <del>Encouraging</del> <u>To encourage</u> law enforcement, immigration or other...</p> <p><b>EU:</b> delete</p> <p><b>Thailand:</b> delete</p> <p><b>UNICEF:</b> Recommend inserting following “by exchanging information” <u>“with full respect for data protection laws and standards</u></p>
<p><b>IV. Strengthening partnerships against trafficking in persons</b></p> <p>56. Taking advantage of the networks provided by relevant international, regional and sub-regional organizations to share best practices in capacity-building for responding to trafficking in persons, and to facilitate their contributions to the international community's efforts in this area;</p>	<p><b>African Group: IV. Strengthening partnerships against trafficking in persons</b></p> <p><u>We recognize that capacity-building is an essential component in combating trafficking in persons and we resolve to undertake the following measures to develop State capacity to prevent and combat trafficking in persons and enhance coordination and coherence within United Nations system in this regard:</u></p>

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	<p>56. <del>Taking To take</del> advantage of the networks provided by relevant...</p> <p><b>EU:</b> <u>Encouraging effective cooperation and coordination of efforts at the national, regional and international level, especially among countries of origin, transit and destination and taking advantage of the networks provided by relevant organizations to share best practices in capacity-building for responding to and combating trafficking in persons, while stressing the importance of regional approaches to facilitate mutual legal assistance and the exchange of information including operational information, programs and good practices in supplementing the UNTOC and the work done by the Conference of the Parties to that Convention;</u></p> <p><b>Thailand:</b> “Take advantage of the networks provided by relevant international, regional and sub-regional organizations to share best practices in capacity-building for responding to trafficking in persons, and to facilitate their contributions to the international community’s efforts in this area”</p>	<p><b>Deleted:</b> Taking advantage of the networks provided by relevant international, regional and sub-regional organizations to share best practices in capacity-building for responding to trafficking in persons, and to facilitate their contributions to the international community’s efforts in this area</p> <p><b>Deleted:</b> ing</p>
<p>57. Encouraging effective cooperation and coordination of efforts at the national, regional and international level by developing bilateral, regional and international cooperation agreements, especially among countries of origin, transit and destination;</p>	<p><b>African group:</b> <del>Encouraging To encourage</del> effective cooperation and coordination of...</p> <p><b>EU:</b> delete</p> <p><b>USA:</b> Delete “bilateral, regional and international cooperation” and replace with “cooperative”.</p> <p><b>Thailand:</b> “Encourage effective cooperation and coordination of efforts at the <u>bilateral, regional, sub-regional</u> and international level by developing bilateral, regional, <u>sub-regional</u> and international cooperation agreements, especially among countries of origin, transit and destination”</p>	<p><b>Deleted:</b> ing</p> <p><b>Deleted:</b> national</p>
<p>58. Stressing the importance of regional approaches to facilitate mutual legal assistance and the exchange of information including operational information, programs and good practices;</p>	<p><b>African Group:</b> <del>Stressing To stress</del> the importance of regional approaches to facilitate...</p> <p><b>Canada:</b> suggest merging with OP59</p> <p><b>EU:</b> <u>Strengthening coordination and cooperation among States in combating crimes that might be connected with trafficking in persons, including all forms of organized crime;</u></p> <p><b>Thailand:</b> delete</p> <p><b>Japan:</b> We would like to seek clarification as to what “regional approaches to facilitate mutual legal assistance” is in detail.</p> <p><b>UNICEF:</b> Recommend inclusion of “data protection” in this paragraph in line with paragraph 55</p> <p><b>USA:</b> At the end of the paragraph add “in</p>	<p><b>Deleted:</b> Stressing the importance of regional approaches to facilitate mutual legal assistance and the exchange of information including operational information, programs and good practices</p>

	<p>supplementing the United Nations Convention against Transnational Organized Crime and the work done by the Conference of the Parties to that Convention.”</p>
<p>59. Concluding and implementing mutual legal assistance and extradition agreements to ensure the apprehension and prosecution of perpetrators of human trafficking, in accordance with the relevant provisions of national and international law;</p>	<p><b>African Group:</b> <del>Concluding and implementing To promote</del> mutual legal assistance and the exchange of information including operational information, programs and good practices, <del>including through regional approaches;</del></p> <p><b>Canada:</b> suggest merging with OP 58</p> <p><b>EU:</b> <u>Encouraging Member States that are party to the United Nations Convention against Transnational Organized Crime to enhance international cooperation in extradition and mutual legal assistance, including confiscation, in accordance with the Convention, taking into account the extended scope of cooperation available under its article 16, on extradition, and article 18, on mutual legal assistance, and the internal legal requirements of States parties for the application of the Convention;</u></p> <p>New paragraph 59bis  <u>Encouraging law enforcement, immigration, judicial authorities or other relevant authorities of States to cooperate with one another by exchanging information, in accordance with domestic law, including cooperation among states of origin, transit and destination in order to enable joint investigations, prosecutions, and the detection of trafficking chains.</u></p> <p><b>Japan:</b> <i>Add</i>, after “extradition agreements” in line 1, “, where appropriate.”  <i>Change</i> “human trafficking” to “trafficking in persons”          (rationale) To be submitted if necessary.</p> <p><b>Singapore:</b> <del>Considering, where appropriate, the need to concluding and implementng-</del>mutual legal assistance and extradition agreements to ensure the apprehension and prosecution of perpetrators of human trafficking, in accordance with the relevant provisions of national and <del>Member States’ obligations under</del> international law</p> <p><b>Thailand:</b> <del>“Study additional and more effective ways to ensure the prosecution of perpetrators of human trafficking, in accordance with the relevant provisions of national and international law, including by concluding and implementing mutual legal assistance and extradition agreements”</del></p> <p><b>USA:</b> Rephrase as follows: “Facilitating mutual legal assistance and extradition to ensure the apprehension and prosecution of perpetrators of human trafficking.”</p>

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<p>60. Promoting cooperation between governmental institutions and non-governmental organizations, and other elements of civil society in establishing prevention, protection and prosecution policies and programmes;</p>	<p><b>African Group:</b> <del>Promoting To promote</del> cooperation between <del>among governmental institution governments, and non-governmental organizations, and other elements of</del> civil society <del>and the private sector in establishing in order to strengthen</del> prevention, protection and prosecution policies and programmes;</p> <p><b>Colombia:</b> redraft: the role of NGOs in prosecution programmes should be explained</p> <p><b>EU:</b> ...governmental organizations, and other <del>actors</del> of civil society...</p> <p><b>IOM:</b> OP60bis “Promoting cooperation between governments in regions through established Regional Consultative Processes on Migration.”</p> <p><b>Holy See:</b> §60, page 9: after “<i>non-governmental organizations</i>” include <b>religious-based communities</b></p> <p><b>Japan:</b> Delete whole paragraph. (rationale) The aim of this paragraph could be reflected by amending paragraph 62.</p> <p><b>OHCHR:</b> Paragraph 60bis <u>Providing an ongoing forum for the victims and survivors of trafficking, under the leadership of the High Commissioner for Human Rights, to contribute comments and recommendations in the development and implementation of the Plan, so their voices are heard;</u></p> <p><b>Singapore:</b> Promoting cooperation, <del>where appropriate,</del> between governmental institutions and non-governmental organizations and other elements of civil society in establishing prevention, protection and prosecution policies and programmes</p> <p><b>Thailand:</b> delete</p> <p><b>UNICEF:</b> Recommend the inclusion of “<b>National Referral Mechanism</b>” as it provides practical coordination on the effective return and repatriation side of trafficking interventions</p>
<p>61. Strengthening formal and informal cooperation between law enforcement agencies regionally and internationally;</p>	<p><b>African Group:</b> <del>Strengthening To strengthen</del> formal and informal cooperation between law enforcement <del>agencies- authorities</del> regionally and internationally, <del>in the prevention, investigation and prosecution of perpetrators and protection of and assistance to victims of trafficking in persons;</del></p> <p><b>EU:</b> Strengthening <del>formal and informal</del> cooperation between law enforcement agencies regionally and internationally</p> <p><b>Thailand:</b> “Strengthen formal and informal cooperation <del>as appropriate,</del> between <del>border control</del>”</p>

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	<p><a href="#">and</a> law enforcement agencies <a href="#">bilaterally</a>, regionally, <a href="#">sub-regionally</a> and internationally”</p>
<p>62. Endeavoring to coordinate all stakeholders involved in the fight against trafficking in persons at the national level, including government institutions, non-governmental organizations, the private sector and workers and employers organizations;</p>	<p><b>USA:</b> Delete “formal and informal”</p> <p><b>African Group:</b> delete</p> <p><b>Canada:</b> Endeavoring to coordinate <a href="#">and work together with</a> all stakeholders...</p> <p><b>EU:</b> Endeavoring to coordinate <a href="#">with</a> all stakeholders involved in the fight against trafficking in persons at the national level, including government institutions, non-governmental organizations, the private sector, <a href="#">including the media</a>, and workers and employers organizations</p> <p><b>Japan:</b> <i>Add</i>, after “Endeavoring to coordinate” in line 1, “and to enhance cooperation among”.</p> <p><b>Thailand:</b> delete</p> <p><b>UNICEF:</b> Recommend the inclusion of “<a href="#">National Referral Mechanism</a>” as it provides practical coordination on the effective return and repatriation side of trafficking interventions</p>
<p>63. Intensifying international cooperation to combat trafficking, consistent with the work of the open-ended working group on trafficking in persons and on international cooperation established by the Conference of the Parties to United Nations Convention against Transnational Organized Crime;</p>	<p><b>African Group:</b> redraft as follows: <a href="#">To intensify international and regional cooperation as well as technical assistance for countries of destination and transit aimed at strengthening their ability to prevent trafficked and exploited migrant labour and forced labour as well as the demand for the goods produced as a result of such labour;</a></p> <p><b>Colombia:</b> delete OR change to: <a href="#">To intensify international cooperation in accordance with decisions 4/2 “Implementation fo the provisions on international cooperation of the UNTOC” and decision 4/4 “Trafficking in Human Beings” adopted by the Conference of the Parties to UNTOC at its fourth session, held in Vienna from 8 to 17 October 2008</a></p> <p><b>Thailand:</b> delete</p>
<p>64. Promoting exchange of information and experiences between the Conference of the Parties of United Nations Convention against Transnational Organized Crime and United Nations human rights treaty bodies and mechanisms;</p>	<p><b>African Group:</b> <del>Promoting</del> <a href="#">To promote</a> exchange of information and experiences between...</p> <p><b>Canada:</b> replace with “Strengthening and supporting ICAT to improve coordination and cooperation amongst relevant UN bodies and other international organizations”</p> <p><b>Colombia:</b> delete</p> <p><b>Thailand:</b> <a href="#">Promote</a> exchange of information and experiences between the Conference of the Parties of United Nations Convention against Transnational Organized Crime and United Nations human rights treaty bodies and mechanisms <a href="#">(seek further clarification)</a>;</p>

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<p>65. Encouraging UNODC and other international organizations to continue to assist States, upon request, to strengthen policy making, legislative arrangements and law enforcement practices, public awareness campaigns and capacity building; and to disseminate best practices in assisting victims of trafficking;</p>	<p><b>African Group:</b> <del>Encouraging To encourage</del> UNODC and other international...</p> <p><b>Belarus:</b> assisting victims of trafficking <del>by elaborating respective guidelines and through special-purpose training courses;</del></p> <p><b>EU:</b> <del>Encouraging UNODC, UN Agencies, Funds and Programs and other international organizations to continue to assist States, upon request, to strengthen policy making, legislative arrangements and law enforcement practices, public awareness campaigns and capacity building; and to disseminate best practices in assisting victims of trafficking and to continue to improve the coherence and efficiency of technical assistance delivery in the field of trafficking in persons in coordination with the efforts of the Working Group on Technical Assistance established by the Conference of the Parties to the UNTOC;</del></p> <p><b>OHCHR:</b> ...UNODC, <del>OHCHR</del> and other international... victims of trafficking; <del>and to promote and implement a human rights-based approach to combating trafficking;</del></p> <p><b>UNICEF:</b> Suggest adding "... <del>and encouraging national Governments to seek such assistance</del>"</p> <p><b>Thailand:</b> "Encourage UNODC and other international organizations to continue to assist <del>Member</del> States, upon request, to strengthen policy making, legislative arrangements and <del>border-control</del> and law enforcement <del>cooperation</del>, public awareness campaigns and capacity building; and to disseminate best practices in assisting victims of trafficking"</p> <p><b>USA:</b> Add "to coordinate with OHCHR, other UN agencies" after "UNODC"</p>	<p><b>Deleted:</b> Encouraging UNODC and other international organizations to continue to assist States, upon request, to strengthen policy making, legislative arrangements and law enforcement practices, public awareness campaigns and capacity building; and to disseminate best practices in assisting victims of trafficking</p> <p><b>Deleted:</b> ing</p> <p><b>Deleted:</b> practices</p>
<p>66. Further encouraging UNODC as well as other United Nations Agencies, Funds and Programmes to continue to improve the coherence and efficiency of technical assistance delivery in the field of trafficking in persons in coordination with the efforts of the Working Group on Technical Assistance established by the Conference of the Parties to the United Nations Convention against Transnational Organized Crime;</p>	<p><b>African Group:</b> Further <del>encouraging to encourage</del> UNODC as well as other United...</p> <p><b>Australia:</b> There is a heavy emphasis on the role of the UNODC in the current draft; however, it will be very important that a range of UN agencies are engaged on people trafficking issues. As UNODC does not have the mandate to cover everything mentioned in the Global Plan, other agencies, particularly those with responsibilities for human rights, including labour rights issues, need to be involved too. Consultation would need to be undertaken with other UN bodies about any role they might play in implementation of the Global Plan.</p> <p><b>Colombia:</b> delete</p> <p><b>EU:</b> delete</p> <p><b>IOM:</b> Further encouraging UNODC as well as other</p>	

	<p><u>relevant international organizations</u> to continue...</p> <p><b>Thailand:</b> Further encourage UNODC as well as other United Nations Agencies, Funds and Programmes to continue to improve the coherence and efficiency of technical assistance delivery in the field of trafficking in persons.</p>	<p><b>Deleted:</b> United Nations Agencies, Funds and Programmes</p> <p><b>Deleted:</b> ing</p> <p><b>Deleted:</b> ,</p>
<p>67. Requesting the Secretary-General as a matter of priority to strengthen the capacity of UNODC to collect information and periodically report on trafficking in persons patterns and flows at the national, regional and international levels, as well as share best practices and lessons learned from regional initiatives and mechanisms;</p>	<p><b>African Group:</b> <del>Requesting To request</del> the Secretary-General as a matter of priority to strengthen the capacity of UNODC to collect information and periodically report on trafficking in persons patterns and flows at the national, regional and international levels, as well as share best practices <del>and lessons learned from regional initiatives and mechanisms;</del></p> <p><b>Australia:</b> Onerous reporting diverts resources from frontline activities devised to combat trafficking, particularly in countries of origin. In developing countries with limited resources and a high number of trafficking cases, this diversion of resources seems particularly counterproductive. The draft could propose streamlining current reporting processes on trafficking in persons, including higher level co-operation between UN bodies and fora to further encourage information sharing and enhance cooperation.</p> <p><b>EU:</b> Requesting UNODC to <u>continue collecting</u> information...</p> <p><b>Thailand:</b> Request the Secretary-General as a matter of priority to strengthen the capacity of UNODC to collect <u>accurate, verifiable and reliable</u> information and periodically report on trafficking in persons patterns and flows at the national, regional and international levels, <u>in particular on</u> share best practices and lessons learned from <u>bilateral, regional, sub-regional and cross-regional</u> initiatives and mechanisms</p> <p><b>UNICEF:</b> Recommend consideration of an additional paragraph, to consider the creation of <u>National Rapporteurs on Trafficking</u> as this would assist with data collection and analysis at the national level which is critical to getting it right at the global level</p> <p><b>USA:</b> Rephrase as follows: “Requesting the UNODC to continue to monitor implementation of the Protocol, including through periodically reporting on trafficking in persons patterns and flows at the national, regional and international levels, as well as share best practices and lessons learned from the Conference of the Parties, regional initiatives and mechanisms.”</p>	<p><b>Deleted:</b> the Secretary-General as a matter of priority to strengthen the capacity of</p> <p><b>Deleted:</b> ing</p> <p><b>Deleted:</b> as well as</p>
<p>68. Promoting coordination and cooperation across the United Nations, especially amongst the existing various entities focusing on trafficking in persons, including via the</p>	<p><b>African Group:</b> <del>Promoting To promote</del> coordination and cooperation <del>aeross within</del> the United Nations...</p>	

<p>Inter-Agency Coordination Group against Trafficking in Persons and UN.GIFT;</p>	<p><b>Belarus:</b> ...especially amongst the existing various entities <u>as well as Special Rapporteurs and Representatives focusing on trafficking in persons,</u></p> <p><b>Canada:</b> suggest deleting UN.GIFT as it is not a separate entity but a brand that is used by UNODC and others to promote anti-trafficking work.</p> <p><b>Colombia:</b> delete and draft a para on ICAT as follows:  <u>Support the Inter-Agency Coordination Group against Trafficking in Persons (ICAT) aim of improving coordination and cooperation between UN agencies and other international organizations to facilitate a holistic approach to preventing and combating trafficking in persons including protection of and support for victims of trafficking.</u></p> <p><b>EU:</b> delete</p> <p><b>Japan:</b> We would like to seek clarification on what role UN. GIFT will play in accordance with this paragraph.</p> <p><b>Thailand:</b> replace with “Promote coordination and cooperation across the United Nations, especially amongst the existing various entities focusing on trafficking in persons, including via the Inter-Agency Coordination Group against Trafficking in Persons and UN.GIFT; <u>and</u>”</p> <p><b>IOM:</b> coordination and cooperation across the <u>relevant international organizations,</u> especially amongst the existing...</p>
<p>69. Urging the Secretary-General to expedite the strengthening of the United Nations Inter-Agency Coordination Group against Trafficking in Persons under the coordination of UNODC, in order to ensure overall coordination and coherence in the United Nations system's efforts to respond to trafficking in persons;</p>	<p><b>African Group:</b> <u>Urging To urge</u> the Secretary-General to expedite the strengthening of...</p> <p><b>OHCHR:</b> ...coordination of UNODC, <u>and with rotating chairpersonship among its member entities,</u> in order to ensure overall coordination and coherence in the United Nations system's efforts to respond to trafficking in persons, <u>and that all approaches to combating trafficking, including the human rights-based approach, are considered and applied through efforts which foster their complementarity;</u></p> <p><b>Thailand:</b> replace with “<u>Urge</u> the Secretary-General to expedite the strengthening of the United Nations Inter-Agency Coordination Group against Trafficking in Persons under the coordination of UNODC, in order to ensure overall coordination and coherence in the United Nations system's efforts to respond to trafficking in persons (<u>seek further clarification</u>)”</p>
<p>70. Encouraging Member States to consider making voluntary contributions to United Nations anti-human trafficking work, and to explore additional sources of funding in this</p>	<p><b>African Group:</b> <u>Eneouraging To encourage</u> Member States to consider making voluntary...</p> <p><b>IOM:</b> Encouraging Member States to consider</p>

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<p>regard, including reaching out to the private sector for contributions;</p>	<p>making voluntary contributions to <u>relevant international organizations</u>' anti-human trafficking</p> <p><b>Japan:</b> <i>Delete</i> whole paragraph. (rationale) We think that a plan of action is not the appropriate place to call for financial contributions.</p> <p><b>UNICEF:</b> Suggest adding "... making voluntary contributions to United Nations <u>human rights, child rights and</u> anti-trafficking work..."</p>
	<p><b>African Group:</b> add new section</p> <p><b><u>Implementation of the Global Action Plan</u></b>  <u>Adopts the present Plan of action and its annex as the UN Global Plan on Trafficking in Persons; and</u></p> <p><u>71. Decides, without prejudice to the continuation of the discussion within the UN System of the agenda items related to trafficking in persons, to undertake the following steps for the effective follow-up of the Plan of Action:</u></p> <p><u>(a) To launch the Plan of Action at a high-level segment of its sixty-fifth session;</u></p> <p><u>(b) To examine in three years progress made in the implementation of the Plan of Action;</u></p> <p><u>(c) To invite the Secretary-General to contribute to the future deliberations of the General Assembly on the review of the implementation and updating of the Plan of Action;</u></p> <p><u>(d) To encourage Member States, the United Nations and other appropriate international, regional and subregional organizations to support the implementation of the Plan of Action, including through mobilizing resources and expertise;</u></p> <p><u>(e) To further encourage non-governmental organizations and civil society to engage, as appropriate, on how to enhance efforts to implement the Plan of Action.</u></p>

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Permanent Mission of Cape Verde  
to the United Nations  
27, East 69<sup>th</sup> Street  
New York, N.Y. 10021



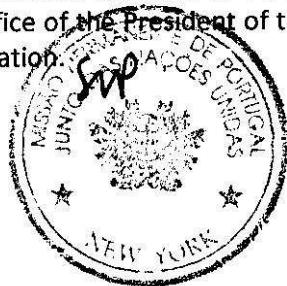
Permanent Mission of Portugal  
to the United Nations  
866, Second Avenue, 9<sup>th</sup> floor  
New York, N.Y. 10017

ONU/2010/142

The Permanent Missions of Portugal and Cape Verde present their compliments to the Office of the President of the 64<sup>th</sup> session of the General Assembly and have the honor to forward herewith a letter convening the third meeting of the process of consultations on a United Nations Global Plan of Action on preventing trafficking in persons and a revised draft Plan of Action.

The Permanent Missions of Portugal and Cape Verde would very much appreciate if the Office of the President of the 64<sup>th</sup> session of the General Assembly could circulate this Note all Permanent Representatives and Permanent Observers.

The Permanent Missions of Portugal and Cape Verde avail themselves of this opportunity to renew to the Office of the President of the 64<sup>th</sup> session of the General Assembly the assurances of their highest consideration.



New York, 24 May, 2010



Permanent Mission of Cape Verde  
to the United Nations  
27, East 69<sup>th</sup> Street  
New York, N.Y. 10021



Permanent Mission of Portugal  
to the United Nations  
866, Second Avenue, 9<sup>th</sup> floor  
New York, N.Y. 10017

All Permanent Representatives  
and Permanent Observers  
to the United Nations

21 May 2010

Excellency,

We would like to thank Member States for the valuable and constructive comments on the first draft a Global Plan of Action on trafficking in persons. We have already circulated a compilation of these contributions which is also posted in the UN website at the following address:

<http://www.un.org/ga/president/64/issues/humantrafficking.shtml>

The third meeting of the process of consultations on a Global Plan of Action will take place on May 26, from 10:00 to 1:00, at the General Assembly Hall and we would encourage participation at Ambassadorial level. In preparation of that meeting and for your convenience, we are attaching a new document with the compilation of the comments and new facilitators' proposals. At the next meeting, we intend to concentrate our discussions on paragraphs nº 5, 19, 31, 32, 36, 67 and new 71 of the draft Plan of Action (annex) where further debate may be useful.

Member States will have an opportunity to send, subsequently, written comments on the whole draft.

Please accept, Excellency, the assurances of my highest consideration.

Antonio Pedro Monteiro Lima  
Permanent Representative of Cape Verde

José Filipe Moraes Cabral  
Permanent Representative of Portugal



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The Permanent Missions of Portugal and Cape Verde present their compliments to the Office of the President of the 64<sup>th</sup> session of the General Assembly and have the honor to circulate herewith a second draft of the Global Plan of Action with facilitator's proposals for all the paragraphs, including the seven paragraphs that were discussed at the third meeting of the process of consultations. These facilitator's proposals are based on the comments received from Member States, Permanent Observers and interested UN agencies, funds and programs. Minor changes have been also introduced in the structure of this second draft but all changes are clearly highlighted. As in previous cases, and for the convenience of Member States, this document would also be posted in the UN website at the following address:

<http://www.un.org/ga/president/64/issues/humantrafficking.shtml>

The next meetings of the process of consultations on a Global Plan of Action will take place on June 24 and 25, from 10:00 to 1:00 and from 3:00 to 6:00 (room to be defined), and participation at Ambassadorial level is encouraged. An announcement with further details regarding the venue will be published in the Journal in the next days.

The Permanent Missions of Portugal and Cape Verde would very much appreciate if the Office of the President of the 64<sup>th</sup> session of the General Assembly could circulate this Note and its annex by fax and email to all Permanent Representatives and Permanent Observers.

The Permanent Missions of Portugal and Cape Verde avail themselves of this opportunity to renew to the Office of the President of the 64<sup>th</sup> session of the General Assembly the assurances of their highest consideration.



New York, 4 June, 2010





Permanent Mission of Cape Verde  
to the United Nations  
27, East 69<sup>th</sup> Street  
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Permanent Mission of Portugal  
to the United Nations  
866, Second Avenue, 9<sup>th</sup> floor  
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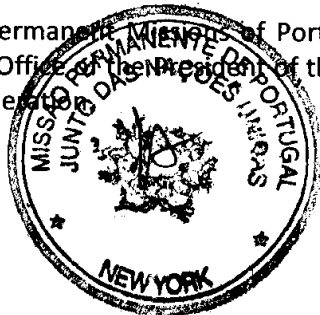
The Permanent Missions of Portugal and Cape Verde present their compliments to the Office of the President of the 64<sup>th</sup> session of the General Assembly and have the honor to circulate herewith the latest version of the compilation of the proposals made by Members States (incorporating proposals from Cuba, EU, Indonesia, Japan, Switzerland and USA) and a more user friendly version of the Global Plan of Action consisting of the facilitators' proposals for each of the paragraphs. As in previous cases, and for the convenience of Member States, these documents will also be posted on the UN website at the following address:

<http://www.un.org/ga/president/64/issues/humantrafficking.shtml>

The next meetings of the process of consultations on a Global Plan of Action will take place on June 24 from 10:00 to 1:00 and from 3:00 to 6:00 (Conference Room D), and on June 25 from 10:00 to 1:00 and from 3:00 to 6:00 (Conference Room B). Participation at Ambassadorial level is encouraged.

The Permanent Missions of Portugal and Cape Verde would very much appreciate if the Office of the President of the 64<sup>th</sup> session of the General Assembly could circulate this Note by fax and email to all Permanent Representatives and Permanent Observers.

The Permanent Missions of Portugal and Cape Verde avail themselves of this opportunity to renew to the Office of the President of the 64<sup>th</sup> session of the General Assembly the assurances of their highest consideration.



New York, 18 June, 2010

**UN Global Plan of Action against Trafficking in Persons**  
DRAFT (19 July 2010)

**General Assembly Resolution**

*The General Assembly,*

PP1 *Guided* by the purposes and principles of the Charter of the United Nations and *reaffirming* its role under the Charter, including on questions related to development, peace and security and human rights,

PP2 *Reiterating* its strong condemnation of trafficking in persons, especially women and children, as it constitutes a serious threat to human dignity, human rights and development

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PP3 *Recognizing* that poverty, unemployment, lack of socio-economic opportunities, gender-based violence, discrimination and marginalization are some of the contributing factors, that make persons vulnerable to trafficking in persons.

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PP4 *Recalling* the Millennium Declaration, adopted in September 2000, where Member States resolved to intensify efforts to fight transnational crime in its entire dimension including trafficking in human beings,

PP5 *Recalling* the World Summit Outcome Document of 2005 adopted by the General Assembly noting that trafficking in persons continues to pose a serious challenge to humanity and requires a concerted international response and urges all States to devise, enforce and strengthen effective measures to prevent, suppress and punish trafficking in persons and to protect victims, [Formerly PP8]

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PP6 *Reaffirming* General Assembly Resolution 55/25 of 2000, adopting the United Nations Convention against Transnational Organized Crime (hereinafter “UNTOC”) and its supplementing Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (hereinafter “Trafficking Protocol”), and recalling other related conventions and instruments such as ILO Convention 29 and 182, Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery of 1956, the Convention on the Rights of the Child and its Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography, its Optional Protocol on Children in Armed Conflict and the Convention on the Elimination of All Forms of Discrimination against Women,

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PP7 *Recognizing* the crucial importance of the Trafficking Protocol, having entered into force on 25 December 2003, which provided for the first time an internationally agreed definition of the crime of trafficking in persons, aiming at the prevention of trafficking in persons, protection of its victims and prosecution of its perpetrators.

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PP8 *Recalling* all General Assembly resolutions on measures to eliminate trafficking in persons, including resolutions 61/180, 63/194 and 64/178 on “Improving the coordination of efforts against trafficking in persons, 61/144 on “Trafficking in women and girls” and 58/137 on “Strengthening international cooperation in preventing and combating trafficking in persons and protecting victims of such trafficking”, [formerly PP12]

PP9 *Reaffirming* Commission on Human Rights resolution 2004/110, to appoint a Special Rapporteur on trafficking in persons, especially in women and children to highlight the importance of a victims-centered, rights-based approach to combating trafficking in persons, especially women and children, Human Rights Council resolution 6/14 of 2007 to appoint a Special Rapporteur on contemporary forms of slavery, including its causes and consequences, Commission on Human Rights resolution 1990/68, to appoint a Special Rapporteur on the sale of children, General Assembly resolution 62/141

of 2008, to appoint a Special Representative of the Secretary-General on Violence against Children and noting the appoint of a Secretary General's Special Representative on Sexual Violence in Conflict,

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PP10 *Recalling* that pursuant to a request from Economic and Social Council resolution 2006/27 "Strengthening international cooperation in preventing and combating trafficking in persons and protecting victims of such trafficking", reinforced by GA Resolution 61/180 "Improving the coordination of efforts against trafficking in persons", the Inter-Agency Coordination Group against Trafficking in Persons (ICAT) was established to foster coordination and cooperation among relevant United Nations agencies and other international organizations involved in combating human trafficking,

PP11 *Recognizing* that the launch of "UN.GIFT" (the Global Initiative to Fight human Trafficking) by the United Nations Office on Drugs and Crime in partnership with the International Labor Organization, Office of the High Commissioner for Human Rights, United Nations Children's Fund, Organization for Security and Cooperation in Europe and International Organization for Migration, in March 2007, and the Vienna Forum of 13-15 February 2008, provided all anti-trafficking actors including the United Nations, governments and civil society organizations a global forum to share respective experiences and further highlighted the need to collectively address human trafficking in a multi-faceted and holistic manner,

PP12 *Recalling* the General Assembly Thematic Debate on Human Trafficking of 3 June 2008 giving Member States a forum for discussion concentrating on the "three P's" (prevention, protection and prosecution), and the General Assembly Interactive Thematic Dialogue on "Taking Collective Action to End Human Trafficking" held on 13 May 2009, which underlined the importance of strengthening collective action by Member States and other stakeholders, including regional and international organizations, NGOs, the private sector and media,

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PP13 *Recognizing* the relevant decisions adopted at the Conference of the Parties to the United Nations Convention against Transnational Organized Crime: Decision 1/5, Decision 2/3 and Decision 3/3, on the implementation of the Trafficking Protocol,

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PP14 *Recalling* relevant sub-regional, regional and cross-regional mechanisms and initiatives, such as the Arab Initiative for Building National Capacities to Combat Human Trafficking: The Doha Founding Forum; Asia-Europe Meeting Action Plan to Combat against Trafficking in Persons, Especially Women and Children; ASEAN Declaration against Trafficking in Persons, Particularly Women and Children; Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime; Black Sea Economic Cooperation Organization Action Plan on Cooperation in Combating Crime; Council of Baltic Sea States Task Force against Trafficking in Human Beings; CIS Agreement on Cooperation in Combating Human Trafficking, Trafficking in Organs and Tissues; Central American Coalition against Trafficking in Persons; Coordinated Mekong Ministerial Initiative against Trafficking; Council of Europe Convention on Action against Trafficking in Human Beings; ECOWAS Declaration on the Fight against Trafficking in Persons; ECOWAS/ECCAS Joint Plan of Action to Combat Trafficking in Persons, Especially Women and Children; Manama Conference on Human Trafficking at the Crossroads: The Public-Private Partnership; MERCOSUR Plan of Action to Fight Trafficking in Persons; Organization of American States' Work Plan to Combat Trafficking in Persons in the Western Hemisphere; Ouagadougou Action Plan to Combat Trafficking in Human Beings, Especially Women and Children; OSCE Action Plan to Combat Trafficking in Human Beings; Plan of Action of the Regional Conference on Migration (the Puebla Process multilateral regional forum of all Central and North American countries and the Dominican Republic); SAARC Convention on Preventing and Combating Trafficking in Women and Children for Prostitution; Stability Pact for South-Eastern Europe Task Force on Trafficking in Human Beings, in Particular in its Organized Forms; and the Stockholm Program and its Action Plan setting up priorities in the field of justice and home affairs (for 2010-2015),

PP15 *Recognizing* the need to develop a global plan of action against trafficking in persons that will:

- promote universal ratification of UNTOC and its Trafficking Protocol, as well as other relevant international instruments that address trafficking in persons and reinforce the implementation of existing instruments against trafficking in persons,
- help Member States to reinforce their political commitments and legal obligations to prevent and combat trafficking in persons,
- promote comprehensive, coordinated and consistent responses, at the national, regional and international levels, to counter trafficking in persons, including as a result of conflict or humanitarian emergencies,
- promote a human rights and gender- and age-sensitive based approach while addressing root causes and strengthening the criminal justice response which are necessary to prevent trafficking in persons, protect its victims and prosecute its offenders,
- raise awareness within the UN system and also among States and other stakeholders such as the private sector, civil society and the international and national mass media and the public at large,
- foster cooperation and coordination among all relevant stakeholders including Member States, international organizations, civil society organizations and the private sector, and within various entities of the UN system, taking into account existing best practices and lessons learned,

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**Deleted:** promote a gender-sensitive and human rights based approach necessary to prevent trafficking in persons, protect its victims and prosecute its offenders,

1. Adopts the present resolution and its annex as the United Nations Global Plan of Action to Combat Trafficking in Persons (“the Plan of Action”), and

**[New Proposals by Co-Facilitators for OP2 Forthcoming at 21 July 2010 Meeting]**

2. Decides, without prejudice to the continuation of the discussion at its relevant main committees of all their agenda items related to trafficking in persons to undertake the following steps for the effective follow-up of the Plan of Action:

- (a) To formally launch the Plan of Action in a Special High Level General Assembly event during the first quarter of the sixty-fifth session;
- (b) To encourage Member States, the United Nations and other international, regional and sub-regional organizations as well as NGOs and the private sector to implement the Plan of Action by undertaking the relevant activities outlined therein;
- (c) To urge Member States that have not yet done so to consider ratifying or acceding as soon as possible to the UN Convention against Transnational Organized Crime and its Trafficking Protocol, noting the central role of these instruments in the fight against trafficking in persons,
- (d) To support civil society, including non-governmental organizations, the private sector and media, to engage, as appropriate, in the implementation of the Plan of Action, and
- (e) To request the Secretary-General to report to the General Assembly within already existing reporting obligations under the “crime prevention and criminal justice” agenda item on the implementation of the Plan of Action and further request the Secretary-General to contribute within the same agenda item at the sixty-eighth session of the General Assembly on the review of the implementation and possible updating of the Plan of Action.

## ANNEX: Global Plan of Action to Combat Trafficking in Persons

We the States Members of the United Nations, reaffirm our commitments to put an end to the heinous crime of trafficking in persons, especially women and children, are determined to prevent and combat trafficking in persons, protect and assist victims of trafficking in persons, prosecute crimes of trafficking in persons and promote partnerships to strengthen coordination and cooperation, and resolve to translate our political will into concrete actions by adopting an action plan to:

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1. Consistently and strongly condemn trafficking in persons, as it constitutes a criminal activity violating human dignity and has negative effects on development, peace and security, and human rights;

1bis. Recognize that “trafficking in persons” shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation, which includes, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs as set forth in the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime (hereinafter “Trafficking Protocol”);

2. Ensure that the promotion and protection of the human rights of victims of trafficking in persons, the prevention of trafficking in persons through addressing the social, economic, cultural, political and other contributing factors and the strengthening of the criminal justice response are at the center of all efforts to prevent and combat trafficking in persons and to protect, assist and provide redress to its victims;

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3. Take urgent action to prevent trafficking in persons, protect its victims and prosecute its offenders and strengthen partnership to these ends by promoting and considering ing, as a priority, ratifying or acceding the United Nations Convention against Transnational Organized Crime (hereinafter “UNTOC”) and the Trafficking Protocol as well as other relevant international instruments, including ILO convention 29 on Forced Labour; ILO Convention 182 on the Worst Forms of Child Labour; Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery of 1956; the Convention on the Rights of the Child; its Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography; its Optional Protocol on the Involvement of Children in Armed Conflict; and the Convention on the Elimination of All Forms of Discrimination against Women;

4. Recognize that, in accordance with Article 32 of UNTOC, the Conference of Parties to the Convention is established to improve the capacity of States Parties to promote and review the implementation of the Convention, including the Trafficking Protocol and take note of ongoing initiatives aimed at exploring options regarding an appropriate and effective mechanism to assist the Conference of Parties to UNTOC in the review of the implementation of the Convention, [Language from para 18 of Salvador Declaration]

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5. [Paragraph deleted]

6. Take into account the activities and recommendations of the open-ended interim Working Group on Trafficking in Persons established by the Conference of the Parties to UNTOC;

7. Support the Human Rights Council and contribute to its work on the question of the promotion and protection of human rights for all in the fight against trafficking in persons;

8. Support the role and mandates of the Special Rapporteur on Trafficking in Persons, Especially Women and Children, the Special Rapporteur on Contemporary Forms of Slavery, Including its Causes and Consequences, Special Rapporteur on Violence against Women, its Causes and Consequences, Special Rapporteur on the Sale of Children, Child Prostitution and Child Pornography, Special Representative to the Secretary-General on Violence Against Children, [Secretary General's Special Representative on Sexual Violence in Conflict](#) and other relevant Special Rapporteurs and Representatives. The mandate holders should assist States by offering concrete advice, liaising with the United Nations and regional organizations, and reporting on these issues;

9. Reaffirm the central role of the [work of](#) United Nations Office on Drugs and Crime (UNODC) [in the global fight against trafficking in persons particularly](#) in providing technical assistance to implement UNTOC and the Trafficking Protocol, by making use of existing capacity building tools, lessons learned and expertise available in international organizations, including inter alia, the International Framework for Action to Implement the Trafficking in Persons Protocol;

10. Reaffirm the important work of the Office of the High Commissioner for Human Rights (OHCHR), the United Nations Children's Fund (UNICEF), the International Labor Organization, and the International Organization for Migration (IOM) in the global fight against trafficking in persons;

10bis. Strongly urge all responsible UN entities to coordinate their efforts to fight trafficking in persons effectively and protect the human rights of its victims, including via the Inter-Agency Coordination Group against Trafficking in Persons (hereinafter "ICAT") and "UN.GIFT" (the Global Initiative to Fight human Trafficking);

### I. Preventing trafficking in persons

13. Address the [social, economic, cultural, political and other factors that make people vulnerable to trafficking in persons](#), such as poverty, unemployment, inequality, armed conflicts, including [sexual violence in conflict](#), gender discrimination, social exclusion and marginalization as well as a culture of tolerance towards violence against women, [youth](#) and children;

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11. Make a commitment to address all forms of trafficking in persons [wherever they occur](#), including as a result of conflict or humanitarian emergencies;

12. Mainstream the issue of trafficking in persons into the broader policies and programmes of the UN aimed at addressing economic and social development, human rights, rule of law, good governance, education, natural disaster and post-conflict reconstruction;

14. Adopt and implement comprehensive policies and programmes at the national [level and as appropriate at the](#) sub-regional and regional levels to prevent all forms of trafficking in persons that are in line with [relevant](#) policies and programmes on migration, education, employment, gender equality, empowerment of women, and crime prevention in accordance with relevant international human rights instruments;

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15. Conduct research and collection of [suitably disaggregated](#) data [that would](#) enable a proper analysis of the nature and extent of trafficking [in persons](#);

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16. Develop or strengthen processes for the identification of victims such as those developed, inter alia, by UNODC and other organizations, including appropriate and non-discriminatory measures that help to identify victims of trafficking in persons among vulnerable populations;

17. Promote awareness-raising campaigns [aimed at persons at risk of being trafficked and the general public through education and effective involvement of mass media, non-governmental organizations, the private sector and community leaders](#) to discourage the demand that fosters



exploitation of persons, especially women and children and that leads to trafficking as well as collect and disseminate best practices of the implementation of these campaigns;

17bis. Stress the role of education in raising awareness on the prevention of trafficking in persons and to promote education in particular human rights education, and human rights learning as a sustainable way to prevent trafficking in persons;

17ter. Reinforce efforts for the provision of identity documents such as the registration of births in order to lower the risk of being trafficked and help identify victims of trafficking in persons;

18. Increase and support prevention efforts in countries of origin, transit and destination by focusing on the demand that fosters all forms of trafficking and the goods and services produced as a result of trafficking in persons;

19. Adopt and implement specific measures at the national level to combat trafficking for labour exploitation and strive to educate consumers on these measures;

20. Strengthen or continue to strengthen the capacity of law enforcement, immigration, education, social welfare, labour and other relevant officials in the prevention of trafficking in persons, taking into account the need to respect human rights and child-and gender-sensitive issues and encourage cooperation, where appropriate, with civil society, non-governmental organizations and other relevant organizations;

21. Encourage the United Nations to intensify work with Member States and relevant international, regional and sub-regional organizations to identify and share best practices to prevent trafficking in persons;

## II. Protecting and assisting victims of trafficking in persons

22. Reaffirm that the promotion and protection of human rights for all and effective measures to respond to trafficking in persons are complementary and mutually reinforcing;

23. Stress the need to promote and protect the rights of victims of trafficking in persons and to reintegrate victims into the community, by taking into account the Office of the High Commissioner for Human Rights Recommended Principles and Guidelines on Human Rights and Human Trafficking and the UNICEF Guidelines on the Protection of Child Victims of Trafficking;

24. Ensure that victims of trafficking in persons are treated as victims of crime and that national legislation effectively criminalizes all forms of trafficking;

### [New Proposal by Co-Facilitators for references to Trafficking Protocol Forthcoming at 21 July 2010 Meeting]

25. Review existing national services available to victims of trafficking in persons, as set out in / as outlined in the Trafficking Protocol and strengthen those services where needed as well as support the establishment or strengthening of appropriate referral mechanisms;

26. Strengthen or continue to strengthen the capacity of relevant officials likely to encounter and identify possible victims of trafficking in persons, such as law enforcement personnel, border control officers, labor inspectors, consular embassy officials, judges and prosecutors and peacekeepers, and ensure the availability of needed resources to the relevant sectors and institutions, including those of civil society;

27. Urge governments to take all appropriate measures to ensure that identified victims of trafficking in persons are not penalized for being trafficked and that they do not suffer from victimization as a result of actions taken by government authorities;

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- Deleted: , and encourages Governments to prevent, within their legal framework and in accordance with national policies, victims of trafficking in persons from being prosecuted for their illegal entry or residence

28. Protect the privacy, identity, and safety of victims of trafficking in persons before, during and after criminal proceedings and protect immediate family members and witnesses as appropriate from retaliation from traffickers, by ensuring their safety in accordance with Articles of 24 and 25 of UNTOC;

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29. [Paragraph deleted]

30. Provide assistance and services for the physical, psychological and social recovery and rehabilitation of trafficked persons in cooperation with non-governmental organizations, and other relevant organizations and sectors of civil society;

31. Consider adopting legislative or other appropriate measures that permit victims of trafficking in persons to remain in its territory, temporarily or permanently, in appropriate cases, as as set out in / as outlined in the Trafficking Protocol;

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32. Ensure that countries of origin accept their nationals back and guarantee such return is conducted with due regard for safety and shall preferably be voluntary as as set out in / as outlined in the Trafficking Protocol;

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33. Adopt labour laws that provide legal rights and protections for workers that would limit their risk of being trafficked;

34. Provide specialized services to identified victims of trafficking in persons, as set out in / as outlined in with the Trafficking Protocol including access to appropriate health services, such as access to prevention, treatment, care and support services for HIV/AIDS and other blood borne diseases for those victims of trafficking in persons that have been sexually exploited, taking into account that human trafficking for the purposes of sexual exploitation has serious, immediate and long term implications for health, including sexual and reproductive health;

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35. Provide appropriate assistance and protection in the best interest of the child to child victims of trafficking in persons or those at risk of being trafficked, including by appropriate services and measures for the physical and psychological well-being of child victims of trafficking in persons as well as their education, rehabilitation and reintegration in coordination with existing child protections systems;

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**[New Proposal by Co-Facilitators for Para 36 Forthcoming at 21 July 2010 Meeting]**

36. Urge the General Assembly to establish a United Nations trust fund for the rehabilitation and compensation of victims of the most serious forms of trafficking in persons, with a special focus on women and children, and request the Secretary-General to entrust UNODC with managing the trust fund;

37. [Paragraph deleted]

38. Adopt measures to ensure that victims of trafficking in persons can seek compensation for the damage suffered as as set out in / as outlined in UNTOC and the Trafficking Protocol;

39. Acknowledge the important role of civil society organizations in providing assistance and empowerment to victims of trafficking in persons and help them to seek redress as well as facilitate the care of and provision of appropriate services to victims, including close cooperation and coordination with law enforcement officials;

40. Ensure that domestic legal or administrative systems include measures to provide information to victims of trafficking in persons in a language they understand regarding their legal rights and the relevant court and administrative proceedings and facilitate access to assistance to enable their views and concerns to be presented and considered at appropriate stages of such proceedings against



offenders in a manner not prejudicial to the rights of the defence [as set out in / as outlined in] the Trafficking Protocol;

41. Provide victims of trafficking in persons with a necessary period of time to recover and the opportunity to consult with appropriate advisors to assist in decision-making regarding cooperation with law enforcement and their participation in judicial proceedings;

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### III. Prosecuting crimes of trafficking in persons

42. Implement all relevant legal instruments that criminalize trafficking in persons, including by:

- a. Prosecuting crimes of trafficking in persons that encompass all forms of exploitation;
- b. Enacting, enforcing and strengthening legislation that criminalizes trafficking in persons, especially that of women and children, [as set out in / as outlined in] the Trafficking Protocol, the Convention on the Elimination of All Forms of Discrimination Against Woman, the Convention on the Rights of the Child and its Optional Protocols and other relevant instruments;
- c. Adopting legislation and other measures necessary to establish as criminal offences attempting to commit an offence, participating as an accomplice in an offence and organizing or directing other persons to commit an offence, as [as set out in / as outlined in] the Trafficking Protocol;
- d. Combating and prosecuting organized criminal groups engaged in trafficking in persons;

43. [Merged with paragraph 42]

44. [Merged with paragraph 42]

45. [Merged with paragraph 42]

46. [Merged with paragraph 42]

47. [Merged with paragraph 42]

48. Ensure liability of all categories of offenders, including the liability of legal persons and entities, as appropriate;

49. Enhance efforts to investigate alleged cases of trafficking, strengthen means to combat trafficking, prosecute perpetrators, including through more systematic use of freezing assets for the purpose of eventual confiscation, according to the provisions of Article 12 of UNTOC, and ensure that penalties are proportionate to the gravity of the crime;

50. [Merged with paragraph 49]

51. Make use of available technical assistance provided to strengthen the criminal justice response to trafficking in persons, including inter alia, by UNODC;

52. [Merged with paragraph 49]

53. Investigate, prosecute, and punish corrupt public officials who engage in or facilitate the trafficking of persons, and promote a non-tolerance policy against those corrupt officials in line with the United Nations Convention against Corruption and UNTOC;

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54. Strengthen or continue to strengthen coordination and cooperation among States in combating crimes that might be connected with trafficking in persons, including money laundering, corruption, smuggling of migrants and all forms of organized crime;

55. Encourage law enforcement, immigration, border patrol or other relevant authorities of concerned States to cooperate with one another by exchanging information with full respect for domestic laws, such as data protection laws, and continue to promote cooperation among states of origin, transit and destination in order to enhance investigations, prosecutions, and the detection of trafficking networks;

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#### IV. Strengthening partnerships against trafficking in persons

[New Para btwn 55 and 56] Recognize that capacity-building is a very important component in combating trafficking in persons and encourage and enhance coordination and coherence within the UN system;

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56. Encourage effective cooperation and coordination of efforts at the national, bilateral, sub-regional, regional and international level, especially among countries of origin, transit and destination and take advantage of the networks provided by relevant organizations to share best practices in capacity-building for responding to and combating trafficking in persons, while stressing the importance of mutual legal assistance efforts and the exchange of information with full respect for domestic laws, such as data protection laws, including operational information, programs and best practices in supplementing UNTOC and the work done by the Conference of the Parties to that Convention;

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57. [Merged with paragraph 56]

58. [Merged with paragraph 56]

59. Conclude and implement mutual legal assistance and extradition agreements, where appropriate, to ensure the apprehension and prosecution of perpetrators of trafficking in persons, in accordance with the relevant provisions of national and international law, including UNTOC;

60. Promote cooperation and coordination between governmental institutions, civil society and the private sector, including the media, as well as workers and employers organizations to strengthen prevention and protection policies and programmes;

61. Strengthen cooperation between law enforcement agencies regionally and internationally;

62. [Merged with paragraph 60]

63. Intensify international, regional, and sub-regional cooperation to combat trafficking in persons as well as technical assistance for countries of origin, destination and transit aimed at strengthening their ability to prevent all forms of trafficking in persons;

Deleted: and

64. Strengthen and support ICAT to improve coordination and cooperation amongst relevant UN bodies, including UN human rights treaty bodies and mechanisms, and other international organizations;

65. Encourage UNODC, other UN Agencies, Funds and Programs as well as other international and regional organizations to continue to assist Member States, upon request, to strengthen policy making, legislative arrangements, border-control and law enforcement cooperation, public awareness

campaigns and capacity building; and to exchange and build upon best practices in assisting victims of trafficking in persons;

66. Further encourage United Nations Agencies, Funds and Programmes to continue to improve the coherence and efficiency of technical assistance delivery in the field of trafficking in persons in accordance with recommendations of the Working Group on Technical Assistance established by the Conference of the Parties to UNTOC;

69. Urge the Secretary-General to expedite the strengthening of ICAT under the coordination of UNODC, in order to ensure overall coordination and coherence in the United Nations system's efforts to respond to trafficking in persons;

**[New Proposal by Co-Facilitators for Para 67 Forthcoming at 21 July 2010 Meeting]**

67. Request the Secretary-General as a matter of priority to strengthen the capacity of UNODC to collect information and biennially report on trafficking in persons patterns and flows at the national, regional and international levels, as well as share best practices and lessons learned from regional initiatives and mechanisms;

68. [Paragraph deleted]

70. Encourage Member States to consider making voluntary contributions to United Nations anti-human trafficking work, and to explore additional sources of funding in this regard, including reaching out to the private sector for contributions.

## **A Global Plan of Action against Trafficking in Persons: Possible goals and elements.**

The present paper is intended to launch the discussion at the first meeting of the process of consultations. It provides a background of the efforts by the General Assembly to combat trafficking in persons (Section I) and outlines some possible goals for the Global Plan of Action (Section II) as well as possible elements (Section III). These possible goals and elements have been identified by the Facilitators from the Background paper of the Secretary General, prepared for the thematic debate of the General Assembly on trafficking in persons of May 2009. The Facilitators would appreciate to have, at the first meeting, preliminary comments from Member States and Observers to this selection of possible goals and elements for a Global Plan of Action. The Facilitators would like to encourage all delegations to participate actively in these consultations and underline their readiness to take into account all the views expressed. To this effect, a deadline to submit written contributions and comments will be established at the first consultations meeting.

### **I- Background:**

During the last decade, the United Nations General Assembly has often discussed the topic of trafficking in persons<sup>1</sup> and significant efforts have been made in establishing normative and institutional mechanisms for the prevention and combat of trafficking in persons.

In the Millennium Declaration, adopted in September 2000, Member States resolved to intensify efforts to “fight transnational crime in its entire dimension including trafficking as well as smuggling in human beings”. A turning point in international efforts to address human trafficking was the adoption, by the General Assembly in **November 2000**, of the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, which built on other related conventions and instruments such as ILO convention 182, the Convention on the Rights of the Child, and the Convention on the Elimination of All Forms of Discrimination against Women, precipitating intense activity to combat trafficking in persons. The Protocol provided for the first time an internationally agreed definition of the crime and identified legal tools for fighting this crime. Focusing on prevention, protection and prosecution, the Protocol entered into force on 25 December 2003, and to date has 135 parties.

In **2004**, the Commission on Human Rights decided, in resolution 2004/110, to appoint a Special Rapporteur on trafficking in persons, especially women and children. This development highlighted the importance of a victims’ rights-based approach to combating trafficking in women and children. Since then, the Special Rapporteur has reported on an annual basis to the General Assembly on the human rights aspects of the victims of trafficking in persons.

In **2005**, the General Assembly adopted the **World Summit Outcome Document** (par.111-112) that expressed the concerns of MS at the negative effects on development, peace and security and human rights posed by trafficking in persons, recognized that trafficking in persons continues to pose a serious challenge to humanity and requires a concerted international response and urged all States to devise, enforce and strengthen effective measures to prevent, suppress and punish trafficking in persons and to protect victims.

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<sup>1</sup> GA Resolutions 61/144 (2006) and 63/156 (2008) focused on trafficking in women and girls, and GA Resolutions 61/180 (2006); 63/194 (2008) and 64/178 (2009) focused on improving coordination of efforts against trafficking in persons.

In 2006 and pursuant to a request from the Economic and Social Council (resolution 2006/27)— reinforced by GA Resolution 61/180—the Inter-Agency Cooperation Group against Trafficking in Persons (ICAT)<sup>2</sup> was established following the initial meeting in Tokyo. ICAT’s aim is to foster coordination and cooperation among relevant United Nations agencies and other international organizations involved in combating human trafficking.

The launch of UN GIFT in March 2007 provided all anti-trafficking actors including the UN, governments and civil society organizations a global forum to share respective experiences. This initiative, launched by UNODC in partnership with ILO, OHCHR, UNICEF, Organization for Security and Cooperation in Europe (OSCE), and IOM, further highlighted the need to collectively address human trafficking in a multi-faceted and holistic manner. On 13-15 February 2008, UN.GIFT organized a forum on trafficking in persons in Vienna (the “Vienna Forum”) which brought new and existing partners together in a broad-based effort to end trafficking in persons: i.e. governments, UN agencies, civil society, the private sector, the media, arts, trade unions, women leaders, and youth representatives. It took stock of what has already been done, and shared best practices with the broadest range of stakeholders. Following the Vienna Forum, in June 2008, the General Assembly convened a thematic debate on trafficking in persons, bringing again this issue to its agenda and giving Member States a framework for discussion concentrating on the “three P’s” (prevention, protection and prosecution).

Building upon the conclusions from the previous year, the thematic dialogue held in May 2009 used as its point of departure the “Background paper” of the Secretary-General on “Improving the coordination of efforts against trafficking in persons,” which pursuant to General Assembly resolution 63/194 of 18 December 2008, summarized the views of a broad and diverse group of Member States, International Organizations, and civil society stakeholders on a wide range of specific measures to ensure the full and effective implementations of all legal instruments relevant to trafficking in persons. The “Background paper” also summarized the responses by a significant number of Member States concerning the possible adoption of a Global Plan of Action on preventing trafficking in persons, prosecuting traffickers, and protecting and assisting victims of trafficking. The 2009 debate was a step forward in the discussion of a Global Action Plan and the President of the General Assembly appointed two facilitators (the Permanent Representatives of Cabo Verde and Portugal) to “start the process of informal consultations of Member States to draw up a UN global plan of action against human trafficking.” The resolution entitled “Improving the coordination of efforts against trafficking in persons” took note of the appointments of the two facilitators and the President of the General Assembly reconfirmed these nominations in a letter dated 21 December 2009.

#### **Relevant paragraphs of GA resolutions concerning a Global Plan of Action:**

**GA resolution 63/194** entitled “Improving the coordination of efforts against trafficking in persons”, in its OP11, called upon the SG “to collect the views of all stakeholders, including Member States and regional and international organizations, on how to achieve the full and effective coordination of efforts against trafficking in persons of all Member States, organizations, machineries, treaty bodies and all other partners within and outside the United Nations system, including civil society, and to ensure the full and effective implementation

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<sup>2</sup> ICAT includes the Division for the Advancement of Women of the Secretariat, the Office of the Special Representative of the Secretary-General for Children and Armed Conflict, the Office of the High Commissioner for Human Rights (OHCHR), UNODC, UNICEF, the United Nations Development Fund for Women (UNIFEM), UNFPA, UN High Commissioner on Refugees (UNHCR), the United Nations Fund for International Partnerships, the United Nations International Research and Training Institute for the Advancement of Women, ILO, the World Bank, IOM and INTERPOL.

of all legal instruments relevant to trafficking in persons, particularly the United Nations Convention against Transnational organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, without prejudice to the mandate of the working group established by the Conference of the Parties to the Convention, and submit, no later than 1 June 2009, a background paper to the General Assembly at its sixty-third session;”

**GA resolution 64/178** also entitled “Improving the coordination of efforts against trafficking in persons” in its OP8 “Takes note with appreciation of the decision of the President of the sixty third session of the General Assembly to appoint the co-facilitators to start consultations and consideration by Member States of a United Nations global plan of action on preventing trafficking in persons, prosecuting traffickers and protecting and assisting victims of trafficking, and stresses the need for the consultations to be held in an open, inclusive and transparent manner, taking into account all the views expressed by Member States;”

**Some relevant documents:**

- “Background paper” of the Secretary General distributed for the thematic debate of 13 May 2009:  
<http://www.un.org/ga/president/63/letters/SGBakgroundpaper.pdf>
- Summary of the thematic debate dialogue of the GA on the 13 May 2009
- Report of the SG to the 64<sup>th</sup> session of the GA (A/64/130)
- Report of the Special Rapporteur on trafficking in persons to the 64<sup>th</sup> session of the GA (A/64/290)
- International Framework for action to implement the Trafficking in Persons Protocol:  
[http://www.unodc.org/documents/human-trafficking/Framework\\_for\\_Action\\_TIP.pdf](http://www.unodc.org/documents/human-trafficking/Framework_for_Action_TIP.pdf)
- Global Report on Trafficking in persons (UNODC, Vienna -February 2009)

## II- The possible goals of a Global Plan of Action on Trafficking in Persons<sup>3</sup>

- a) A Global Plan of Action should be a tool for the international community to reiterate and reinforce its **political will** to combat trafficking in persons whilst raising national and international awareness to this crime. It would encourage Member States, the civil society, regional and international organizations to take an active stand against human trafficking.
- b) Framed by international standards and commitments, a Global Plan of Action will help Member States to advance implementation of their commitments to prevent and combat trafficking in persons. A Global Plan of Action can **promote universal ratification and effective implementation of relevant legal instruments**<sup>4</sup>. Therefore, a Global Plan of Action **should and would not duplicate** the existing legal instruments or divert the attention of Member States from their commitments regarding these instruments which remain of paramount importance.
- c) A Global Plan of Action can help to take stock of achievements made and support **efforts to identify and address challenges in the prevention and combat** against trafficking in persons; wherever necessary, a Global Plan of Action could help make recommendations to the relevant competent bodies or organizations regarding a way forward.
- d) A Global Plan of Action can contribute to **raising awareness** within the UN system but also among States and other stakeholders such as the business sector, civil society and the international mass media with a view to prevent trafficking, to protect victims and witnesses and to prosecute perpetrators.<sup>5</sup>
- e) A Global Plan of Action can advocate and contribute to the development of **national plans of action** against trafficking, the promotion of coordination of efforts across governmental departments and the promotion of relevant legislative reforms. It could also help **harmonize reporting on progress achieved** by Member States and could play an important role in identifying factors that lead to trafficking and, therefore, reduce the demand.<sup>6</sup>
- f) A Global Plan of Action would encourage **international coordination** of efforts against trafficking. A Global Plan of Action could *i*) encourage exchange of information on good practices and cross fertilization of experiences among stakeholders and *ii*) promote further cooperation between regional and international organizations involved in the provision of technical advice and assistance at country, regional, and global level<sup>7</sup> and *iii*) could encourage the **collection and sharing of reliable data** on trafficking in persons.
- g) A Global Plan of Action can help to establish **consistent and sustained protection and assistance to the victims**. A Global Plan of Action could help *i*) to take stock of the existing principles and guidelines on human rights of trafficked persons and *ii*) to promote efforts to protect, assist and provide redress to victims that could be used by States and international organizations.

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<sup>3</sup> The possible goals (section II) and the possible elements (section III) for a Global Plan of Action have been identified from the contributions made by Member States to the **Background paper of the Secretary-General** entitled "Improving the coordination of efforts against trafficking in persons" - May 2009

<sup>4</sup> The United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (2000), the UN Convention against Transnational Organized Crime, the Convention for the Elimination of Discrimination against Women, the Convention of the Rights of the Child (1989) and its Optional Protocols on sale of children, child prostitution and child pornography (2000) and on the involvement of children in armed conflict (2000) and ILO Convention n°182 concerning the Prohibition and immediate action for the Elimination of the Worst Forms of Child Labour (1999).

<sup>5</sup> Ibid. Part II (F), pg 21.

<sup>6</sup> Ibid., Part II(F), pg 22.

<sup>7</sup> Improving the coordination of efforts against trafficking in persons, Background Paper of the Secretary-General, Part II (F), pg 22.

### III – Possible elements to be included in a Global Plan of Action:

Guided by the relevant international standards and commitments, a Global Plan of Action could include encouragements and pledges such as:

- a) to reinvigorate the **political will and determination** of the international community to prevent and combat effectively trafficking in persons: the means to foster such will and determination will have to be identified and employed. The adoption by the General Assembly of a Global Plan of Action would be one concrete way to create the necessary political environment to ensure an effective international response to “*a crime that shames us all*” – trafficking in persons.
- b) to **promote universal ratification and effective implementation of all legal instruments relevant to trafficking in persons**. A particularly important commitment would be to **achieve universal ratification** to the Protocol to Prevent, Suppress and Punish Trafficking in Persons especially Women and Children which is crucial to effectively combat trafficking in persons.<sup>8</sup>
- c) to address the **Prevention** of trafficking, the **Protection** of victims and the **Prosecution** of perpetrators in the light of the **international definition by the Palermo Protocol** and other relevant standards, including the Convention on the Rights of the Child and ILO Convention n° 182 so that the multi-dimension of trafficking may be taken in account. Effective criminalization of trafficking in persons is essential. Criminalization of activities that facilitate, are associated with or are related to trafficking in persons should not be overlooked and the protection of victims should be effectively safeguarded.<sup>9</sup>
- d) to better tackle trafficking in persons: **trafficking is a covert activity** and, as such, it is difficult to understand and measure the magnitude of the phenomenon. Qualitative **disaggregated data** and information, systematically collected and analyzed, can enhance international, regional and national responses to prevent trafficking and protect persons at risk. A recommendation could be foreseen to increase our capacity to **collect basic data** which is, currently, very often lacking.<sup>10</sup>
- e) to mainstream efforts and strategies to combat trafficking into programmes aimed **at development, poverty eradication, natural disaster and post-conflict reconstruction** since the root causes and contributing factors to trafficking in persons include poverty, inequality, gender discrimination, and a culture of tolerance towards violence against women.<sup>11</sup>
- f) to **prevent victimization and re-victimization and to discourage demand** through education and awareness raising, effective involvement of **mass media** as well as promotion of public events and association of personalities to promote information and social mobilization campaigns directed at the general public and vulnerable groups.<sup>12</sup>
- g) to **provide** at the national level **appropriate training** of professionals working with victims of trafficking, especially women and children, and **needed resources** to the relevant sectors and institutions.

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<sup>8</sup> Ibid, Part I(A), pg 5.

<sup>9</sup> Ibid., Part I(B), pg 6.

<sup>10</sup> Ibid., Part I(G), pg 13.

<sup>11</sup> Ibid., Part II(C), pg 18.

<sup>12</sup> Improving the coordination of efforts against trafficking in persons, Background Paper of the Secretary-General, Part I(C), pg 7.



- h) **to ensure** the promotion and protection of the human rights of trafficked persons: human rights of the victims should be at the centre of all efforts to prevent and combat trafficking in persons and to protect, assist and provide redress to victims<sup>13</sup>.
- i) **to eliminate obstacles to the protection of victims** and to their access to assistance which are, *i.a.* lack of victim identification, insufficient victim cooperation with law enforcement including fear of police, lack of awareness of their status as victims and their legal rights, uncertainty about outcome of detection, fear of reprisal from traffickers and fear of stigmatisation in their communities of origin.<sup>14</sup> Special attention should be given to children who are victims - or at risk of- trafficking and that should be identified as such and be provided with appropriate assistance and protection.
- j) **to end impunity**; although the **number of convictions of traffickers** is increasing, impunity remains a significant problem. To date, two-fifths of Parties to the Trafficking Protocol have not reported a conviction for trafficking.<sup>15</sup>
- k) **to enhance efforts** to investigate alleged cases of trafficking, to prosecute perpetrators and to publicize convicted cases.
- l) **to strengthen international police cooperation** to enable the detection of complete trafficking chains and to exchange liaison officers among states of origin, transit and destination in the area of **border controls**.<sup>16</sup>
- m) **to encourage effective coordination of efforts at the international, regional and national level:** *i)* Bilateral, regional and international agreements have been developed to strengthen efforts to prevent and combat trafficking in persons *ii)* Regional and international organizations have promoted programs and good practices concerning trafficking that could be shared to enhance collaboration and maximize the effectiveness of the fight against trafficking.
- n) **to promote synergies** across the UN, intergovernmental and non-governmental organizations with a view to promoting a better coordination of efforts and to maximizing the effectiveness of actions to prevent and combat trafficking in persons.<sup>17</sup> The process could benefit from lessons learned from coordinating efforts across UN agencies.
- o) **to enhance synergies** by establishing greater linkages and promoting exchange of information and experiences between the Conference of the Parties of UNTOC, United Nations human rights treaty bodies and mechanisms.

<sup>13</sup> Recommended principles and guidelines on HR and human trafficking, 2002 (OHCHR)

<sup>14</sup> Improving the coordination of efforts against trafficking in persons, Background Paper of the Secretary-General, Part I(E), pg 10.

<sup>15</sup> Ibid., Part I(D), pg 8.

<sup>16</sup> Ibid., Part II(A), pg 15.

<sup>17</sup> Ibid., Part II(B), pg 17.

## Consultations on a Global Plan of Action on trafficking in persons

April 21, 2010

First of all, thank you very much for all the comments that you have sent us. We are extremely encouraged by the various contributions that we have already received from Member States from all regions, UN agencies and the International Organization for Migration, all very constructive.

These comments and contributions have helped us to draft this first version of the Plan of Action against trafficking in persons which, as we shared with you, is essentially a political document. As such, the draft Plan of action:

- promotes the universal ratification of the Convention against transnational organized crime and its Trafficking Protocol,
- reinforces the implementation of the existing instruments *and*
- helps MS to reinforce their national and regional commitments to prevent and combat trafficking in persons
- calls for a better coordination among international organizations, states and other stakeholders
- and calls for awareness raising of the civil society against trafficking.

As you have noticed, the draft plan of action is divided in 4 sections:

paragraphs 1 to 10 contain general provisions, the general framework and references to the main legal instruments;

section 1 covers “prevention” of trafficking in persons;

section 2 covers the protection and assistance to the victims;

section 3 covers the prosecutions aspects and

the fourth and last section deals with strengthening partnerships, we added another “P” for partnership- which means increasing cooperation and coordination among different stakeholders and within the UN system.

This structure follows closely the structure and main pillars of the Palermo Protocol that is “to prevent and combat trafficking, to protect and assist victims, to promote cooperation and coordination”.

In each section we have identified commitments to address trafficking in persons that are consistent with previously agreed legal instruments. Let me underline, again, that this draft does not duplicate, replace or divert attention from the existing legal instruments and surely does not undermine the relevance and importance of international legal binding treaties, namely the Palermo Protocol.

On the contrary, our objective is to reinforce such documents and to promote their universal ratification and effective implementation. Several paragraphs in each section of this draft contain clear references to these crucial legal instruments and to the concrete actions, foreseen by these instruments, to fight trafficking in persons. And it also contains a reference to a review mechanism to measure the implementation of the Convention and its Protocols.

But beyond a law enforcement perspective, this Plan of Action also includes other dimensions that are central to our work, here in New York, at the General Assembly and that, in our view, are certainly an added value to our efforts against trafficking in persons: it introduces a human rights perspective and also a social development perspective which are crucial in the fight against trafficking.

A commitment by the GA to mainstream the issue of trafficking in persons into policies and programmes aimed at addressing economic development, human rights, rule of law, good governance, natural disaster and post-conflict reconstruction would certainly be a very concrete achievement.

The draft contains, in this logic, several references to human rights instruments and bodies but also to the work of the Special Rapporteurs. Their work is highlighted throughout the text. The draft also contains a victim approach because the victims' protection should be another central element of our anti-trafficking efforts at the national, regional and international level. In this regard, the Draft Plan of Action includes a very concrete suggestion: a Trust Fund for the rehabilitation and compensation of victims of the most serious forms of trafficking in persons.

And it also contains specific references to the role of civil society, the media and the business sector to promote awareness campaigns because, as Mr. Costa underlined so well at our last meeting while reiterating the need for a Global Action Plan as he did again today: "success will not depend on bureaucrats but on society's willingness to fight modern slavery".

Last but not least, our draft underlines the work done by UNODC and other agencies in the fight against trafficking, calls for a better coordination of efforts and to the mainstream of efforts in the UN system; the draft Plan of Action encourages regional efforts and the exchange of good practices

It also includes a special request to the SG to strengthen the capacity of UNODC to collect information and report periodically on trafficking pattern and flows as well as on best practices and lessons learned from regional initiatives and mechanisms. This will allow UNODC to produce periodically reports such as the one produced in 2009 with data and information on trafficking in persons to calibrate our action.

For the sake of transparency we have also circulated a draft resolution to adopt the Plan of Action which we will discuss at a later stage: it is a very short resolution with only 2 operative paragraphs that encourages Member States, the UN, international and regional organizations, the civil society and the private sector to implement the commitments contained in the Plan of Action.

To conclude, let me repeat what I said at our first meeting: our aim is to approve a Plan of Action in the GA before the summer recess. We are keen to listen to every single delegation and encourage you to participate in an active and positive way in this process of consultations. We realize that we have send out this document at the end of last week and that MS will not be in a position to share detailed comments but I would like to hear your possible preliminary comments to this draft.

## **Improving the coordination of efforts against trafficking in persons**

### **Background paper of the Secretary-General**

#### **Summary**

Pursuant to General Assembly resolution 63/194 of 18 December 2008, entitled “Improving the coordination of efforts against trafficking in persons”, the present paper summarizes the views of a broad and diverse group of Member States, international organizations, and civil society stakeholders on a wide range of specific measures to ensure the full and effective implementation of all legal instruments relevant to trafficking in persons, particularly the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, and to achieve the full and effective coordination of efforts against trafficking in persons.

The paper also summarizes responses that address the advisability of adopting a Global Plan of Action on preventing trafficking in persons, prosecuting traffickers, and protecting and assisting victims of trafficking, including its potential value in ensuring efficient and coordinated action against trafficking in persons.

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## Introduction

In its resolution 63/194 of 18 December 2008, entitled “Improving the coordination of efforts against trafficking in persons,” the General Assembly called upon the Secretary-General to collect the views of all stakeholders, including Member States and regional and international organizations, on how to achieve the full and effective coordination of efforts against trafficking in persons of all Member States, organizations, machineries, treaty bodies and all other partners within and outside the United Nations system, including civil society, and to ensure the full and effective implementation of all legal instruments relevant to trafficking in persons, particularly the United Nations Convention against Transnational Organized Crime (Organized Crime Convention) and the Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children (Trafficking in Persons Protocol), supplementing the Organized Crime Convention, and submit a background paper to the General Assembly at its sixty-third session.

General Assembly resolution 63/194 also invited Member States to accelerate the consideration of the advisability of a Global Plan of Action on preventing trafficking in persons, prosecuting traffickers and protecting and assisting victims of trafficking.

The present paper, and the conclusions drawn herein, reflects the responses received from stakeholders consulted through a note verbale sent to all Member States and a letter sent to over 500 United Nations agencies and regional commissions, inter-governmental organizations and non-governmental organizations. A total of 100 Member States responded individually or collectively. A total of 31 entities, intergovernmental or non-governmental organizations also submitted responses. The list of respondents is included in Annex I.

The paper also refers to recommendations emanating from the Open-ended Interim Working Group on Trafficking in Persons, which was held in Vienna on 14 and 15 April 2009. The Working Group, established by the Conference of the Parties to the Organized Crime Convention, was mandated, *inter alia*, to make recommendations to the Conference on how to better implement the Trafficking in Persons Protocol and better coordinate with

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the various international bodies combating trafficking in persons. The full text of the Working Group's recommendations can be found in Annex II of the present paper.<sup>1</sup>

Finally, the report includes, in Annex III, the narrative of the Framework for Action for effective implementation the Trafficking in Persons Protocol, which is being developed by experts from international organizations. The Framework for Action is a technical assistance tool that provides operational measures in the three areas of prevention, protection and prosecution, as well as coordination and cooperation. It therefore constitutes an additional resource in the consideration of effective international responses to trafficking in persons.

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<sup>1</sup> For the full text of the report of the Working Group, see *CTOC/COP/WG.4/2009/2*.



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## **I. How to ensure full and effective implementation of relevant legal instruments**

### **A. Achieve universal adherence to all relevant legal instruments**

Responses emphasized the importance of ratifying and implementing legal instruments relevant to trafficking in persons, in particular those **related to human rights, forced labour, protection of women and children.** <sup>2</sup>

Responses focused especially on the **Trafficking in Persons Protocol** adopted in 2000 to supplement the Organized Crime Convention. While 128 States have become Parties to the Trafficking in Persons Protocol, **64 States** <sup>3</sup> **have yet to ratify or accede to it.** According to the UNODC Global Report on Trafficking in Persons (2009), many of the non-parties to the Trafficking in Persons Protocol are States that face substantial challenges with trafficking in persons. **Achieving universal adherence to the Trafficking in Persons Protocol is therefore crucial to effectively combat trafficking in persons.** <sup>4</sup>

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<sup>2</sup> International Labour Organization (ILO) Convention Concerning Forced or Compulsory Labour, 1930 (173 states parties); ILO Convention Concerning the Abolition of Forced Labour, 1957 (169 states parties); ILO Convention concerning the Prohibition and Immediate Action for the Elimination of the worst Forms of Child Labour, 1999 (169 states parties); United Nations Convention on the Rights of the Child, 1989 (191 states parties); Optional Protocol to the United Nations Convention on the Rights of the Child on the involvement of children in armed conflicts, 2000 (127 states parties); Optional Protocol to the United Nations Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, 2000 (130 states parties); United Nations Convention on the Elimination of All Forms of Discrimination against Women, 1979 (185 states parties); Council of Europe Convention on Action against Trafficking in Human Beings, 2005 (20 States parties).

<sup>3</sup> Afghanistan, Andorra, Angola, Antigua and Barbuda, Bangladesh, Barbados, Bhutan, Brunei Darussalam, Chad, China, Comoros, Congo, Côte d'Ivoire, Cuba, Czech Republic, Democratic People's Republic of Korea, Dominica, Eritrea, Ethiopia, Fiji, Gabon, Ghana, Greece, Haiti, Iceland, India, Indonesia, Ireland, Islamic Republic of Iran, Japan, Jordan, Maldives, Marshall Islands, Micronesia, Morocco, Nauru, Nepal, Pakistan, Palau, Papua New Guinea, Qatar, Republic of Korea, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sierra Leone, Singapore, Sri Lanka, Solomon Islands, Somalia, Sudan, Swaziland, Syrian Arab Republic, Thailand, Timor-Leste, Togo, Tonga, Tuvalu, Vanuatu, Viet Nam, Yemen, Zimbabwe.

<sup>4</sup> See recommendations 2 and 3 of the Open-ended Interim Working Group on Trafficking in Persons (Annex II).

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## **B. Adequately criminalize trafficking in persons**

Full and effective **criminalization of trafficking in all its aspects** – through legislation covering the whole range of victims, as well as the widest range of exploitative purposes - is essential. This is a prerequisite not only for domestic prosecution of traffickers, but also for international judicial cooperation.

Lack of adequate national legislation on trafficking in persons was identified by respondents as an obstacle to effective implementation of the Trafficking in Persons Protocol.<sup>5</sup> Other obstacles to effective criminalization included confusion surrounding the definition of certain terms, leading to difficulties in the implementation of the Trafficking in Persons Protocol.<sup>6</sup> It was also noted that **criminalization of activities that facilitate, are associated with or are related to trafficking in persons** should not be overlooked.<sup>7</sup> This will ensure that trafficking in persons is addressed from multiple angles, increasing the chances of successful prosecutions.

When discussing a possible **Global Plan of Action**, respondents emphasized that such Plan would help **ensure consistency of national frameworks with international instruments**.<sup>8</sup> However, other respondents noted that a Global Plan of Action might divert valuable resources and attention from on-the-ground efforts to implement the Trafficking in Persons Protocol.<sup>9</sup>

## **C. Prevent victimization and discourage demand through awareness raising**

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<sup>5</sup> Bangladesh, Belarus, Kuwait, Kenya, European Police Office (EUROPOL), International Organization for Migration (IOM).

<sup>6</sup> Bangladesh, Canada, Germany, Sudan, Switzerland, Uzbekistan, Soroptimist International, Suzanne Mubarak Women's Peace Movement/ End Human Trafficking Now (SMWIPM/EHTN). See also recommendation 6 of the Open-ended Interim Working Group on Trafficking in Persons (Annex II).

<sup>7</sup> See recommendation 5 of the Open-ended Interim Working Group on Trafficking in Persons (Annex II).

<sup>8</sup> African Group, Belarus, Ecuador, La Strada .

<sup>9</sup> United Kingdom, USA.

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Respondents noted the importance of prevention through both widespread **awareness raising campaigns directed at the general public**<sup>10</sup> as well as campaigns targeted at specific groups and **communities vulnerable to trafficking**.<sup>11</sup> Local contexts must be fully considered when developing plans of communication.<sup>12</sup>

Achieving this objective requires effective **utilisation of mass media**,<sup>13</sup> including better sensitization of the cinema industry, TV channels and the press concerning the way trafficking is reported,<sup>14</sup> as well as the use of important public events or personalities to promote awareness campaigns.<sup>15</sup> It also should involve practitioners in the development of audiovisual material and documentaries,<sup>16</sup> as well as the use of free information hotlines.

Educational and awareness raising programmes on the reality of trafficking in persons should **reach clients or potential clients of sexual services** and increase their understanding of trafficking in persons and violence against women.<sup>17</sup>

Demand for services or products that foster **labour exploitation** could be discouraged by raising public awareness of the many kinds of products that result from forced or exploited labour,<sup>18</sup> by improved awareness that diverse forms of trafficking for labour exploitation do not only constitute breaches of labour laws

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<sup>10</sup> Bangladesh, Czech Republic, France, Latvia, United Arab Emirates, Uruguay, United Nations Division for the Advancement of Women ( UNDAW), United Nations Children's Fund (UNICEF), Caritas Internationalis, SMWIPM/EHTN.

<sup>11</sup> Bangladesh, Belarus, Belgium, Bulgaria, Czech Republic, Ecuador, France, Latvia, Poland, Slovenia, Turkey, Uruguay, Uzbekistan, UNDAW, African Institute for the Prevention of Crime and the Treatment of offenders (UNAFRI), International Centre of Migration Policy Development (ICMPD), National Council of German Women Organizations ( NCGW), SMWIPM/EHTN. See recommendation 7 of the Open-ended Interim Working Group on Trafficking in Persons (Annex II).

<sup>12</sup> Bangladesh, France, Working Meeting of Eastern African States , UNAFRI, SMWIPM/EHTN.

<sup>13</sup> Argentina, Belarus, Bulgaria, Ecuador, France, Greece, Kenya, Latvia, Malta, Mexico, Qatar, Sri Lanka, Turkey, Uruguay, Uzbekistan, EUROPOL, Caritas Internationalis.

<sup>14</sup> Peru, UNDAW, Commonwealth of Independent States ( CIS), European Commission (EC), EUROPOL. See also International Development Law Organization (IDLO)-Manual on International Law and Standards Applicable in Disaster Situations .

<sup>15</sup> Belarus, Bulgaria, Germany, Uruguay, International Council of Women (ICW).

<sup>16</sup> Cambodia, Greece, Caritas Internationalis.

<sup>17</sup>United Nations Economic and Social Commission for Asia and the Pacific ( ESCAP), SMWIPM/EHTN.

<sup>18</sup> Belarus, Estonia, USA, SMWIPM/EHTN.

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but in fact criminal offences.<sup>19</sup> Increasing media coverage of prosecutions of offenders and real-life examples of victims are also important.<sup>20</sup>

Some respondents argued that a **Global Plan of Action** could contribute to raising awareness of a wide range of stakeholders such as the business community, civil society and international mass media and could provide incentives to business to take an active stand and help stage a mass media campaign.<sup>21</sup>

#### **D. End impunity of those who traffic in persons**

The UNODC Global Report on Trafficking in Persons (2009) concluded that, although the **number of convictions** of traffickers is increasing, impunity remains a significant problem. To date, two-fifths of the countries covered by the report have not reported a single conviction for trafficking in persons.<sup>22</sup> Responses received identified key factors that must be addressed to strengthen the capacity of criminal justice systems to try and convict those who traffic in persons.

**Front line law enforcement officials** – police, labour inspectors, immigration, and border guards – play the single most critical role in identifying trafficked persons and perpetrators, ensuring victim safety, and referring victims to appropriate support services.<sup>23</sup> Trafficking for forced labour, especially in the agriculture, catering and construction sectors,<sup>24</sup> was identified as a particularly weak point in efforts to combat trafficking<sup>25</sup> and one where training of law enforcement officials was urgently needed.

**Specialised investigation teams** or units focusing on trafficking in persons cases,<sup>26</sup> with power to undertake or supervise all trafficking investigations in the country, can help end

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<sup>19</sup> See recommendation 10 of the Open-ended Interim Working Group on Trafficking in Persons (Annex II).

<sup>20</sup> Estonia, France, Sri Lanka, Asian Development Bank (ADB), EUROPOL.

<sup>21</sup> African Group, Belarus.

<sup>22</sup> UNODC Global Report on Trafficking (2009).

<sup>23</sup> See recommendation 8 of the Open-ended Interim Working Group on Trafficking in Persons (Annex II).

<sup>24</sup> See UNODC indicators for forced labour.

<sup>25</sup> Estonia, Germany, EC.

<sup>26</sup> Australia, France, Germany, Greece, Netherlands, Sri Lanka, UNDAW, CIS, EUROPOL .See also Gallagher, A. and Holmes, P., “Developing an Effective Criminal Justice Response to Human Trafficking”, *International Criminal Justice Review*, Vol.18, no.3, 2008.

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impunity. Such units should be granted adequate powers and trained to correctly use all available investigative techniques, including special investigative techniques such as telecom surveillance, undercover officers, or paid informants.<sup>27</sup>

**Inefficient or corrupt prosecutorial or judicial authorities compromise effective investigations.** Prosecutorial services must develop skills adequate to meet the challenges of prosecuting trafficking cases<sup>28</sup> – which typically present complex evidentiary requirements, reluctant witnesses, and specific legislation. States should consider **establishing specialized teams of prosecutors** to handle trafficking cases,<sup>29</sup> as well as specialization of investigators to tackle the financial aspects of trafficking.<sup>30</sup> Another recommendation is the development of, and training of judges, in **appropriate court practices and procedures** that support both victims and witnesses in order to contribute to more successful prosecutions.

In many countries victims of trafficking are repeatedly arrested, charged and prosecuted for offences committed as a direct consequence of their having been trafficked, such as unlawful entry in the territory, working illegally, holding false documentation or engaging in illegal prostitution. A number of responses referred to the **criminalization of trafficked persons**<sup>31</sup> in such situations as a significant obstacle to effective investigations and prosecution of traffickers. The Trafficking in Persons Protocol does not address this phenomenon, but there may be an emerging consensus that a more humane approach to victims is required.<sup>32</sup>

## **E. Protect victims**

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<sup>27</sup> Belgium, Germany, EC, EUROPOL.

<sup>28</sup> Argentina, Austria, Bangladesh, Belarus, Bosnia, Cambodia, Canada, Ecuador, Egypt, France, Malta, Mexico, Netherlands, Norway, Poland, Qatar, Slovenia, Sri Lanka, Sudan, Turkey, United Kingdom, Uruguay, United States, UNAFRI, UNDAW, UNICEF, EUROPOL, Human Rights Watch (HRW), Soroptimist International, SMWIPM/EHTN, Terre des Hommes International Federation.

<sup>29</sup> Uruguay, UNDAW.

<sup>30</sup> Belgium.

<sup>31</sup> Belarus, Canada, France Netherlands, Qatar, USA, EUROPOL

<sup>32</sup>. See recommendation 11 of the Open-ended Interim Working Group on Trafficking in Persons (Annex II).

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**Lack of victim identification** is one of the primary obstacles to adequate protection of victims and their access to assistance.<sup>33</sup> Respondents elaborated on difficulties associated with victim identification as well as victim cooperation with law enforcement, including fear of police, lack of awareness of their status as victims and their legal rights,<sup>34</sup> uncertainty about outcome of detection, fear of reprisal from traffickers<sup>35</sup> and fear of stigmatisation in their communities of origin.<sup>36</sup>

Against this background, and irrespective of their involvement in the criminal justice process, victims should be provided with **immediate support and protection**. Anti-trafficking legislation should criminalize threatening or intimidating a victim or witness of trafficking. Many respondents emphasized the need for more rehabilitation and reintegration programmes,<sup>37</sup> including access to education, training and employment. Minimum protection standards, such as providing lodging in shelters, ensuring victim privacy, and providing medical and psychological support<sup>38</sup> as well as **legal advice and assistance**,<sup>39</sup> must be developed and applied. Criminal justice practitioners and social workers must be adequately and sensitively trained.<sup>40</sup>

Respondents emphasized the need for increased funding of social services<sup>41</sup> and pointed at lack of funding to accommodate victim needs<sup>42</sup> as an obstacle to effective victim

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<sup>33</sup> Belarus, Canada, Estonia, Germany, Mongolia, Poland, UNAFRI, ICMPD, IOM, Payoke, SMWIPM/EHTN, Terre des Hommes International Federation.

<sup>34</sup> Ecuador, Estonia, Latvia, Poland, Sri Lanka, Uruguay, UNAFRI, Terre des Hommes International Federation.

<sup>35</sup> Canada, Poland, Uruguay, Soroptimist International, Terre des Hommes International Federation.

<sup>36</sup> Bangladesh, Latvia, United Nations Population Fund (UNFPA).

<sup>37</sup> Bosnia, Jamaica, Poland, Serbia, Uzbekistan, UNAFRI, UNFPA.

<sup>38</sup> Argentina, Bulgaria, Canada, Ecuador, Egypt, Kenya, Mongolia, Netherlands, Qatar, Sudan, Uruguay, Uzbekistan, UNFPA, EUROPOL, Caritas Internationalis, Global Alliance Against Traffic in Women (GAATW), NCGW, Payoke.

<sup>39</sup> Czech Republic, Egypt, Kenya, Mexico, Mongolia, Slovenia, Uzbekistan, UNAFRI, UNDAW, EUROPOL, Caritas Internationalis, GAATW, La Strada International, Terre des Hommes International Federation.

<sup>40</sup> Bangladesh, Belgium, Cambodia, Egypt, Estonia, Malta, Mexico, Netherlands, Norway, Qatar, Slovenia, Sri Lanka, Turkey, Uzbekistan, UNAFRI, GAATW, IDLO, Caritas Internationalis, Payoke.

<sup>41</sup> Jamaica, Latvia, Macedonia, Malta, Qatar, Slovenia, USA, UNFPA, ADB, CIS, ICMPD, Caritas Internationalis, Payoke.

<sup>42</sup> Argentina, Belarus, Bulgaria, Estonia, Latvia, Mongolia, ICMPD, La Strada International, NCGW, Payoke, SMWIPM/EHTN.

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protection. **Confiscated proceeds of traffickers could be channelled into victim support programmes.** <sup>43</sup>

Appropriate procedures must be established to allow victims to obtain **compensation and restitution.** <sup>44</sup> This could be achieved through the establishment of a dedicated victim compensation fund or scheme from which victims claims could be met, or where a general victim compensation fund exists, victims of trafficking should have access to it.

**Child victims pose particular challenges requiring specifically tailored responses by authorities.** <sup>45</sup> In addition to their entitlement to all protection and support available to other victims, respecting the principle of the best interests of the child must always be paramount, in particular in decisions on return and contacts with the family.

**Support and protection to victims as witnesses** is critical to enforcing the law. Successful prosecution of trafficking cases perforce relies heavily on cooperation and testimony of victims. Victims must be protected from their victimizers, <sup>46</sup> both through witness protection programmes and through establishing procedures to allow jurisdictions to protect the **confidentiality and privacy of victims** of trafficking. This can be achieved through, for example, provision of testimony through video, closed hearings and witness concealment measures. Incentives for victims to cooperate may include the provision of **residence permits** in exchange for testimony. Access to residence permits, moreover, should not be predicated per se on willingness to collaborate with law enforcement authorities. <sup>47</sup> Access to information regarding the right of trafficking victims to request asylum should be ensured.

Several respondents suggested that a **Global Plan of Action** could help establish consistent and sustained technical assistance for the protection of victims as well as

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<sup>43</sup> Bulgaria.

<sup>44</sup> Argentina, Belarus, Uruguay, CIS, Caritas Internationalis. See also recommendation 13 of the Open-ended Interim Working Group on Trafficking in Persons ( Annex II).

<sup>45</sup> UNICEF, Pax Romana.

<sup>46</sup> Bulgaria, Czech Republic, Jamaica, Kenya, Mongolia, Poland, Qatar, Sri Lanka, Uruguay, Europol, Caritas Internationalis, HRW. See also recommendation 14 of the Open-ended Interim Working Group on Trafficking in Persons ( Annex II).

<sup>47</sup> Germany, Slovenia, UNDAW, ICMPD, NCGW.

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develop detailed recommendations on victim identification and protection based on good practices.<sup>48</sup>

## F. Coordinate efforts at the national level

There are practical difficulties in national coordination of action against trafficking in persons at many levels: **coordination is often lacking among various law enforcement agencies**, such as immigration, workplace inspectors<sup>49</sup> and police authorities. This results in agencies working at cross-purposes.<sup>50</sup> Front line law enforcement officials need to cooperate and communicate efficiently with specialized teams when they exist.

Poor **coordination between law enforcement and criminal justice service providers, on the one hand, and victim service providers, including NGOs, on the other**, was a recurrent theme for most respondents, who pointed to the negative impact on prosecution and repatriation, rehabilitation and reintegration of victims. Governmental agencies must be better informed of the important contribution victim service providers make to law enforcement efforts. The respective roles and responsibilities of governmental agencies and NGOs should be clarified through memoranda of understanding.<sup>51</sup> Priority should be given to State financial support for NGO service providers,<sup>52</sup> and national referral mechanisms should be established.<sup>53</sup>

**National anti-trafficking coordinating bodies or task forces**, composed of officials from relevant government agencies (justice, health and welfare, labour, immigration, etc.) and non-governmental agencies, should be established.<sup>54</sup> These mechanisms would develop comprehensive and coordinated policies on trafficking, promote better

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<sup>48</sup> Belarus, Ecuador.

<sup>49</sup> See Andrees, B, *Forced Labour and Human Trafficking: A Handbook for Labour Inspectors*, International Labour Organization, 2008.

<sup>50</sup> Slovenia. For strategies to help respond to coordination problems, see Fiona David, *Trafficking of Women for Sexual Services*, 2008.

<sup>51</sup> Croatia, France, Greece, Malta, Poland, USA, Caritas, Payoke.

<sup>52</sup> Jamaica, Japan, Macedonia, Poland, Slovenia, Turkey, United Kingdom, USA, EC, ICMPD, Caritas Internationalis, NCGW.

<sup>53</sup> Bosnia, Bulgaria, Croatia, Norway, Poland, United Kingdom, EC, Caritas Internationalis, La Strada International.

<sup>54</sup> Austria, Belarus, Croatia, Germany, Greece, Jamaica, Kenya, Oman, Slovenia, UNDAW, Payoke. See recommendation 16 of the Open-ended Interim Working Group on Trafficking in Persons (Annex II).



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cooperation, monitor the implementation of national referral mechanisms and promote research on trafficking in persons.

A Global Plan of Action could provide the basis for the development of **national plans of action** against trafficking and help clarify the functions of State and non-state actors.<sup>55</sup>

## **G. Establish a valid knowledge basis**

Trafficking in persons is a covert activity involving hidden populations and, as such, is difficult to analyse, measure and understand. The adoption of the Trafficking in Persons Protocol has led to an **international consensus on the definition of trafficking in persons** – an important achievement – and distinguished it from other phenomena like migrant smuggling. This has created a common basis for collection of comparable data and research. Despite these advances, capacity to collect even basic data is sometimes lacking.<sup>56</sup>

A central repository of national information from different sources and actors is required<sup>57</sup> and there must be capacity to systematically gather and analyse the data. One possibility is the creation of **national rapporteurs or similar mechanisms** working on the collection of data and monitoring the implementation of national action plans.<sup>58</sup> National rapporteurs should have an independent status and report to the Executive Branch and/or Parliament.<sup>59</sup>

When identifying specific data collection and research needs, many respondents emphasized the need to collect **information on traffickers and associated perpetrators**,<sup>60</sup> and their *modus operandi*. One of the findings of the UNODC Global Report on Trafficking in Persons (2009) is that, especially in the Eastern European and Central

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<sup>55</sup> Belarus.

<sup>56</sup> See UNODC Global Report on Trafficking in Persons (2009).

<sup>57</sup> Austria, Croatia, France, Germany, Greece, Jamaica, Kenya, Mexico, Serbia, Slovenia, Uruguay, Caritas Internationalis. See also recommendation 17 of the Open-ended Interim Working Group on Trafficking in Persons (Annex II).

<sup>58</sup> Bosnia, Malta, Norway, Turkey, UNDAW, EC, EUROPOL, Caritas Internationalis, La Strada International, Payoke.

<sup>59</sup> La Strada International, Payoke.

<sup>60</sup> Bosnia, Estonia, Germany, Jamaica, United Kingdom, Uruguay, USA, UNAFRI, International Criminal Police Organization (INTERPOL), Terres des Hommes International Federation.

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Asian regions, a disproportionate number of offenders are women and that most offenders are citizens of the country in which they were arrested. This suggests that trafficking is mostly carried out by local networks that exchange victims amongst themselves. Studies on the **root causes and effects of trafficking**,<sup>61</sup> including on the economic implications of this illicit trade<sup>62</sup> should be carried out.

Many respondents expressed the need for better and deeper knowledge of the **different kinds of trafficking**,<sup>63</sup> including illegal adoption, organ trafficking, servile marriages,<sup>64</sup> child labour,<sup>65</sup> and trafficking in men and boys.<sup>66</sup> There was particular priority placed on research into the size, scope and nature of **trafficking for the purposes of labour exploitation**.<sup>67</sup>

Limited research has been carried out on **what trafficked persons want and need** in terms of support and rehabilitation, how they experience their participation in the criminal justice process and how it could be made more user-friendly. Research in these areas would provide useful insights to policy-makers and practitioners.

National data collection, and the preparation of national annual reports, is the basis on which to build **regional and international sharing of information on trafficking flows and patterns**, as well as experiences and good practices. An **international mechanism** could monitor trends and patterns of trafficking in persons, including information on the market context for these crimes.<sup>68</sup>

It was argued that a **global report on trafficking** could be usefully synthesized by UNODC<sup>69</sup> and presented to the Conference of the Parties to the Organized Crime Convention.

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<sup>61</sup> Belarus, Egypt, Seychelles, UNAFRI, ADB, Caritas Internationalis.

<sup>62</sup> Belgium, Slovenia, SMWIPM/EHTN.

<sup>63</sup> Estonia, Poland, EC.

<sup>64</sup> Mongolia.

<sup>65</sup> IDLO-Manual on International Law and Standards Applicable in Disaster Situations

<sup>66</sup> Mongolia, United States, UNFPA, Payoko.

<sup>67</sup> Austria, Germany, Mongolia, Poland, Slovenia, EC, Caritas Internationalis. See also Australian Institute of Criminology, Transnational Crime Brief No. 3, *Labour trafficking: key concepts and issues*, 2009, available at [www.aic.gov.au](http://www.aic.gov.au).

<sup>68</sup> UNODC Global Report on Trafficking in Persons (2009).

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## II. How to ensure full and effective international coordination of efforts against trafficking in persons

### A. Strengthen international cooperation at the operational level

**International police-to-police cooperation** must be strengthened<sup>70</sup> to enable the detection of complete chains of trafficking (as opposed to identifying isolated links of the chain). In the area of **border controls**, there should be exchange of liaison officers among states of origin, transit and destination.<sup>71</sup>

The use of **joint investigation teams** and agreement on the use of special investigative techniques within international investigations<sup>72</sup> in cases of trafficking in persons are considered useful practices.<sup>73</sup>

Many respondents recommended **using the framework of existing regional organizations** to facilitate cross border cooperation in operations. The Heads of Specialist Trafficking Units Process operating in Southeast Asia, the Coordinated Mekong Ministerial Initiative Against Trafficking in the Greater Mekong Subregion (COMMIT) and the Regional Bali Consultative Process were cited as examples of useful regional mechanisms.

Organizing **regional training** for law enforcement and other criminal justice practitioners can facilitate the exchange of information and good practices.<sup>74</sup> **International meetings and conferences**, such as the Vienna Forum held under the United Nations Global

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<sup>69</sup> United Kingdom.

<sup>70</sup> Austria, France, Czech Republic, Ecuador, Greece, Latvia, Netherlands, Poland, Qatar, Sudan, Turkey, Ukraine, European Union's Judicial Cooperation Unit (EUROJUST), INTERPOL, International Police Association (IPA), Caritas Internationalis. See also recommendation 22 of the Open-ended Interim Working Group on Trafficking in Persons (Annex II).

<sup>71</sup> Bulgaria, France, Macedonia, EUROPOL .

<sup>72</sup> See recommendation 23 of the Open-ended Interim Working Group on Trafficking in Persons (Annex II). See also report of the UNODC Informal Expert Working Group on Joint Investigations (CTOC/COP/2008/CRP.5).

<sup>73</sup> Argentina, Belarus, Bosnia, Greece, EUROJUST .

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Initiative to Fight Human Trafficking (UN.GIFT),<sup>75</sup> foster information sharing and networking.

Developing and strengthening international judicial cooperation – **extradition, mutual legal assistance and confiscation of proceeds of trafficking pursuant to a foreign request** – is crucial. **Multilateral legal instruments, such as the Organized Crime Convention**, contain detailed provisions and mechanisms on judicial cooperation and should be utilized effectively.<sup>76</sup> Multilateral treaties enable Parties to establish a wide inter-regional network of judicial cooperation relationships. The development of **simplified cooperation processes**, such as those existing within the European Union, facilitate international coordination.<sup>77</sup>

Other recommendations included the organization of **training for central authorities** and other practitioners involved in judicial cooperation at the regional or cross-regional level,<sup>78</sup> in order to strengthen their working contacts.

**International cooperation in the area of repatriation of victims** needs improvement.<sup>79</sup> In this regard, mention was made of the usefulness of transnational referral mechanisms (TRMs).<sup>80</sup>

Some respondents noted that a **Global Plan of Action** could help establish a comprehensive, concerted and coordinated mechanism in order to improve the effectiveness of the fight against trafficking in persons.<sup>81</sup> Other respondents stated that an effective approach would be to develop **regional or sub-regional plans of action**<sup>82</sup> supported by bilateral agreements.

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<sup>74</sup> Belarus, China, France, Poland, Qatar, Uzbekistan.

<sup>75</sup> Bangladesh, Belarus, China, Estonia, Greece, Latvia, Malta, Qatar, Turkey, Uzbekistan, UNAFRI, UNDAW.

<sup>76</sup> Belarus, Bosnia, France, Germany, Jamaica, Latvia, Malta, Poland, Uruguay, UNAFRI.

<sup>77</sup> France.

<sup>78</sup> Belarus, China, France, Poland.

<sup>79</sup> Bulgaria, Poland.

<sup>80</sup> ICMPD. The TRM set up by ICMPD in ten countries of Southeastern Europe was cited as an example.

<sup>81</sup> Belarus.

<sup>82</sup> United Kingdom, USA. See also recommendation 20 of the Open-ended Interim Working Group on Trafficking in Persons (Annex II).

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## B. Ensure coordination of technical assistance provision

With the emergence of trafficking in persons as a high-profile issue, the number of intergovernmental and non-governmental organizations, as well as bilateral aid programmes involved in this area, has dramatically increased. This has led to **overlaps and duplications**.

The **lack of access to good information** on what other technical assistance providers are doing is an obstacle to coordination. Potentially useful responses include: the **creation of a donor database**, possibly along the lines of the ADAM database;<sup>83</sup> and the **development of a website** for UN agencies, the IOM, the World Bank, regional organizations, foundations, private-sector partners, and major donor countries that would provide links to information on their anti-trafficking projects.<sup>84</sup> **Joint programming, such as advocated and developed by UN.GIFT**, and the development of common strategies and work plans among providers of technical assistance and **division of labour** based on organizations' mandates and core competencies are also potentially helpful.

Additional recommendations relied on the five key principles of the **Paris Declaration on Aid Effectiveness**<sup>85</sup> and recalled some of the **conclusions of the Working Group of Government Experts on Technical Assistance** established by the UNTOC Conference of the Parties, which had noted the potential for UNODC to act as a coordinator and facilitator of requests for and the provision of technical assistance.<sup>86</sup>

Some respondents noted that a **Global Plan of Action** could ensure exchange of good practices among stakeholders and assist regional and international organizations involved in the provision of technical assistance at country, regional, and global levels.<sup>87</sup>

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<sup>83</sup> France. The Automated Donor Assistance Mechanism (ADAM) is an Internet-based tool for the coordination of technical assistance in the field of counter narcotics (i.e. supply and demand reduction). This tool has been developed by UNODC within the framework of the Paris Pact Initiative, a UNODC-led partnership of more than 50 countries and international organizations, which aims to counter traffic in and consumption of Afghan opiates.

<sup>84</sup> Cambodia, USA.

<sup>85</sup> Ownership by countries; alignment with countries' strategies, systems and procedures; harmonization of donors' actions; managing for results; and mutual accountability.

<sup>86</sup> See also recommendation 18 of the Open-ended Interim Working Group on Trafficking in Persons (Annex II).

<sup>87</sup> Belarus, Ecuador.

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### **C. Mainstream anti-trafficking activities into other international efforts**

Many respondents commented on the root causes and contributing factors to trafficking in persons<sup>88</sup>, including **poverty, inequality, gender discrimination, or a culture of tolerance towards violence against women.**

Against that background, it is critical to **mainstream efforts to counter trafficking in persons into programmes aimed at development, poverty eradication, natural disaster and post-conflict reconstruction**, in order to ensure respect for human rights and to counter violence against women. Budgets for vulnerability prevention and victim reintegration should be earmarked in the mainstream of poverty reduction, post-conflict, and social safety budgets, with technical assistance to be provided by the relevant anti-trafficking ministries, as well as trainings for government staff working on broader development programs.<sup>89</sup> It is necessary to incorporate trafficking in persons issues in human rights education projects.<sup>90</sup>

In this context, some respondents emphasized the potential benefits of **a Global Plan of Action** to provide an opportunity to consider the issue of trafficking in a comprehensive manner, thereby creating an enabling context for addressing the problems of development, eradication of poverty, and human rights.<sup>91</sup>

### **D. Strengthen the impact of the Inter-Agency Cooperation Group against Trafficking in Persons (ICAT)**

Respondents addressed the **mandates and functioning of ICAT**. Pursuant to a request from the Economic and Social Council (resolution 2006/27), ICAT was established in September 2006 with the aim of fostering coordination and cooperation among relevant

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<sup>88</sup> Bangladesh, Belarus, Belgium, Bulgaria, Canada, Estonia, France, Japan, Kenya, Mongolia, Qatar, Slovenia, Turkey, Uruguay, Uzbekistan, Working Meeting of Eastern African States, UNAFRI, UNDAW, ESCAP, UNFPA, UNICEF, ADB, Caritas Internationalis, HRW, Pax Romana.

<sup>89</sup> ADB.

<sup>90</sup> Bulgaria, Mongolia.

<sup>91</sup> Belarus, Ecuador.

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United Nations agencies and other international organizations involved in combating human trafficking.<sup>92</sup> General Assembly resolution 61/180 welcomed the holding of the Tokyo meeting and requested the Secretary-General to “improve upon the fledgling interagency coordination group on trafficking in persons in order to enhance cooperation and coordination and facilitate a holistic and comprehensive approach by the international community to the problem of trafficking in persons.”

Options for **strengthening the impact of ICAT** suggested by respondents include: merging the mandates of the UN.GIFT steering committee and ICAT into a permanent coordinating mechanism led by UNODC;<sup>93</sup> the **development of a website**<sup>94</sup> to enhance coordination and establish a dialogue between ICAT members; the designing of a **common work plan**;<sup>95</sup> and the **adoption of recommendations during ICAT meetings**, to be presented to ICAT members’ governing bodies in order to strengthen its impact.<sup>96</sup>

Several respondents suggested a role for ICAT in driving the Global Action Plan as a means to strengthen ICAT’s work.<sup>97</sup> Finally respondents emphasized the need for **greater involvement of relevant NGOs** in regional and international coordination mechanisms, such as ICAT.

## **E. Enhance the role of the Conference of the Parties to the Organized Crime Convention**

Several respondents noted the potential of the Open-ended Interim Working Group on Trafficking in Persons established by the Conference of the Parties to enhance the coordinating role of the Conference<sup>98</sup> on trafficking in persons issues. Others noted that

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<sup>92</sup> The Division for the Advancement of Women of the Secretariat, the Office of the Special Representative of the Secretary-General for Children and Armed Conflict, the Office of the High Commissioner for Human Rights (OHCHR), UNODC, UNICEF, the United Nations Development Fund for Women (UNIFEM), UNFPA, UN High Commissioner on Refugees (UNHCR), the United Nations Fund for International Partnerships, the United Nations International Research and Training Institute for the Advancement of Women, ILO, the World Bank, IOM and INTERPOL.

<sup>93</sup> SMWIPM/EHTN.

<sup>94</sup> Belgium, UNDAW.

<sup>95</sup> Belarus, Uruguay, UNDAW, ADB.

<sup>96</sup> France.

<sup>97</sup> Belarus, Ecuador.

<sup>98</sup> Canada, Egypt, France, USA.

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the **exchange of expert opinions** should be strengthened during the sessions of the Conference <sup>99</sup> and should be used to enhance coordination efforts in combating trafficking in persons.

**Greater linkages should be established and exchange of information promoted between the Conference of the Parties and other United Nations treaty bodies.** <sup>100</sup>

The work of the **Special Rapporteur on trafficking in persons** at the Human Rights Council should also be linked more closely to the work of the Conference of the Parties in order to avoid the duplication of reports.<sup>101</sup>

Many respondents noted that **regular reporting by States on their implementation** of the Trafficking in Persons Protocol and the **setting up of a review mechanism** for the Organized Crime Convention and the Trafficking in Persons Protocol<sup>102</sup> are urgently needed to monitor implementation, ensure consistency of national legislative frameworks with the Protocol and enhance coordination of international action against trafficking in persons.

In its decision 4/1 (2008), the Conference requested UNODC to convene an **open-ended intergovernmental meeting of experts** to explore options regarding a mechanism to assist it in its review of implementation. Some respondents suggested that the review process for the Trafficking in Persons Protocol should also become a subject for consideration for the Working Group on Trafficking in Persons.<sup>103</sup>

Any mechanism to review implementation must be supported by political stakeholders to be effective and efficient.<sup>104</sup> The **participation of members of civil society** in such review mechanism is advisable. <sup>105</sup> A **potential review mechanism should be informed**

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<sup>99</sup> Belgium, Croatia, Uzbekistan, UNAFRI.

<sup>100</sup> Germany, UNDAW.

<sup>101</sup> Germany.

<sup>102</sup> Belarus, Canada, Croatia, Czech Republic, Ecuador, Estonia, France, Netherlands, Norway, Qatar, Slovenia, Turkey, ADB, Caritas Internationalis, GAATW, ICW, La Strada International, Terre des Hommes International Federation. See also recommendation 19 of the Open-ended Interim Working Group on Trafficking in Persons (Annex II).

<sup>103</sup> Belarus, Canada.

<sup>104</sup> France, United Kingdom.

<sup>105</sup> Canada, Croatia, ADB, La Strada International.



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by **other approaches**, including those considered for reviewing the United Nations Convention against Corruption or other relevant United Nations treaty body systems.<sup>106</sup>

Some respondents suggested that a Global Plan of Action could offer a **road map for the review of the implementation of the Trafficking in Persons Protocol**.<sup>107</sup> Other respondents argued that the newly created Working Group on Trafficking in Persons should be given the opportunity to fulfil its mandate first, before considering the creation of another coordination mechanism.<sup>108</sup>

## **F. Adoption of a Global Plan of Action on trafficking in persons**

In its resolution 63/194, the General Assembly invited all Member States to accelerate the consideration of the **advisability of a global plan of action** on preventing trafficking in persons, prosecuting traffickers and protecting and assisting victims of trafficking, which would achieve the full and effective coordination of efforts against trafficking in persons and ensure the full and effective implementation of all legal instruments relevant to trafficking in persons.

Several respondents discussed a possible Global Plan of Action in their responses.<sup>109</sup> Some noted that the adoption by the General Assembly of such plan would help ensure effective **implementation of relevant legal instruments** by addressing key gaps in implementation.<sup>110</sup> It would also include measures to encourage States to enact unified standards on prevention, prosecution and protection.<sup>111</sup>

It was argued that a Global Plan of Action could contribute to **raising awareness** and enlisting commitment among partners such as the business community, civil society, and the international mass media. It could provide incentives to businesses to take an active stand against human trafficking and could help stage mass media campaigns.<sup>112</sup>

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<sup>106</sup> Canada, United Kingdom, UNDAW.

<sup>107</sup> Belarus, Ecuador.

<sup>108</sup> USA.

<sup>109</sup> African Group, Belarus, Ecuador, United Kingdom, USA, La Strada Internacional.

<sup>110</sup> African Group, Belarus, La Strada Internacional.

<sup>111</sup> Belarus.

<sup>112</sup> Belarus.

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It was also suggested that a Global Plan of Action could develop thorough recommendations on victim identification and protection based on good practices<sup>113</sup> in areas where legal instruments lacked detailed provisions and help establish consistent and sustained technical assistance for **the protection of victims**.<sup>114</sup>

The Global Plan of Action could further provide the basis for the development of **national plans of action** against trafficking.<sup>115</sup> It could also help **harmonize reporting** on trafficking in persons by Member States, and play an important role in identifying factors that lead to trafficking and, therefore, help reduce the demand.<sup>116</sup>

Responses emphasized the value of a Global Plan of Action to ensure **international coordination** of efforts against trafficking.<sup>117</sup> It was seen as a tool to establish a comprehensive, concerted and coordinated mechanism outlining **general parameters for international efforts** in providing technical assistance to countries in need.<sup>118</sup> The Global Plan of Action could ensure exchange of good practices among stakeholders<sup>119</sup> and assist regional and international organizations involved in the provision of technical assistance at country, regional, and global levels.

The potential benefits of a Global Plan of Action for **mainstreaming anti-trafficking activities into other international efforts** were also emphasized, as it could provide an opportunity to consider the issue of trafficking in a comprehensive manner, creating an enabling context for addressing the problems of development, eradication of poverty, and human rights.<sup>120</sup>

Respondents also emphasized the development of a Global Plan of Action as an important **mission and tool for ICAT**. It could highlight the role of the Special Rapporteurs on trafficking in children, child prostitution and pornography and on human trafficking and

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<sup>113</sup> Belarus.

<sup>114</sup> Ecuador.

<sup>115</sup> Belarus.

<sup>116</sup> Ecuador.

<sup>117</sup> African Group, Belarus, Ecuador.

<sup>118</sup> Belarus, Ecuador.

<sup>119</sup> Ecuador.

<sup>120</sup> Belarus, Ecuador.

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their participation in the work of ICAT.<sup>121</sup> Respondents suggested enshrining a **two-level coordination system** into the Global Plan, whereby the UN General Assembly would be in charge of overall conceptual coordination and ICAT would be responsible for practical expert coordination.<sup>122</sup>

In terms of reviewing implementation of the Trafficking in Persons Protocol, a Global Plan of Action could offer a kind of road map on how such a process should proceed in respect of all international legal instruments pertaining to human trafficking.<sup>123</sup>

Other respondents offered a competing view, arguing that a more effective approach would be to develop **regional or sub-regional plans of action** <sup>124</sup> supported by bilateral agreements. It was also argued that a Global Plan of Action would divert valuable resources and attention from on-the-ground efforts to implement the Trafficking in Persons Protocol.<sup>125</sup>

Respondents also proposed that the newly created Working Group on Trafficking in Persons established by the Conference of the Parties should be given the opportunity to fulfil its mandate before considering the creation of another coordination mechanism.<sup>126</sup>

## **Recommendations and conclusions**

Trafficking in persons has emerged from its marginal status a decade ago into a high-profile crime and human rights issue. The Trafficking in Persons Protocol, together with programmes such as UN-GIFT and associated media campaigns, have raised international awareness of the need for action and elicited intense legislative activity and increased investigative and judicial measures. Yet many States are not yet parties to the Trafficking in Persons Protocol, and many States Parties are not yet using the potentially important legal tool to bring traffickers to the bar of justice. This speaks to a deficit of political will.

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<sup>121</sup> Belarus, Ecuador.

<sup>122</sup> Belarus.

<sup>123</sup> Belarus.

<sup>124</sup> USA.

<sup>125</sup> United Kingdom, USA.

<sup>126</sup> USA.

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With the will and determination to act, legal limitations and impediments to action will be highlighted and then must be addressed. Some are obstacles typical to all criminal justice responses to complex transnational crimes: lack of understanding of covert criminal activities, difficulties to operationalize legislative frameworks, lack of capacity to investigate, prosecute and convict offenders, difficulties for national and international actors to work together. Other difficulties are associated with the human aspect of trafficking in persons: identifying victims; encouraging those who are reluctant to come forward; and protecting and supporting traumatized victims who most often are also unlawful immigrants.

The views of the large number of diverse stakeholders who responded to the Secretariat's appeal for input into the present paper have identified a number of key areas where action can lead to progress in fighting trafficking: extend the network of States able to cooperate under the Trafficking in Persons Protocol; address decisively such overlooked forms of trafficking as that committed for labour exploitation; train investigators and prosecutors; create opportunities for them to network with counterparts and enable them to specialize; and, above all else, understand and address at all stages the situation and needs of victims in order to enlist their cooperation and protect their rights as human beings.

In all these areas, promising practices are emerging. Efforts to support this process must be systematically and aggressively pursued. Technical assistance is crucial to achieving that objective but is frustrated by the lack of coordination and the lack of reliable global data. At this juncture -- 10 years after the adoption of the Trafficking in Persons Protocol - - the international community must take stock of its efforts, rationalize their pursuit and fill possible gaps in the instruments at its disposal.

All of these deficits are reflective of inadequate political will by the international community. It is thus urgent, and imperative, that the means to foster such will and determination are identified and employed. Many, though not all, respondents, argued that the adoption by the General Assembly of a Global Plan of Action would be one concrete way to create the necessary environment to ensure an effective international response to "the crime that shames us all" -- the trafficking in human beings.

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## **Annex I: List of respondents**

African Group on behalf of its 53 States, Argentina, Australia, Austria, Belarus, Belgium, Bosnia, Bulgaria, Cambodia, Canada, China, Croatia, Czech Republic, Ecuador, Egypt (Arab Republic of), Estonia, France, Germany, Greece, Jamaica, Japan, Kenya, Kuwait, Latvia, Macedonia, Malta, Mexico, Mongolia, Netherlands, Norway, Oman, Peru, Poland, Qatar, Serbia, Seychelles, Slovak Republic, Slovenia, Sri Lanka, Sudan, Switzerland, Turkey, United Arab Emirates, Ukraine, United Kingdom, Uruguay, United States of America, Uzbekistan.

United Nations Division for the Advancement of Women (UNDAW), United Nations Economic and Social Commission for Asia and the Pacific (ESCAP), United Nations Office on Drugs and Crime (UNODC), United Nations Population Fund (UNFPA), United Nations Children's Fund (UNICEF).

Asian Development Bank (ADB), Commonwealth of Independent States (CIS), Council of Europe, European Commission (EC), European Union's Judicial Cooperation Unit (EUROJUST), European Police Office (EUROPOL), International Centre for Migration Policy Development (ICMPD), International Criminal Police Organization (INTERPOL), International Development Law Organization (IDLO), International Organization for Migration (IOM).

Caritas Internationalis, Global Alliance Against Traffic in Women (GAATW), Concern Universal (Bangladesh), Human Rights Watch (HRW), International Council of Women (ICW), International Federation of Red Cross and Red Crescent Societies, International Police Association, La Strada International, National Council of German Women Organizations (NCGW), Pax Romana, Payoke (Belgium), Soroptimist International, Suzanne Mubarak Women's International Peace Movement/ End Human Trafficking Now! (SMWIPM/EHTN), Terre des Hommes International Federation, Thengamara Mohila Sabuj Sangha (Bangladesh), United Nations African Institute for the Prevention of Crime and the Treatment of Offenders (UNAFRI).

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## **Annex II**

### **Recommendations adopted by the meeting of the Open-ended Interim Working Group on Trafficking in Persons, held in Vienna on 14 and 15 April 2009**

The Working Group on Trafficking in Persons adopted the recommendations below for consideration by the Conference of the Parties at its fifth session.

#### **A. General recommendation**

1. With regard to the overall mandate of the Working Group outlined in Conference decision 4/4, the Working Group recommended that States adopt a comprehensive and balanced approach to combating trafficking in persons, *inter alia*, through mutual cooperation, in recognition of States' shared responsibility as countries of origin, destination and transit.

#### **B. Universal adherence**

2. With regard to achieving universal adherence to and effective implementation of the minimum requirements outlined in the Trafficking in Persons Protocol as an initial step toward combating trafficking in persons, States that have not yet done so should become Parties to the Organized Crime Convention and the Trafficking in Persons Protocol.

3. In order to achieve a better understanding of the obstacles that States, in particular signatories to the Trafficking in Persons Protocol, may have in becoming parties to the Trafficking in Persons Protocol, the Conference should consider the inclusion of an optional question, on the status of the ratification process, in the assessment checklist on the implementation of the Organized Crime Convention and its Protocols.

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### **C. Adequate national legislation**

4. With regard to the adoption of adequate national legislation, the Secretariat should step up its legislative assistance activities to respond to the needs of requesting States.

5. States parties should:

(a) Criminalize conduct that facilitates and supports trafficking in persons;

(b) Enact legislation for the implementation of the Organized Crime Convention, in particular legislation that criminalizes participation in an organized criminal group and corruption, and establish trafficking in persons as a predicate offence for the laundering of the proceeds of crime.

### **D. Definition of concepts**

6. With regard to the definition of concepts that might require further clarity, the Secretariat should prepare, in consultation with States parties, issue papers to assist States parties in better understanding and interpreting key concepts of the Trafficking in Persons Protocol, especially legally relevant definitions in order to assist criminal justice officers in penal proceedings.

### **E. Prevention and awareness raising**

7. With regard to prevention and awareness-raising, States parties should:

(a) Consider the inclusion of trafficking in persons in public education curricula;

(b) Launch awareness-raising campaigns directed at the general public, at specific groups and at communities vulnerable to being trafficked, taking into account local contexts. In doing so, they should consider making effective utilization of mass media (radio and television programmes, including soap

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operas able to reach vulnerable groups, and the press), and of important public events or personalities;

(c) Consider discussing plans for awareness-raising campaigns with the Secretariat and other States parties who have launched similar campaigns;

(d) Explore modalities to reinforce education and awareness-raising of users and potential users of sexual services and the products of forced labour and of other types of exploitation and to increase their understanding of trafficking in persons and violence against women and children.

## **F. Training**

8. With regard to training, States parties should provide training to front-line law enforcement officials (police officers, labour inspectors, immigration officers and border guards), soldiers involved in peacekeeping missions, consular officers, prosecutorial and judicial authorities, medical services providers and social workers, involving relevant non-governmental organizations and civil society representatives, where appropriate and in line with national legislation, in order to enable national authorities to respond effectively to trafficking in persons, especially by identifying the victims of such trafficking.

9. The Secretariat should step up the provision of capacity-building activities to requesting States by organizing training courses and seminars.

## **G. Trafficking for labour exploitation**

10. With regard to trafficking for labour exploitation, States parties should:

(a) Strengthen partnerships with the private sector in order to effectively combat trafficking for labour exploitation;

(b) Discourage the demand for exploitative services and the products of forced labour by ensuring that Governments first properly identify exploitative services



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and products of forced labour and then raise public awareness of such services and products.

## **H. Non-punishment and non-prosecution of trafficked persons**

11. With regard to the non-punishment and non-prosecution of trafficked persons, States parties should:

(a) Establish appropriate procedures for identifying victims of trafficking in persons and for giving such victims support;

(b) Consider, in line with their domestic legislation, not punishing or prosecuting trafficked persons for unlawful acts committed by them as a direct consequence of their situation as trafficked persons, or where they were compelled to commit such unlawful acts.

## **I. Victim protection and assistance**

12. With regard to victim protection and assistance, States parties should:

(a) Adopt a human rights-based approach to victim protection and assistance, that is not contingent on the citizenship and immigration status of the victim;

(b) Develop and apply minimum standards for the protection and assistance of victims of trafficking in persons;

(c) Ensure victims are provided with immediate support and protection, irrespective of their involvement in the criminal justice process. Such support may include a right to stay temporarily or, in appropriate cases, permanently in the territory where they are identified;

(d) Ensure that appropriate procedures are in place to protect the confidentiality and privacy of victims of trafficking;

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(e) Develop, disseminate to practitioners and systematically use criteria for the identification of victims;

(f) Ensure that national legislation against trafficking in persons criminalizes the threat or intimidation of victims of such trafficking or of witnesses in related criminal proceedings;

(g) Address the need for a more effective allocation of funds for assisting victims;

(h) Ensure that responses to child trafficking at all levels are always based on the best interest of the child.

#### **J. Compensation for victims of trafficking**

13. With regard to the compensation for victims of trafficking, States parties should consider the possibility of establishing appropriate procedures to allow victims to obtain compensation and restitution.

#### **K. Protection of victims as witnesses**

14. With regard to the protection of victims as witnesses, States parties should ensure measures for the protection of victims, including the provision of temporary and safe shelter and witness protection procedures, where appropriate.

15. The Secretariat should evaluate whether its work on good practices for the protection of witnesses in criminal proceedings involving organized crime could be supplemented by additional work in the area of countering trafficking in persons.

#### **L. Coordination of efforts at the national level**

16. With regard to the coordination of efforts at the national level, States parties should:

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(a) Establish national coordinating bodies or inter-ministerial task forces composed of officials from relevant Government ministries (dealing with justice, internal affairs, health and welfare, labour, immigration, foreign affairs etc.). Such mechanisms could develop comprehensive and coordinated policies against trafficking in persons while promoting better cooperation, monitoring the implementation of national action plans and promoting research on trafficking in persons, taking into account the work of relevant national non-governmental organizations;

(b) Develop coordination mechanisms at the local or district level, including non-governmental service providers whenever possible.

#### **M. Data collection, research and analysis**

17. With regard to data collection, research and analysis, the Conference should:

(a) Explore the advisability of the development of a real-time online tool to assess trends and patterns in trafficking in persons;

(b) Consider the advisability of having UNODC continue to produce the *Global Report on Trafficking in Persons*, based on the information collected through existing data collection mechanisms;

(c) Request States parties to contribute national data to a database administered by the Secretariat to measure the response to trafficking in persons.

#### **N. Provision of technical assistance to implement the Trafficking in Persons Protocol**

18. With regard to the provision of technical assistance to implement the Trafficking in Persons Protocol, the Secretariat should:

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(a) Continue to provide technical assistance to States parties, upon request, to assist them in implementing the Organized Crime Convention and its Protocols;

(b) Prepare a list of cost-efficient measures and tools, in consultation with States parties, to respond to trafficking in persons;

(c) Develop, disseminate and systematically use criteria for the identification of victims, in consultation with States parties.

**O. The role of the Conference of the Parties in coordinating international action against trafficking in persons**

19. With regard to the role of the Conference of the Parties in coordinating international action against trafficking in persons, the Conference should consider:

(a) Establishing an online real-time mechanism to update the information submitted by States parties through the self-assessment checklist on the implementation of the Organized Crime Convention and its Protocols;

(b) Requesting the intergovernmental meeting of experts referred to in Conference decision 4/1 to pay attention to ways and means of achieving and measuring progress as well as to define needs for technical assistance in implementing the Trafficking in Persons Protocol;

(c) Establishing greater linkages and increasing exchange of information with other United Nations treaty bodies and the Special Rapporteur on trafficking in persons, especially women and children;

(d) Requesting the Secretariat to continue coordinating the Inter-Agency Cooperation Group against Trafficking in Persons and report on its activities.

**P. Regional approach to combating trafficking in persons**

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20. With regard to the adoption of a regional approach to combat trafficking in persons, the Conference should consider and encourage regional cooperation in responding to trafficking in persons and promoting the implementation of the Trafficking in Persons Protocol, while avoiding duplication of efforts in that regard.

21. The Secretariat should exchange more information with regional and other international organizations involved in fighting trafficking in persons.

**Q. International cooperation at the operational level**

22. With regard to international cooperation at the operational level, the Secretariat should establish a network of national contact points for efforts to counter trafficking in persons based on existing available contact points with which work could be done to promote timely regional and international cooperation.

23. States parties should:

(a) Utilize those provisions of the Organized Crime Convention that facilitate the use of joint investigation teams and special investigative techniques in the investigation of cases of trafficking in persons at the international level;

(b) Utilize the Organized Crime Convention and other multilateral legal instruments to develop and strengthen international judicial cooperation, including with regard to extradition, mutual legal assistance and confiscation of the proceeds of trafficking in persons;

(c) Organize and participate in training sessions for central authorities and others involved in judicial cooperation at the regional or interregional level, especially involving States parties connected through trafficking flows as countries of origin, transit and destination.

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## **Annex III**

### **Framework for Action for an Effective Implementation of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (Narrative)**

#### **Introduction**

The Framework for Action is a technical assistance tool that aims to assist United Nations Member States in the effective implementation of the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (UN Trafficking Protocol). The Framework for Action consists of a narrative part and of a set of tables. The narrative describes key challenges in the implementation of the UN Trafficking Protocol and proposes general measures that can be taken in order to more effectively address these challenges. The set of tables details these measures further, through five pillars containing practical actions to support the implementation of the UN Trafficking Protocol.

or the purpose of the General Assembly Thematic Debate on Human Trafficking only the draft narrative part is available, as the tables are still under development. Once finalized, the Framework comprised of both the narrative and the tables will be available for Member States as a technical assistance tool.

#### **Acknowledgments**

The Framework for Action is being prepared by UNODC in consultation with the following experts who have contributed to this tool in their individual capacity: Ms Marie-Anne Baulon (Ministry of Foreign Affairs, France), Ms Doris Buddenberg (UN.GIFT/UNODC), Ms Sheila Coutts (UN.GIFT/UNODC), Mr Richard Danziger (IOM), Mr David Dolidze (Council of Europe), Ms Aranka-Livia Drha (UN.GIFT/UNODC), Ms Zsofia Farkas (Terre des Hommes), Mr Martin Fowke (UNODC), Ms Francesca Friz-Prguda (UNHCR), Ms. Anne Gallagher (OHCHR consultant), Ms. Gao Yun (ILO), Mr Fernando Garcia-Robles (Organization of American States), Ms. Anelise Gomes De Araujo (OSCE), Ms Vera Gracheva (OSCE), Mr Shadrach Haruna (UNODC), Ms Tejal Jesrani (UNODC), Ms Kristiina Kangaspunta (UNICRI), Ms Lena Karlsson (UNICEF), Ms Mariana Katarova (OHCHR), Ms Anja Klug (UNHCR), Ms Andrea Koller (UNODC), Ms Julie Kvammen (UNODC), Ms Marika McAdam (UNODC), Ms Eurídice Márquez Sánchez (IOM), Jonathan Martens (IOM), Mr Mohamed Mattar (The Protection Project, John Hopkins University), Ms.

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Yoshie Noguchi (ILO), Mr Theo Noten (ECPAT International), Mr. Roger Plant (ILO), Ms Riikka Puttonen (UNODC), Ms Evelyn Probst (IBF/LEFö), Ms Narue Shiki (UN.GIFT/UNODC), Ms Klara Skrivankova (Anti-Slavery International), Ms Alexia Taveau (UNODC), Ms Susu Thatun (UNICEF), Hans van de Glind (ILO). The principal drafter of the Framework for Action is Ms Georgina Vaz Cabral (UNODC consultant).

This tool would not have been possible without the financial support of the Government of France.

## **I. What is the Framework for Action**

The Framework for Action is a technical assistance tool that assists United Nations Member States in the effective implementation of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (UN Trafficking Protocol), supplementing the United Nations Convention against Transnational Organized Crime (UNTOC).

The Framework is based on the objectives of the UN Trafficking Protocol<sup>127</sup> and its provisions, following the three internationally recognized themes of prevention, protection and prosecution (the 3Ps) and national and international cooperation and coordination. It recommends operational measures for each of the Protocol's provisions. These measures draw on other international instruments, political commitments, guidelines and good practices to enable the implementation of a comprehensive anti-human trafficking response.

The Framework will assist Member States in identifying gaps and putting in place additional measures they may need, in conformity with international standards. The proposed measures and the resource documents listed are non-exhaustive and therefore should be complemented by additional measures and tailored to countries' regional and national context as well as institutional and legal systems.

The UN Trafficking Protocol was open for signature in December 2000. Almost a decade has since passed. Accordingly, the Framework reflects not only the text agreed upon a decade ago, but the knowledge and experience gained over the last 10 years in attempting to give life to that text for all those who respond to trafficking in persons and, most importantly, those who are victimized by it.

## **II. Why elaborate a Framework for Action**

The UN Trafficking Protocol stresses the need to adopt a comprehensive approach to trafficking in persons which addresses all aspects of the crime and which balances criminal justice concerns with the need to ensure the rights and protection of victims.

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<sup>127</sup> The purpose of the UN Trafficking Protocol is defined in its Article 2:

- a) To prevent and combat trafficking in persons, paying particular attention to women and children;
- b) To protect and assist the victims of such trafficking, with full respect for their human rights; and
- c) To promote cooperation among States Parties in order to meet those objectives.

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The UN Trafficking Protocol entered into force on 25 December 2003. Since then, while there has been progress in the number of ratifications (128 State Parties as of April 2009) generating amendments to national legislation, there has been less evidence of its effective implementation.

An overview of national measures and practices for the implementation of the Protocol provisions<sup>128</sup> has shown that the majority of States Parties to the Protocol have adopted at least a minimal legislative and institutional framework to ensure such implementation. However, in view of the varying capacity of Member States to fully implement existing or future measures in the areas under discussion, it concluded that more concerted efforts have to be made to help Member States in need to develop effective and multidisciplinary anti-trafficking strategies and build dedicated and sustainable resources to implement such strategies (CTOC/COP/2006/6/Rev.1).

The same conclusion can be drawn from the results of the UN.GIFT data collection published in the UNODC Global Report on Trafficking in Persons<sup>129</sup> which demonstrates that, as of November 2008, 80% of the 155 countries and territories covered by the report had legislation comprising a specific offence on trafficking in persons in place. However, 40% of the 155 countries covered by the report did not record a single conviction for trafficking in persons from 2003 until 2008. The remaining 60% recorded less than 10 convictions per year from 2003 to 2008.<sup>130</sup>

### **III. Main cross-cutting challenges in the fight against trafficking in persons**

The growing number of States Parties to the UN Trafficking Protocol is an expression of the political will of Member States to combat human trafficking. Nevertheless, ratification in itself is not sufficient to ensure its effective implementation and impact on the ground.

The relevant reports of the Secretariat to the Conference of Parties to the Convention<sup>131</sup>, an analysis of existing regional and national action plans and corresponding evaluation reports and recent publications such as the Global Report on Trafficking in Persons all serve to highlight key cross-cutting challenges in the response to trafficking in persons.

A consistent challenge in the practical implementation of anti-human trafficking activities is allocation of resources.

The main topical challenges identified in prevention, protection and prosecution efforts lie in the three following areas: i) knowledge and research, ii) capacity-building and development and iii) monitoring and evaluation.

In addition to the abovementioned topical challenges, insufficient allocation of resources is a consistent challenge in the practical implementation of anti-human trafficking activities.

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<sup>128</sup> Based on the responses to the questionnaire for the review of the implementation of the United Nations Convention against Transnational Organized Crime and the UN Trafficking Protocol, CTOC/COP/2006/6/Rev.1.

<sup>129</sup> <http://www.unodc.org/unodc/en/human-trafficking/global-report-on-trafficking-in-persons.html>

<sup>130</sup> UNODC Global Report on Trafficking in Persons, p. 40.

<sup>131</sup> CTOC/COP/2005/3/Rev.2, CTOC/COP/2006/6/Rev.1.



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## 1. Knowledge and research

Knowledge of and research into the specific national, regional and international trafficking in persons context is a prerequisite for the elaboration, implementation and evaluation of anti-human trafficking strategies and development of evidence-based policies. Knowledge and research are also paramount to overcoming the current partial understanding of the crime.

Although most countries have adopted a specific offence on trafficking in persons, there is still a diversity of interpretations of and approaches to the Protocol and the definition of trafficking in persons used by Member States. Some only acknowledge certain forms of exploitation or certain categories of victims or criminals, thereby limiting the scope and effectiveness of the response and hindering international cooperation among countries.

In order to strengthen national, regional and global efforts to fight human trafficking, a better understanding of the scope and nature of this crime is needed. Many countries still do not collect even basic data and many are not collecting data in a way that facilitates insight into the national situation, let alone meeting standards of international comparability<sup>132</sup>. The data available is rarely disaggregated by age, gender, nationality, ethnicity, disability or forms of exploitation.

In addition, there is a need for additional targeted and qualitative research to provide insight into the multi-faceted dimensions of the crime. Research should include knowledge of the social, cultural and economic circumstances that make children and adults vulnerable to trafficking; knowledge of the demand factors which fuel all forms of trafficking in persons; knowledge of the routes, changes in patterns/trends and modus operandi of the perpetrators; and knowledge of the social, cultural and legal responses that enable effective protection, rehabilitation, and integration or reintegration of victims.

## 2. Capacity-building and development

Member States are faced with different challenges in preventing and combating trafficking in persons, not only because the extent and nature of the problem varies but also due to different capacities across countries and regions.

For this reason, strengthening capacity at the national level is necessary so that Member States have the institutional and technical ability to develop, implement and assess their own anti-human trafficking policies and strategies.

In view of the complex and changing nature of the crime, it is also essential that countries be able to strengthen, adapt and maintain the required capacity over time.

A review of the reports of the Open-ended Interim Working Group of Government Experts on Technical Assistance (CTOC/COP/2008/7) and of the first and second round of questionnaires on the implementation of the UNTOC and UN Trafficking Protocol and

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<sup>132</sup> UNODC, *Global Report on Trafficking in Persons*, 2009.

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the background paper prepared by the Secretariat containing proposals for technical assistance activities (CTOC/COP/WG.2/2007/2), as well as the UNODC Global Report on Trafficking in Persons (2009), highlight the capacity-building needs of Member States in all areas of the response to trafficking in persons, namely: prevention, protection, prosecution, cooperation and coordination.

For example, Member States must strengthen their capacity to analyze and develop national policies and strategies for the implementation of the UN Trafficking Protocol, supported by national inter-agency coordination mechanisms in consultation with civil society. Likewise, Member States should be able to develop and carry out information and awareness-raising programs for policy-makers, criminal justice practitioners, border and immigration authorities, labour inspectors, workers' and employers' organizations, health practitioners and social workers, among others, in order to effectively prevent and combat trafficking in persons.

### **3. Monitoring and evaluation**

Systematic gathering and analysis of data on trafficking in persons is an important step for increasing the knowledge base and for monitoring trends and patterns at national, regional and international levels. In addition, data gathering and analysis are important as they help to set baselines against which Member States can assess progress in the implementation of national policies, strategies and programmes.

The United Nations Convention against Transnational Organized Crime established a Conference of the Parties as a vehicle for States Parties to report on their implementation of the Convention<sup>133</sup>. At its first session, the Conference of the Parties, *inter alia*, established a programme of work for reviewing periodically the implementation of the Trafficking in Persons Protocol<sup>134</sup>, as per article 32 of the Convention.

The UNHCHR Recommended Principles and Guidelines recommend that Member States establish mechanisms to monitor the human rights impact of anti-trafficking laws, policies, programmes and interventions. Consideration should be given to assigning this role to independent national human rights institutions where such bodies exist. Non-governmental organizations working with trafficked persons should be encouraged to participate in monitoring and evaluating the human rights impact of anti-trafficking measures<sup>135</sup>.

In view of the multi-disciplinary nature of trafficking in persons and the number of government and non-governmental institutions working on the issue, Member States should ensure a common national system for collecting and sharing information so that different agencies use common standard language, methods and procedures that allow for comparability within countries and across them.

Equally important is that Member States use the findings from regular monitoring and impact evaluations in order to help identify gaps in the national response and adapt, take

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<sup>133</sup> According to the 2006 implementation report of the Conference of the Parties.

<sup>134</sup> See CTOC/COP/2004/6 and Corr.1, Chapter. I.

<sup>135</sup> UNHCHR, Recommended Principles and Guidelines on Human Rights and Human Trafficking, Guideline 6: Protection and support for trafficked persons, E/2002/68/Add.1, 2002, Guideline 1, paragraph 7.

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course-corrective actions or additional measures and/or make the necessary changes in policies or strategies to prevent and combat trafficking in persons.

#### **IV. How to address the challenges**

##### ***A) Guiding principles***

In order to address these challenges, there are a number of interacting principles applicable to all aspects of a comprehensive anti-human trafficking response.

- Human rights-based approach: The human rights of trafficked persons should be at the centre of all efforts to prevent and combat trafficking and to protect, assist and provide redress to victims. Anti-trafficking measures shall not adversely affect the human rights and dignity of persons, in particular the rights of those who have been trafficked, and of migrants, unaccompanied and separated children, internally displaced persons, refugees and asylum-seekers<sup>136</sup>.
- Principle of non-discrimination: The measures set out in the UN Trafficking Protocol should be interpreted and applied in a way that is not discriminatory to persons on the ground that they are victims of trafficking in persons. The interpretation and application of those measures should be consistent with internationally recognized principles of non-discrimination<sup>137</sup>.
- Gender perspective: Trafficking in both men and women should be acknowledged and the similarities and differences in the trafficking experience of women and men, in relation to vulnerabilities and violations should be addressed. The differential impacts of policies on men and women should also be taken into account<sup>138</sup>.
- Child-Rights approach and child participation: All actions undertaken in relation to child victims and children at risk should be guided by applicable human rights standards and in particular by the principles of protection and respect for children's rights as set out in the United Nations Convention on the Rights of the Child (CRC) and in its Optional Protocol on the sale of children, child prostitution and child pornography. 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 child victims and children at risk, the best interest of the child shall be the primary consideration<sup>139</sup>.
- The UN Trafficking Protocol and other international instruments<sup>140</sup>: The UN Trafficking Protocol supplements the United Nations Convention against Transnational Organized Crime and should be interpreted together with the Convention. Nothing in the Protocol shall affect the rights, obligations and responsibilities of States and individuals under international law, including international humanitarian law and international human rights

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<sup>136</sup> UNHCHR Principle of Primacy of human rights, E/2002/68/Add.1.

<sup>137</sup> Article 14 of the UN Trafficking Protocol.

<sup>138</sup> UNIFEM, Trafficking in Persons: a Gender and Rights Perspective, 2002.

<sup>139</sup> UNICEF Guidelines on the Protection of Child Victims of Trafficking, 2006.

<sup>140</sup> See list of relevant international Conventions cf. UNODC Toolkit pp. 16-21.

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law, international labour standards and, in particular, where applicable, the 1951 Convention and the 1967 Protocol Relating to the Status of Refugees and the principle of *non-refoulement* as contained therein<sup>141</sup>.

- Comprehensive international approach: Effective action to prevent and combat trafficking in persons, especially women and children, requires a comprehensive international approach in the countries of origin, transit and destination that includes measures to prevent such trafficking, to punish the traffickers and to protect the victims of such trafficking, including by protecting their internationally recognized human rights<sup>142</sup>.
- Inter-disciplinary, coordinated, integrated approach: As a multi-disciplinary problem, trafficking in persons requires that policies on a variety of issues are coordinated and consistent with the objective of preventing and combating trafficking in persons. Member States must ensure coordination among the various governmental agencies involved in anti-trafficking activities, among those agencies and NGOs, and among the agencies in one Member State and those in others<sup>143</sup>.
- Evidence-based approach: Policies and measures to prevent and combat trafficking in persons should be developed and implemented based on data collection and research and regular monitoring and evaluation of the anti-trafficking response.
- Sustainability: A sustainable anti-trafficking response is one that endures over time and is able to adapt creatively to changing conditions. Sustainability refers to coherence of practices in both time and efficiency.

## ***B) The Framework for Action***

The Framework for Action focuses on five key pillars of intervention needed to ensure an effective and comprehensive anti-trafficking response: prosecution, protection, prevention, national cooperation and coordination, and international cooperation and coordination.

### **a. Prosecution**

Trafficking in persons remains largely under-prosecuted and punished. Although many countries have a specific offence criminalizing trafficking in persons in all or most of its forms, many countries still do not have a legal framework covering all provisions of the Protocol in a comprehensive manner. Conviction rates under the specific offence of trafficking remain low. In order to improve prosecution efforts, the following measures are required:

1. Develop or strengthen national legal frameworks so that they are comprehensive and in compliance with the UN Trafficking Protocol and ensure their implementation in line with the Protocol and other international standards, prioritizing the rights of victims:

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<sup>141</sup> Article 14 UN Trafficking Protocol.

<sup>142</sup> Preamble of the UN Trafficking Protocol.

<sup>143</sup> Measuring Responses to Trafficking in Human Beings in the European Union: an Assessment Manual, Directorate General Freedom, Security and Justice, 2007.

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- i. Ensure that trafficking in persons is a criminal offence as defined in the UN Trafficking Protocol and prioritize the prosecution of trafficking in persons rather than related offences.
    - ii. Ensure criminalization of crimes related to trafficking in persons, such as corruption, money laundering, obstruction of justice and participation in an organized criminal group.
    - iii. Ensure that penalties and sanctions are appropriate and proportionate to the gravity of the crime and that proceeds of trafficking in persons are confiscated.
    - iv. Ensure the rights of victims, including the rights of victims and witnesses to protection before, during and after the prosecution of the crime, as well as effective collaboration between law enforcement and social welfare, and civil society.
    - v. Ensure that victims of trafficking are protected from secondary victimization and from punishment for offences they may have committed as a result of being trafficked.
  2. Ensure the enforcement of national anti-human trafficking legislation including by issuing regulations, circulars and/or administrative guidelines and by strengthening the capacity of criminal justice practitioners.
  3. Ensure the establishment of relevant institutions, such as specialized police units and judicial structures.
  4. Develop proactive, intelligence led investigative techniques without reliance on the testimony of victims<sup>144</sup>, and establish and ensure implementation of judicial procedures to avoid the double victimization of trafficked persons, in particular children, during the judicial process.<sup>145</sup>
  5. Address corruption in all stages of the trafficking process, recognizing corruption as a major obstacle to effective prevention, protection and prosecution.

## **b. Protection**

Many victims of trafficking are not identified and therefore remain unprotected. The identification of trafficked persons is a prerequisite for their access to assistance and protection. Many countries still need to establish or improve victim identification processes and the corresponding referral mechanisms. In order to improve the protection of victims, the following measures are required:

1. Adopt or amend the necessary legislative measures for comprehensive protection of and assistance to victims of trafficking.
2. Develop or strengthen the identification process, including through identification guidelines and procedures and other effective identification techniques.
3. Ensure the enforcement of legislation measures including by issuing regulations, circulars and/or administrative guidelines.
4. Establish or strengthen national referral mechanisms for victim protection and assistance, including referral to the asylum-system where appropriate.
5. Ensure the application of international standards and a human rights based approach to victim protection and assistance irrespective of their cooperation with law enforcement, taking into account a gender-perspective and the special needs of children. Such an approach includes access to a range of assistance services, granting a reflection period, access to compensation, possibility of temporary or permanent residency and non-liability of victims for their involvement in unlawful activities as a result for being trafficked.

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<sup>144</sup> European Commission Directorate-General Justice, Freedom and Security, *Report of the Experts Group on Trafficking in Human Beings*, 2004, p. 41.

<sup>145</sup> M. Dottridge, *Child trafficking for sexual purposes*, ECPAT International, 2008, p. 24.

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6. Develop or strengthen national child protection systems at national and local level.
  7. Ensure that any decision to return a trafficked person is preceded by a risk assessment and that effective and long term assistance aimed at the empowerment and social inclusion of trafficked persons either in their home country or the country of destination is provided, therefore minimizing the risk of re-trafficking.

### **c. Prevention**

Prevention is one of the most important aspects of an effective anti-human trafficking response. However, not all prevention strategies are integrated into broader policies related to trafficking in persons and many lack evidence-based research and planning as well as impact evaluations. In order to improve prevention strategies and programmes, the following measures are required:

1. Establish comprehensive policies and programmes to prevent trafficking in persons and to protect victims from re-victimization, including measures to promote/support lawful migration.
2. Ensure effective child protection systems and the active participation of children in the development of preventive measures.
3. Ensure coherence among public policies related to trafficking in persons (migration, crime prevention, education, employment, health, security, non-discrimination, economic development, protection of human rights, child protection, among others).
4. Develop or strengthen measures to reduce vulnerability to trafficking by addressing its root causes and to discourage the demand that fosters all forms of trafficking in persons.
5. Conduct needs assessments for and impact evaluations of prevention strategies and programmes.

### **d. National cooperation and coordination**

Trafficking in persons is a complex multi-faceted crime. The fight against trafficking requires the involvement of all sectors of society and a wide array of national institutions. This can lead to duplication of efforts, inefficient use of resources, incoherent or contradictory interventions and it can result in a less effective response. Member States must have inter-agency coordination and cooperation mechanisms in place that allow for information exchange, strategic planning, division of responsibilities and sustainability of results. In order to improve national cooperation and coordination, the following measures are required:

1. Ensure the development and implementation of comprehensive and evidence-based policies on trafficking in persons and ensure coherence with other related policies.
2. Establish a system or mechanism of multidisciplinary cooperation and coordination among relevant stakeholders, such as governmental institutions (including law enforcement agencies, judicial authorities, labour inspectorates, immigration and asylum authorities), non-governmental organizations, victim service providers, health institutions, child protection institutions, trade unions, workers' and employers' organizations, and the private sector.
3. Ensure monitoring and evaluation of national strategies and/or plans of action to assess progress and impact in order to enable course-corrective actions, additional measures and/or changes in national policies.

### **e. International cooperation and coordination**

Trafficking in persons is a crime that is often committed across borders and therefore requires Member States to cooperate and coordinate among themselves and with international and regional

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organizations. Member States often do not have the capacity to prevent, investigate, adjudicate and punish transnational crimes because international cooperation is either non-existent or inadequate. Moreover, international mechanisms or structures must be in place to improve the coordination of efforts of international and regional organizations. In order to improve international cooperation and coordination, the following measures are required:

1. Create the legal basis for international cooperation, including the promotion of cooperation agreements.
2. Develop or strengthen national capacity in extradition, mutual legal assistance, transfer of sentenced persons, joint investigations, international cooperation for purposes of confiscation.
3. Develop or strengthen national capacities for the identification, return, risk assessment and reintegration of victims of trafficking, with special consideration to the best interest of the child, and establish cooperation between countries of destination, transit and origin.
4. Develop or strengthen international cooperation to govern migration for employment.
5. Promote formal and informal cooperation, such as establishing communications procedures, and information and data exchange.
6. Ensure coherence in policy recommendations and technical assistance provided by international and regional organizations.
7. Ensure division of labour based on organizations' mandates and core competencies in order to avoid unnecessary duplication of efforts and to rationalize activities to make them cost-effective.
8. Promote cooperation and joint programming among international and regional organizations for the development and implementation of common strategies and programmes.

## V. How to read the Framework for Action

The Framework for Action guides Member States in the implementation of the UN Trafficking Protocol in each of the five pillars needed to ensure an effective and comprehensive anti-trafficking response: prosecution, protection, prevention, national and international cooperation, and international cooperation and coordination.

For each of the five pillars, the Framework is sub-divided into specific objectives, framework indicators, implementation measures, operational indicators and resources.

The *Protocol requirements* list the provisions set out in the UN Trafficking Protocol.

The *specific objectives* describe the intent of the provisions.

The *framework indicators* are the minimum standards required, mainly legal and institutional indicators, for the implementation of the Protocol provisions.

The *implementation measures* specify practical recommended actions to achieve an effective implementation of the UN Trafficking Protocol.

The *operational indicators* refer to the implementation measures. They measure the implementation and help monitor change over time<sup>146</sup>.

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<sup>146</sup> The corresponding information should not only be collected but also disaggregated, e.g for personal data, by age, sex, nationality, social and economic background; for acts of trafficking, different means utilized, forms of exploitation and duration of exploitation; for service provision, whether services are provided by state or non-state actors. This list is non-exhaustive.

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The *resources* refer to relevant documents, existing guidance, tools and good practices that can assist Member States in the implementation of the specific objectives outlined in the Framework for Action.





# General Assembly

Distr.: General  
7 July 2009

Original: English

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## Sixty-fourth session

Item 103 of the preliminary list\*

### Crime prevention and criminal justice

## Improving the coordination of efforts against trafficking in persons

### Report of the Secretary-General

#### *Summary*

Pursuant to General Assembly resolution 63/194, the present report summarizes the work done by the United Nations Office on Drugs and Crime to implement that resolution and contains proposals on strengthening the capacities of the Office for the efficient implementation of its coordination functions.

1. In its resolution 63/194, the General Assembly called upon the Secretary-General to collect the views of all stakeholders, including Member States and regional and international organizations, on how to achieve the full and effective coordination of efforts against trafficking in persons of all Member States, organizations and machineries, treaty bodies and all other partners within and outside the United Nations system, including civil society, and to ensure the full and effective implementation of all legal instruments relevant to trafficking in persons, particularly the United Nations Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (Trafficking in Persons Protocol), and to submit a background paper to the General Assembly at its sixty-third session.

2. The Secretary-General presented the background paper to the General Assembly on 5 May 2009, summarizing the views of a broad and diverse group of Member States, international organizations and civil society stakeholders on the aforementioned issues. The background paper also summarized responses addressing the advisability of adopting a global plan of action on preventing trafficking in persons, prosecuting traffickers and protecting and assisting victims of

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\* A/64/50.



trafficking, including its potential value in ensuring efficient and coordinated action against trafficking in persons.

3. The background paper informed the interactive dialogue of the General Assembly on the theme “Taking collective action to end human trafficking”, held on 13 May 2009 in New York. In the course of the dialogue, delegations considered the advisability of a global plan of action. Overall, there was consensus on the need for greater political will and commitment to prevent and combat trafficking in persons, the need to strengthen international efforts and collective action by Member States and other stakeholders and the need to ensure universal ratification of the United Nations Convention against Transnational Organized Crime, the Trafficking in Persons Protocol and other relevant international instruments.

4. The main arguments presented by Member States in favour of a global plan of action were that it would foster the necessary political will and commitment at the global level and would provide a comprehensive strategic framework and contribute to greater coordination of collective efforts by Member States, the United Nations system and non-State actors. Member States also argued that a global plan of action would contribute towards and complement the implementation of existing international instruments and mechanisms and bridge the gaps among them. It would promote international cooperation and provide an opportunity to link preventing and combating trafficking in persons to other internationally agreed goals. It was also argued that a global plan of action would prescribe forward-looking operational measures, targets and indicators of achievement so that the international community could assess progress and redirect policies accordingly, as well as improve the effectiveness of national, regional and international responses.

5. The participants in the thematic dialogue stressed that the development and adoption of a global plan of action should be based on a broad consensus among the international community and on the principle of shared responsibility. It should be transparent and ensure ownership by all stakeholders. Participants also underscored that a global plan of action should provide a situation analysis, a road map showing what needs to be achieved and the corresponding resource requirements. It should complement existing regional and international instruments, address conceptual gaps in line with national and regional policies and ensure a human rights based approach to ensure the full protection of victims. The global plan of action should also address the root causes of trafficking and the demand that fosters exploitation.

6. During the interactive thematic dialogue, a number of delegations raised concerns as to the need for and the added value of a global plan of action. The main arguments presented include the concern that a global plan of action might duplicate existing international instruments and that the priority should be to strengthen the implementation of such instruments and establish a stringent monitoring mechanism for the United Nations Convention against Transnational Organized Crime and the Trafficking in Persons Protocol. Member States also recalled that the Conference of the Parties to the Convention and its Working Group on Trafficking in Persons already offer a platform for coordination. They underscored that the development and negotiation of a global plan of action would divert time and resources from the implementation of existing international instruments and the delivery of technical assistance. Questions were also raised as to how the global plan of action would be reconciled with existing national and regional plans of action.

7. The Vice-President of the General Assembly, speaking on behalf of the President, concluded the interactive thematic dialogue by committing to work with Member States to develop a global plan of action to bring together punitive and restorative measures as well as the development, justice and security dimensions.

#### **United Nations Global Initiative to Fight Human Trafficking**

8. The United Nations Global Initiative to Fight Human Trafficking (UN.GIFT) is managed by the United Nations Office on Drugs and Crime (UNODC) in cooperation with the International Labour Organization, the International Organization for Migration, the Office of the United Nations High Commissioner for Human Rights, the Organization for Security and Cooperation in Europe and the United Nations Children's Fund.

9. As a follow-up to the Vienna Forum to Fight Human Trafficking, held from 13 to 15 February 2008, organized under the auspices of UN.GIFT, UNODC continued to hold regular consultations with Member States. A draft work programme of UN.GIFT was discussed during an informal consultation held on 28 May 2008, and regular updates and reports have been made available, including a presentation to the open-ended interim Working Group on Trafficking in Persons, when it met on 14 and 15 April 2009.

10. UN.GIFT continues to operate as a technical assistance project within the mandates agreed by the relevant governing bodies, and its work programme will continue to be implemented until its programmed activities have been completed.

#### **Inter-Agency Cooperation Group against Trafficking in Persons**

11. The Executive Director of UNODC is entrusted with the coordination of the activities of the Inter-Agency Cooperation Group against Trafficking in Persons (ICAT). ICAT aims to promote coordination and cooperation to increase the efficiency and quality of anti-human trafficking programmes and address the challenges of duplication of efforts and rationalization of resources.

12. The last meeting of ICAT was held on 22 and 23 April 2009 in Vienna. It was open to its current members, including organizations outside the United Nations system, and to Member States. The meeting discussed possible approaches to strengthen the coordination efforts of ICAT against trafficking in persons. The outcome of the meeting was shared with Member States at a meeting on 23 April 2009.

13. ICAT members reiterated the need for regular meetings of the Group and that the meetings should have concrete objectives and outcomes. The goal of coordination carried out under ICAT should be to increase operational synergies within the Group. ICAT agreed on the concept of a rotating Chair and agreed to host meetings in different venues to increase ownership by the participating organizations. It was also agreed that the meetings would focus on different aspects of trafficking in persons to make the most of the different mandates of member organizations. UNODC would maintain its mandated role within ICAT.

14. ICAT members also agreed that its coordination activities should be carried out at the global level as well as at the regional and national levels, through a phased approach. ICAT is exploring synergies that can be created with existing

coordination mechanisms at all levels to enhance coordination, including the use of existing electronic resource networks to increase information exchange. The Group agreed to publish a technical assistance toolkit containing resources and best practices recognized by all organizations and to identify opportunities for joint ICAT activities and statements. The Group recalled that it seeks funding, as all of its activities depend on extrabudgetary resources.

15. UNODC proposed to host the next ICAT meeting in October 2010 in the margins of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime and its supplementing Protocols.

#### **Working Group on Trafficking in Persons**

16. At its fourth session, held in Vienna from 8 to 17 October 2008, the Conference of the Parties to the United Nations Convention against Transnational Organized Crime adopted decision 4/4. In that decision, the Conference decided to establish an open-ended interim working group to advise and assist the Conference in the implementation of its mandate with regard to the Trafficking in Persons Protocol. It also decided that the working group should perform the following functions:

(a) Facilitate implementation of the Trafficking in Persons Protocol through the exchange of experience and practices between experts and practitioners in this area, including by contributing to the identification of weaknesses, gaps and challenges;

(b) Make recommendations to the Conference on how States parties can better implement the provisions of the Protocol;

(c) Assist the Conference in providing guidance to its secretariat on its activities relating to the implementation of the Protocol;

(d) Make recommendations to the Conference on how it can better coordinate with the various international bodies combating trafficking in persons with respect to implementing, supporting and promoting the Protocol.

17. The Conference further decided that the working group should meet during the fifth session of the Conference and should hold at least one intersessional meeting before that session. The first meeting of the Working Group on Trafficking in Persons was held in Vienna on 14 and 15 April 2009. A second meeting of the Working Group will be held in Vienna from 27 to 29 January 2010.



# General Assembly

Distr.: General  
12 August 2009

Original: English

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## Sixty-fourth session

Item 71 (b) of the provisional agenda\*

**Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms**

## Trafficking in persons, especially women and children

### Note by the Secretary-General

The Secretary-General has the honour to transmit to the General Assembly the report of the Special Rapporteur on trafficking in persons, especially women and children, Joy Ngozi Ezeilo, which is submitted pursuant to Human Rights Council resolution 8/12.

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\* A/64/150.



## Report of the Special Rapporteur on trafficking in persons, especially women and children

### *Summary*

The present report is submitted to the General Assembly in accordance with Human Rights Council resolution 8/12 and covers the period from 1 October 2008 to 30 September 2009.

The report is divided into four sections. Section I contains the introduction, while section II outlines the activities, including conferences and consultations, undertaken by the Special Rapporteur in the discharge of her mandate during the period under review.

Section III deals with the main thematic focus of the report, namely, the identification and protection of and assistance to victims of trafficking. The section contains case narratives of trafficked victims and a separate examination of applicable standards and practices, including the roles and responsibilities of States and of non-State actors in addressing the situation of victims of trafficking. It focuses on a child-centred approach to children who are victims of trafficking and on issues of protection of and assistance to victims of trafficking, especially those in vulnerable situations, such as refugees, asylum-seekers, returnees and stateless and internally displaced persons.

Section IV contains conclusions and recommendations for effectively identifying, protecting and providing direct assistance to persons victims of trafficking, including a recommendation for the development of operational guidelines, procedures and tools for the identification of such victims, based on existing models developed in particular by United Nations agencies and programmes.

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## **I. Introduction**

1. The present report is the first submitted to the General Assembly by the Special Rapporteur on trafficking in persons, especially in women and children, pursuant to Human Rights Council resolution 8/12. It highlights the activities undertaken by the Special Rapporteur during the period from 1 October 2008 to 30 September 2009, including the three country visits conducted in 2009. The main thematic focus of the report is the identification, protection of and assistance to victims of trafficking.

2. In preparing the report, the Special Rapporteur consulted a wide range of civil society and international organizations working in this field, such as the International Organization for Migration (IOM), the International Labour Organization (ILO), the United Nations Office on Drugs and Crime, the Office of the United Nations High Commissioner for Refugees (UNHCR) and the International Committee of the Red Cross (ICRC).

## **II. Activities of the Special Rapporteur**

### **Participation in conferences and consultations**

3. Since her appointment in June 2008 and assumption of duties on 1 August 2008, the Special Rapporteur has actively consulted and cooperated with organizations and bodies relevant to her mandate. From 6 to 10 October 2008, the Special Rapporteur held initial consultations in Geneva with representatives of the Committee on the Rights of the Child, numerous permanent missions, ILO, IOM and non-governmental organizations. She also held a telephone conference with the United Nations Office on Drugs and Crime. In October 2008, the Special Rapporteur circulated a questionnaire in English, French and Spanish to all Member States to gather some baseline information on the problem of human trafficking.

4. Thereafter, the Special Rapporteur participated in a variety of consultations and events, particularly focusing on regional cooperation in Africa. From 8 to 12 November 2008, the Special Rapporteur participated in the forty-fourth ordinary session of the African Commission on Human and Peoples' Rights, taking part in a number of events, including initiating and working alongside other stakeholders on a resolution to combat human trafficking in Africa. She also presented a paper on human rights and human trafficking in Africa at an event of the Network of African National Human Rights Institutions and West African National Human Rights Institutions, hosted in Abuja on 10 November 2008 by the National Human Rights Commission and the Open Society Initiative for West Africa.

5. On 21 and 22 November 2008, the Special Rapporteur participated in a regional consultation on Africa, organized in Nairobi by the Global Alliance Against Trafficking in Women, on building and expanding connections towards promoting the human rights of trafficked and migrant persons in Africa.

6. From 25 to 28 November 2008, she participated in the Third World Congress against Sexual Exploitation of Children and Adolescents in Rio de Janeiro, a gathering of more than 3,000 people from five continents, 300 of whom were adolescents. She acted as moderator of a high-level panel of experts which discussed forms of commercial sexual exploitation and its new scenarios, and

participated in several workshops, including one on the implementation of the human rights-based approach to combating trafficking of children.

7. From 7 to 11 December 2008, the Special Rapporteur held consultations in New York with a wide range of stakeholders relevant to her mandate. She met with the Human Rights Watch team working on trafficking issues and with the Steering Committee of the New York State Anti-Trafficking Coalition. She met a number of stakeholders concerned with the interlinkage between sex work and trafficking, in particular as it relates to the recently increased global attention directed towards combating trafficking in the sex industry. The Special Rapporteur also met with representatives of Equality Now, based in New York, and the Polaris Project, based in Washington, D.C. On 9 and 10 December, she participated in a briefing of experts and in a round table on human trafficking, sexual rights, sex work and health organized by the Public Health Program of the Open Society Initiative, during which she met stakeholders from India, Cambodia, Germany, Brazil, Kyrgyzstan, Poland, Thailand and the United States of America.

8. On 3 and 4 February 2009, the Special Rapporteur participated in a conference on the theme “International migration and human trafficking: maximizing benefits, overcoming challenges”, convened by the Commonwealth Parliamentary Association at the Houses of Parliament in London and delivered a keynote speech.

9. On 2 and 3 March, the Special Rapporteur participated in an international conference on the theme “Human trafficking at the crossroads”, held in Bahrain. The conference focused on the exercise by public-private partnerships of a leadership role in tackling human trafficking.

10. On 6 March, the Special Rapporteur participated in a panel discussion convened during the fifty-third session of the Commission on the Status of Women, on special procedures of the Human Rights Council and women’s rights. The Special Rapporteur addressed non-governmental organizations involved in the work of the Commission and discussed the human rights implications of human trafficking, as well as her mandate and key areas of work. On the same day, the Special Rapporteur participated in a series of events organized by the Coalition Against Trafficking in Women, and attended film shows on trafficking, prostitution and pornography.

11. On 12 March, the Special Rapporteur presented her first annual report to the Human Rights Council at its tenth session (A/HRC/10/16 and Corr.1). The report provided a global perspective to the human trafficking phenomenon, its trends, forms and manifestations, including the challenges relating to lack of coherent and reliable statistical information that captures the various dimensions of the problem, and addressed the scope of her mandate. The report also examined the legal and policy framework for combating human trafficking at the international, regional and national levels and set out the vision, agenda and working methods of the Special Rapporteur for carrying out her mandate. In the report, the Special Rapporteur stressed the importance of comprehensive action to combat human trafficking, based on five Ps (protection, prosecution, punishment, prevention and promotion of international cooperation) and three Rs (redress, rehabilitation and reintegration of victims).

12. On 13 March, the Special Rapporteur participated in a side event held during the tenth session of the Human Rights Council, which was organized jointly with the



Permanent Missions of the Philippines and Germany to the United Nations. At that event, the Special Rapporteur addressed the challenges and the way forward in applying human rights to the fight against human trafficking.

13. From 20 to 23 April, the Special Rapporteur was in London at the invitation of the Mayor of London, Boris Johnson, to participate in the launch of the Mayor's strategy to eradicate violence against women, entitled "The way forward: a call for action to end violence against women". The Special Rapporteur also took part in a round table on preventing human trafficking in relation to the 2012 Olympic Games. The visit also provided the Special Rapporteur an opportunity to become acquainted with a number of non-governmental organizations and service providers for victims of trafficking and violence against women and to interact with police officers working as part of the Operation Maxim Human Trafficking Team, based at New Scotland Yard. Non-governmental organizations met with during the visit included Nia Project and Refuge, Africans Unite against Child Abuse, Poppy Project, Tower Hamlets Women's Aid and The Haven, Whitechapel. The Special Rapporteur was impressed by the political leadership and the very close partnership between government and non-governmental organizations in providing services, support and referrals to victims of violence, including victims of human trafficking.

14. On 13 May, the Special Rapporteur participated in the thematic dialogue of the General Assembly on taking collective action to end human trafficking, which focused on a global plan of action to combat human trafficking. In her presentation, the Special Rapporteur advocated renewed collective action for combating human trafficking through the consideration and adoption of a global plan of action that would increase international cooperation and accountability under the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (Palermo Protocol) and become a platform for galvanizing the much-needed political and economic will to fast track regional and national plans of action.

15. As part of the efforts to pursue more collaborative strategies that would effectively combat human trafficking, the Special Rapporteur participated in a joint consultative workshop convened from 24 to 26 June with the Special Rapporteur on the sale of children, child prostitution and child pornography and the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, in which relevant United Nations and non-governmental partners also participated. Given the nature of the three mandates and the need to avoid overlap, the consultative workshop discussed methods of work, including possible joint activities, and explored practical tools for collaboration with partners.

16. From 29 June to 3 July, the Special Rapporteur participated in the sixteenth annual meeting of special rapporteurs, representatives, independent experts and chairpersons of working groups of the Human Rights Council, held in Geneva. The meeting addressed a variety of issues of concerns to special rapporteurs, including the effectiveness of the special procedures and common approaches to human rights situations.

#### **Planned activities**

17. At the time of writing, the Special Rapporteur plans to participate in a high-level panel at an international conference on violence against women, to be held under the auspices of the Group of Eight in Rome on 9 and 10 September 2009. She

will also attend an international conference on the prevention of modern slavery, to be organized by the Organization for Security and Cooperation in Europe in Vienna on 14 and 15 September 2009.

## **Country visits**

18. In May 2009, the Special Rapporteur made official visits to Belarus and Poland to assess the human rights perspectives of approaches to combating human trafficking in the two neighbouring countries and to explore the cooperative initiatives of both countries in combating and preventing human trafficking. In July, the Special Rapporteur visited Japan.

### **Belarus**

19. At the invitation of the Government, the Special Rapporteur visited Belarus from 18 to 24 May. The Special Rapporteur was very impressed by the political commitment demonstrated at the highest level to combat all forms of human trafficking in Belarus, in cooperation with bordering countries and concerned organizations. She noted some commendable good practices in relation to compensation for victims of human trafficking and the establishment of an international training centre on human trafficking and migration.

20. Nevertheless, there were some areas of concern, including:

(a) The need to provide holistic, reintegrative and rehabilitative assistance to victims of trafficking. The emphasis has been on prosecution which, although important, is not the only solution, hence the importance of protecting the human rights of victims;

(b) The root causes of trafficking were not being sufficiently addressed;

(c) The increase in cases of trafficking of men for purposes of labour exploitation;

(d) The need to ensure that anti-trafficking measures do not violate people's human rights. Special care should be taken to ensure a proper balance of measures that will combat trafficking and protect the human rights of every individual.

### **Poland**

21. At the invitation of the Government, the Special Rapporteur visited Poland from 24 to 29 May. At the end of her visit, the Special Rapporteur noted that the scale of trafficking in persons is not only a serious concern in Poland but has been somewhat aggravated in the past five years by virtue of its joining the European Union and also becoming part of the Schengen area. These developments unarguably helped to transform Poland from being primarily a source country to clearly becoming both a transit and destination country. Endemic forms of trafficking include but are not limited to trafficking for purposes of labour exploitation and of prostitution and other forms of sexual exploitation. The Special Rapporteur noted evidence that the Government of Poland is making good progress in combating human trafficking, working closely with stakeholders and by means of international cooperation, especially with border countries, and closely cooperating

with and assisting non-governmental organizations which provide social services to victims of trafficking.

22. Nevertheless, there were some areas of concern, including:

(a) The lack of a comprehensive and unambiguous definition of trafficking in the criminal law;

(b) The Palermo Protocol is not self-executing and therefore requires that an additional act of legislation be implemented fully in Poland;

(c) Trafficking for purposes of labour exploitation is on the increase;

(d) Judicial proceedings relating to trafficking cases are unduly long and, on the average, last about two years;

(e) Availability and access to social assistance by victims of trafficking, especially in rural areas, are somewhat limited and victims of trafficking do not receive compensation. An award of compensation by the court is an important aspect of redressing loss of earnings, violation of human rights and harm suffered in general.

### **Japan**

23. The Special Rapporteur visited Japan from 12 to 17 July. She observed that Japan is clearly affected as a destination country for many victims of human trafficking. While trafficking for purposes of prostitution and other forms of sexual exploitation constitutes the vast majority of the recorded cases, trafficking for purposes of labour exploitation is also of great concern. The Government of Japan, in recognition of the seriousness of the problem, has embarked upon legislative and administrative reforms which include the promotion of international cooperation with a view to combating human trafficking.

24. Despite these efforts, the Special Rapporteur identified a number of issues of immediate concern, in particular:

(a) The non-ratification of the Palermo Protocol;

(b) The unclear identification procedure which may lead to the misidentification of victims of trafficking;

(c) Inappropriate shelters and lack of comprehensive and multilingual assistance for victims of trafficking, and the lack of access by victims to redress and compensation.

25. The full report of the visits to the three countries, including detailed recommendations, will be submitted in due course to the Human Rights Council.

### **III. Identification and protection of and assistance to victims of trafficking**

#### **A. Case studies: critical areas of concern for victims<sup>1</sup>**

##### **Case 1. Testimony of a 19-year-old Filipina migrant worker trafficked for purposes of sex work in Malaysia**

26. To help my parents survive poverty, I entertained the idea of working abroad. There was no chance for me to land a job locally, having no college education to speak of. Even college graduates have a hard time locating work.

27. I was recruited by a man named Joseph to work in Malaysia as a band singer, with an offer of a monthly salary of 60,000 pesos (US\$ 1,260). I was recruited along with two other girls who also aspired to migrate for work. Joseph transported me in 2006 by ship and we landed in Sandakan, Malaysia, where a man named Harry met us at the port to proceed to Miri. Another Chinese man met us and collected our passports for a chop (seal) to pass through the immigration. We went to Kota Kinabalu after paying a fee. From Miri, we went by plane to Kota Kinabalu. A woman met us at the airport and we took a bus to Kuching.

28. We sang at a club; we worked but did not receive any pay. In fact, we were asked to pay our debt. The cost of travel was charged to us, including the chop fees for the passports; in addition payment was collected from us for power and water bills which were initially promised to be free.

29. When we asked for a new job with higher pay, we were given jobs as guest relation officers (a euphemism for entertainer) in Kalampai, which was illegal. We accepted the jobs because there was no way for us to pay the debts claimed by the woman, and for us to go home for good. We worked hard every night, yet we did not receive any pay for days except for a few Malaysian ringgit to buy shampoo and soap but not enough to buy food. Then we found ourselves eventually sold to various men. At the beginning, we were told that they would not force us to go out with men but later on, we were scolded if we would not go out with them. We suffered also from constant stress as we were periodically checked upon and raided by the Malaysian police. We wanted to run away but could not go because they kept our passports; we were warned that if we dared to go we would be taken to a gangster. One night the police raided a night club I was at. I was able to hide on the terrace near an air-conditioned unit where I hung clothes from the clothesline to cover myself. All of the women except me were taken and arrested. Their passports were confiscated. They were photographed. There were media reporters. My passport was surrendered by our house caretaker who thought that I had been arrested with the other women. I asked for the intervention of the Embassy of the Philippines. In fact, I called up and asked to be rescued but the Embassy just told me that there was no budget. I went to the immigration office in Kuching to get an exit pass. To my surprise, I was detained instead of being issued an exit pass. The officer took my statement of a lost passport and I declared that an agent had

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<sup>1</sup> The studies presented are from a pool of case studies received by the Special Rapporteur at her request from stakeholders in July 2009. Two have been used for illustrative purposes, in part because of space limitations and their relevance to the thematic focus of the present report: identification, protection of and assistance to victims.

recruited me from the Philippines. I was not detained for long because my boyfriend who accompanied me paid the officer in exchange for my freedom. Immediately, my boyfriend bought a ticket for my return to the Philippines. Upon arrival in Davao in 2007, I was able to make an affidavit of complaint and produced evidence of illegal recruitment and attendant issues. With the help of the Center for Overseas Workers in Davao, I filed a case against the recruiter, but unfortunately he could not be found.<sup>2</sup>

\* \* \*

30. The Special Rapporteur believes that the above-mentioned testimony demonstrates how easily the search for a better life can end badly. It also shows how closely trafficking of human beings and migration are linked, because often it is difficult economic circumstances that make people consider the option of migration and it is also poverty that makes them vulnerable to becoming victims of trafficking. This case raises issues that speak clearly to the thematic focus of the present report. First, the immigration officer was reluctant to identify her as a victim of human trafficking; second, instead of receiving the protection and assistance she deserved as a victim, she was detained; and third, her boyfriend had to bribe someone to secure her release.

#### **Case 2. Laotian boy trafficked for purposes of forced labour in Thailand**

31. Non was a fishing industry trafficker's dream. A strong boy of 17 years of age, he had just arrived in the border town of Savannakhet from his village in southern Laos. He had very little education, could barely read and write, and was supporting his mother and grandmother. Working for a small wage in a sawmill, Non met a young man who offered to take him to a well-paid job in Thailand. Non was told that Thai garment factories offered salaries of around 6,000 baht per month (US\$ 170). Non said that he really needed money and because the young man was a fellow Lao, he believed and trusted him. He later admitted that his limited exposure to city life may have caused him to be vulnerable to the deceitfulness of recruiters. He thought it was completely normal to cross the river at night and had no idea it was illegal. When he reached the other side, Non boarded a van that would not open its doors to let him out until it reached the coast of Thailand, several hundred kilometres away. Stepping out of the van, he was immediately led on to a fishing trawler under the watchful eyes of men armed with guns. For two years he lived a hellish routine, working from the early morning into the darkness of night, heaving nets of fish without a rest or break. He ate and slept little on a crowded deck with 40 other men. All of them were beaten on a regular basis. Non recalled that one of the labourers next to him was beaten until he was unconscious. He recalled that he was scared but had to look away, otherwise he would have been beaten too. The boat would dock only once every six months, to replenish supplies. On one of these occasions, after two years of forced servitude, Non noticed that his guards had finally left him alone. He made his move and ran for days through the jungle, afraid that if he went along the highway his captors would find and kill him. Eventually, he broke out of the jungle into the yard of a house. The woman who lived there was tending her garden when the frightened teenager suddenly appeared and begged for her help. Non could tell that she was scared of him but he told her not to be. He told

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<sup>2</sup> Testimony received from the Buhay Foundation for Women and the Girl Child, Philippines.

her where he was from, that he had been kidnapped to work on a fishing boat for two years, and that he was hungry, tired and wanted to go home. As he told her his story, she listened, wept and embraced him. With compassion, “Auntie”, as Non affectionately calls her, fed him and gave him a bed to sleep in. The next day, Auntie put money in Non’s hands and ordered a taxi to take him to the Lao Embassy in Bangkok. From there, before he knew it, he was in a car heading for the border. As he was greeted by World Vision staff at the Lao-Thai border and brought back to his village, there was only one joyful thought that crossed his mind: he was alive and would survive.<sup>3</sup>

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32. This case reinforces the fact that men and boys are trafficked for forced labour and underscores the difficulty of identifying trafficked persons working in an industry which is not primarily viewed as a traditional place of work for trafficked victims.

33. As was rightly observed by Germany in response to the questionnaire circulated by the Special Rapporteur to Member States, a key challenge in human trafficking for purposes of labour exploitation is the identification of victims. For that purpose, Germany considered it essential that awareness be created among institutions and persons which deal with victims of such trafficking and that those institutions and persons should be provided with criteria on how to recognize victims of human trafficking.

## **B. Identification**

34. Traffickers exploit persons who are trapped in conditions of poverty and subordinated by conditions, practices or beliefs, such as gender discrimination, gender violence and armed conflict.<sup>4</sup> The plight of victims, as exposed in the above-mentioned case studies, depicts the often untold hardship, abuse and cruelty that victims suffer, resulting in cumulative violations of their human rights. The proper identification of victims of trafficking is vital in providing the assistance necessary to guarantee full, or at least substantial, recovery from harm suffered and to rehabilitate and reintegrate the victim socially and economically.

35. The Special Rapporteur is concerned that States are not paying adequate attention to issues related to the proper identification and protection of and assistance to victims. Only 24 of the 86 countries respondents to the questionnaire sent to United Nations Member States by the Special Rapporteur in 2008 indicated that those issues were a priority area in the fight against human trafficking. The 24 countries were Austria, Bulgaria, Croatia, Cyprus, the Dominican Republic, Finland, France, Germany, Greece, Guatemala, Honduras, Ireland, Jamaica, Japan, Liechtenstein, Mongolia, Paraguay, Qatar, Slovakia, Slovenia, Switzerland, Thailand, the United States of America and Uzbekistan.

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<sup>3</sup> See World Vision Asia-Pacific, *10 Things You Need to Know about Human Trafficking*, 2009. Available at <http://wvasiapacific.org/humantrafficking>.

<sup>4</sup> Global Alliance Against Traffic in Women, *Foundation Against Trafficking in Women and Global Rights, Human Rights Standards for the Treatment of Trafficked Persons* (January 1999), p. 4.

36. Many victims of trafficking remain unidentified or misidentified by the authorities carrying out the screening processes. Overall, less than 30 per cent of trafficking cases is reported to the officials, both in cases of internal and cross-border trafficking. Some victims are discreetly receiving from private service providers help to overcome their trauma, such as counselling and shelter, without wanting to be identified as victims of trafficking or to turn to the authorities for help. Again, identification is hampered because sometimes the victims are not ready to share their experiences, especially with strangers and especially in cases in which they have suffered abuse or harm that is of a humiliating, dehumanizing or sexual nature, depending on their culture or moral background.

37. It is therefore pertinent to develop tools for identifying victims of trafficking. IOM, ILO, the United Nations Office on Drugs and Crime and some regional organizations have taken the lead in developing toolkits, training manuals and checklists<sup>5</sup> and utilizing them in the training of law enforcement officials, including labour inspectors and health and social service providers. The checklists provide objective and verifiable criteria and indicators that should be applied to help law enforcement officials and other stakeholders identify whether or not a person is a victim of trafficking.

38. In particular, the four sets of operational indicators of trafficking in human beings,<sup>6</sup> developed on the basis of the conclusions of a survey carried out by ILO and the European Commission in March 2009 enable identification of victims of trafficking: they refer to adults, children, sexual exploitation and labour exploitation cases. These indicators guide law enforcement officials in their efforts to identify victims and also provide clear parameters to statistics bureaux in producing national estimates on trafficking.

39. *The IOM Handbook on Direct Assistance for Victims of Trafficking*<sup>6</sup> outlines a methodology for the screening and identification of individuals seeking assistance as victims of trafficking. It contains a screening interview form which ensures that victims are asked all relevant questions, including how they moved or were moved

<sup>5</sup> See, for example, United Nations Office on Drugs and Crime, Online toolkit to combat trafficking in persons (available at <http://www.unodc.org/unodc/en/human-trafficking/electronic-toolkit-to-combat-trafficking-in-persons---index.html>); IOM, *The IOM Handbook on Direct Assistance for Victims of Trafficking*, 2007 (available at [http://www.humantrafficking.org/uploads/publications/CT\\_20handbook\\_cover.pdf](http://www.humantrafficking.org/uploads/publications/CT_20handbook_cover.pdf)); United Nations Children's Fund, "Guidelines on the Protection of Child Victims of Trafficking", UNICEF Technical Notes, 2006 (available at [http://www.unicef.org/russia/0610-Unicef\\_Victims\\_Guidelines\\_en.pdf](http://www.unicef.org/russia/0610-Unicef_Victims_Guidelines_en.pdf)); Office of the United Nations High Commissioner for Refugees, "Guidelines on International Protection No. 7: The Application of Article 1A(2) of the 1951 Convention and/or 1967 Protocol relating to the Status of Refugees to victims of trafficking and persons at risk of being trafficked", 2006 (available at <http://www.unhcr.org/443b626b2.html>); and ILO, "Operational indicators of trafficking in human beings: results from a Delphi survey implemented by the ILO and the European Commission", March 2009 (available at [http://www.ilo.org/wcmsp5/groups/public/---ed\\_norm/---declaration/documents/publications/wcms\\_105023.pdf](http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publications/wcms_105023.pdf)) and *Forced Labour and Human Trafficking: Handbook for Labour Inspectors*, 2008 (available at [http://www.ilo.org/wcmsp5/groups/public/---ed\\_norm/---declaration/documents/publication/wcms\\_097835.pdf](http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_097835.pdf)). See also the Regional Policy on Protection and Assistance to Victims of Trafficking in Persons in West Africa, adopted by Ministers responsible for issues relating to trafficking in persons in countries members of the Economic Community of West African States at a meeting held in Accra on 3 April 2009.

<sup>6</sup> See footnote 5.

(through labour migration, recruitment, kidnapping etc.), what means were used to control them, details of the exploitation phase etc.

40. The Special Rapporteur finds these tools to be quite comprehensive and extensive in scope and excellent examples of red flags that could promote early detection, especially by trained personnel.

41. The use of such identification tools must be complemented by basic ethical principles in caring for and interviewing victims of trafficking, the most fundamental being not to harm or scare the victim, and to ensure his or her safety, privacy and confidentiality.

### **C. Protection**

42. The Office of the United Nations High Commissioner for Human Rights (OHCHR) Recommended Principles and Guidelines on Human Rights and Human Trafficking (E/2002/68/Add.1) and the Palermo Protocol provide some good standards for the protection of victims of human trafficking. Under the OHCHR guidelines, the protection of victims in the context of criminal proceedings on trafficking includes measures that ensure that the victims are not forced to testify, or that their continuing stay in the receiving State and their obtaining other assistance is not made contingent upon their willingness to testify. Further, there is the need to provide for a reasonable period of reflection for victims to decide whether or not to cooperate in criminal proceedings.<sup>7</sup> The OHCHR principles state that trafficked victims shall not be detained, charged or prosecuted for their involvement in unlawful activities to the extent that such involvement is a direct consequence of their situation as trafficked persons. On the other hand, under article 6 of the Palermo Protocol, there is a requirement for States to protect the privacy and identity of victims of trafficking in persons, including, inter alia, by making legal proceedings relating to such trafficking confidential.

#### **Victim-witness protection in prosecution of trafficking cases**

43. Since witnesses are invariably required to secure convictions in trafficking cases and the victims are almost always the principal witnesses in such cases, the need to protect them in the prosecution of trafficking offences becomes paramount. Although the prevalence of witness harassment or intimidation is difficult to quantify, witnesses are more likely to be willing to testify if they are assured of their personal safety and security and that of their families and, in general, protected from intimidation by the accused persons or their business associates, agents or partners in crime.

44. The nature of human trafficking as an offence is such that it is usually (though not always) committed by organized criminal groups, which obviously increases the likelihood of retaliation against the victim or his or her family members. The fear and threat of harm to themselves, their families and property remain effective psychological weapons of intimidation and control of victims by their traffickers. The purpose of witness intimidation is to dissuade the victim or witness from

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<sup>7</sup> The Council of Europe Convention on Action against Trafficking in Human Beings, which entered into force in February 2008, requires State parties to provide for a reflection period of at least 30 days.



reporting a crime of trafficking or from cooperating with investigators or prosecutors, thereby effectively obstructing justice. Thus, the safety of witnesses, especially victims, must be given adequate attention by the criminal justice system of States. Specialized assistance is also required to deal with the trauma and associated problems faced by the victim-witness.

45. The services that should be provided as part of witness protection include but are not limited to secure and safe accommodation; relocation for reasons of safety, as may be necessary; security protection and escort to and from the court; conduct of trials in chambers; assistance in obtaining means of livelihood; free medical treatment; legal assistance and counselling services; travel expenses and subsistence allowance while acting as a witness; protection of the identity of a protected witness, thereby maintaining anonymity; and such change of identity as may be necessary for the protection of the witness and his or her immediate family members.

46. The Special Rapporteur is of the view that protection should not end when the trial process ends: victims should continue to receive post-trial monitoring and support in order to protect them from reprisal attacks by traffickers and their allies.

#### **D. Assistance**

47. A wide range of assistance can be provided to victims of trafficking, including: shelter in safe and secure accommodation; interpretation and language learning assistance; medical assistance; counselling; legal assistance; effective remedy, including compensation; family tracing; return and repatriation; reintegration in the country of origin; right to stay in the country of destination; educational, training and employment opportunities for livelihood sustainability so as to avoid the re-trafficking of victims; and other follow-up and aftercare assistance with a view to their full rehabilitation and reintegration.

48. Article 6 of the Palermo Protocol deals with the provision of assistance to and protection of victims of trafficking in persons, and requires States parties to consider implementing measures to provide for the physical, psychological and social recovery of victims of such trafficking, including, in appropriate cases, in cooperation with non-governmental organizations, other relevant organizations and other elements of civil society, and, in particular, the provision of:

- (a) Appropriate housing;
- (b) Counselling and information, in particular as regards their legal rights, in a language that the victims of trafficking in persons can understand;
- (c) Medical, psychological and material assistance;
- (d) Employment, educational and training opportunities.

49. Paragraphs 4 and 5 of article 6 further require States parties, in applying the provisions of the article, to take into account the age, gender and special needs of victims of trafficking in persons, in particular the special needs of children, including appropriate housing, education and care, and to endeavour to provide for the physical safety of victims of trafficking in persons while within their territory.

50. The Special Rapporteur wishes to reiterate the concern often raised with States on country visits and in other consultations, that assistance to victims of trafficking should be non-conditional and not based upon their willingness to cooperate with law enforcement or to participate in trials as witnesses. States should refrain from the practice of according conditional assistance to victims and rather build their trust in deciding on the course of action to pursue.

51. The Special Rapporteur considers it necessary to highlight and briefly examine some of the services required to effectively protect and provide assistance to victims of trafficking.

### **Sheltering**

52. An adequate shelter to examine, identify and receive victims of trafficking in persons is crucial, even from the reception phase. Safe and secure accommodation is part of the necessary and inevitable direct assistance and protection that ought to be available for victims. When a victim feels safe and secure, he or she is more likely to share his or her story and cooperate with authorities. Sheltering is sometimes carried out by State agencies directly or in collaboration with the private sector, especially non-governmental organizations. Some States fund shelters that are run by non-state institutions. IOM also runs sheltering facilities in most countries in which it has a field presence, either in partnership with government or with non-governmental organizations.

53. There are very few shelters for male victims of trafficking. While on a country visit to Belarus, the Special Rapporteur found male victims in an IOM-funded shelter, however, the shelter had no separate facility to admit men and women simultaneously and had to alternate services to either women or men at any one point in time.

54. The Special Rapporteur recommends that the period of stay in shelter, while temporary, should be at least eight weeks and must be based on the needs of each individual, with the possibility of a longer stay of six months or more. The security of sheltered victims and of the shelter facility must be paramount. Shelter service providers must be in a position to conduct referrals for victims in need of medical, legal or other forms of assistance.

### **Counselling**

55. Counselling is an essential aspect of psychosocial support; it is advisory in nature and aimed at rebuilding the self-esteem and self-assertion that will help the victim to deal with the trauma and, especially, psychological harm suffered in the course of being trafficked. It helps in building the trust and confidence that will enable victims to make an informed choice in regard to the variety of options and services available to them. Trained counsellors usually work with trafficked victims to get their stories straight and properly documented and to determine the services or assistance required by victims. It is part of the duty of counsellors to conduct risk assessment and advise on the suitability of returning the trafficked persons to their home countries and, in the case of children, on family reunification.

56. Counselling services are sometimes required for family members in order to enable the proper reintegration of victims into their families and communities. There are various stages of counselling: pre-identification and investigation counselling;

counselling during prosecution and use of shelter; and post-counselling for victims at the integration stage and also as part of follow-up and aftercare. Counselling is a continuous process and should be tailored in accordance with the circumstances and needs of victims. Counselling may be provided through hotlines or face-to-face encounters; whatever the case, privacy and confidentiality must be maintained.

### **Medical and health services**

57. Trafficking victims are undoubtedly exposed to a number of health risks, including but not limited to sexually transmitted infections, HIV/AIDS, unwanted pregnancy and abortion-related complications, and other health-related problems, including emotional and sleep disturbances. Some victims have been forced by the traffickers to depend on substances and have become alcoholics or drug addicts.

58. The right to health care and access to health care are protected under several international and regional human rights instruments. The International Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child, *inter alia*, recognize the right of everyone to the enjoyment of the highest attainable standard of physical and mental health.<sup>8</sup> Health-care services must meet the physical and mental needs of victims and must be offered in an atmosphere of respect, without stigmatization or discrimination. Mental health services should also be made available to victims through appropriate referrals; thus, law enforcement officials should be trained to understand the importance of health-care services for victims of trafficking.

### **Translation and language support**

59. From the field experiences of the Special Rapporteur, translation and language support has been one of the most troubling and inadequately provided services, yet it is crucial in the rehabilitation and reintegration of victims and in their access to justice. Trafficked persons should be provided as of right with a competent, qualified translator and legal representation before and during all criminal, civil, administrative and other proceedings in which the trafficked person is a witness, complainant, defendant or other party. They must also be provided with free transcripts or copies in their own language of all documents and records related to any and such proceedings. Trafficked persons and defendants should have different translators and legal representatives. If the trafficked person cannot afford to pay, legal representation and translation should be provided without cost.<sup>9</sup>

60. There are several unacceptable situations in which even the sheltered victims have no means of communicating their day-to-day needs to the care providers and the others with whom they share the shelter facility. While the Special Rapporteur recognizes that the provision of language support on a daily basis may be daunting and resource-consuming, State actors and other stakeholders must endeavour to

<sup>8</sup> See International Covenant on Economic, Social and Cultural Rights, art. 12, Convention on Elimination of All Forms of Discrimination against Women, art. 12 and the Convention on the Rights of the Child, art. 24.

<sup>9</sup> Global Alliance Against Traffic in Women, Human Rights Standards (see sect. III, footnote 4), para. 10. See also International Covenant on Civil and Political Rights, art. 14, para. 3 and International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, art. 18, para. 3.

ensure that victims can express themselves in their own language in reporting their victimization and telling their stories during investigation and testimony in court. Consequently, it is important to provide counselling, hotlines and other assistance in a language that the victims of trafficking in persons can understand.<sup>10</sup>

### **Legal assistance**

61. As provided in the Palermo Protocol, each State party shall ensure that its domestic legal or administrative system contains measures that provide to victims of trafficking in persons, in appropriate cases:

(a) Information on relevant court and administrative proceedings;

(b) Assistance to enable their views and concerns to be presented and considered at appropriate stages of criminal proceedings against offenders, in a manner not prejudicial to the rights of the defence.<sup>11</sup>

62. Legal assistance and representation for victims, even in civil matters, are necessary for them to seek redress and obtain justice. In appropriate cases, each State party is required under its domestic laws to protect the privacy and identity of victims of trafficking in persons, including, inter alia, by making legal proceedings relating to such trafficking confidential.<sup>12</sup>

### **Effective remedy**

63. The right to effective remedy focuses on redress and access to justice that will ensure that the wrongs suffered by the victim are remedied, irrespective of his or her immigration status. This right is well established in international human rights law;<sup>13</sup> the criminal justice system must be able to prosecute and punish the traffickers while providing restorative justice to victims. Of course, compensation is part of the restorative justice that will go towards full social and economic rehabilitation of victims of trafficking in persons. Article 6, paragraph 6, of the Palermo Protocol states that “Each State Party shall ensure that its domestic legal system contains measures that offer victims of trafficking in persons the possibility of obtaining compensation for damage suffered”.

### **Repatriation**

64. Registration is an important aspect of integration. Before victims are returned, family tracing and contacts will have been established, a process that involves relevant governmental and non-governmental organizations in the home country of the victim of trafficking in persons. Obviously, if there are fears of persecution or other repercussions, victims should not be returned but rather granted the right to remain in the destination country. A growing number of countries are providing for that option in their national immigration laws. Return must comply with international and human rights standards for cases of cross-border trafficking, and must respect the dignity and rights of victims.

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<sup>10</sup> Palermo Protocol, art. 6, para. 3 (b).

<sup>11</sup> Ibid., para. 2.

<sup>12</sup> Ibid., para. 1.

<sup>13</sup> Universal Declaration of Human Rights, arts. 6, 7 and, in particular, 8; International Covenant on Civil and Political Rights, art. 2, in particular, and art. 14; and Convention on the Elimination of All Forms of Discrimination against Women, arts. 1, 2, 15 and 16.

65. The standards to be followed by States parties in cases of repatriation are well articulated in article 8, paragraph 2, of the Palermo Protocol, which stipulates, *inter alia*, that when a State party returns a victim of trafficking in persons to a State party of which that person is a national or in which he or she had, at the time of entry into the territory of the receiving State party, the right of permanent residence, such return shall be with due regard for the safety of that person and for the status of any legal proceedings related to the fact that the person is a victim of trafficking and shall preferably be voluntary.

### **Reintegration**

66. Reintegrative activities are aimed at ensuring the overall social and economic recovery of the victim of trafficking. Necessary assistance and support should be provided for trafficked persons who want to return or have returned to their home country or community in order to minimize the problems they face in reintegrating into their communities. After return to the country of origin or normal residence, reintegration should start earnestly through partners in the country to support the returned, trafficked victim. Follow-up and aftercare are part of the reintegrative activities that must be pursued to avoid a situation in which victims are re-trafficked.<sup>14</sup> Where a victim remains in the receiving country, rehabilitative efforts which include educational, training and employment opportunities should be made available to the victims.

67. In addition to the measures provided for under article 6 of the Palermo Protocol, paragraph 1 of article 7 stipulates that each State party should consider adopting legislative or other appropriate measures that permit victims of trafficking in persons to remain in its territory, temporarily or permanently, in appropriate cases.

## **E. Child-centred approach to children who are victims of trafficking**

68. Trafficking of children is common in certain regions of the world, such as Asia, Africa and the Middle East. The experience of Non (see case 2 in sect. III.A above) illustrates the vulnerability of children to trafficking. Consequently, in recognizing that child victims of trafficking need special protective measures for their well-being, survival and development, the Special Rapporteur wishes to underscore the importance of recognizing and responding to the specific vulnerability of children to trafficking and the particular harm done to child victims. To that end, it is desirable that special guidelines be developed for the identification of children who are victims or potential victims of trafficking, whether accompanied or unaccompanied. Rehabilitation, reintegration and redress programmes and activities in that regard must be child-centred and in accordance with the concept of the best interests of the child<sup>15</sup> and the principle of non-discrimination.<sup>16</sup>

<sup>14</sup> As suggested to the Special Rapporteur by the Foundation for Women, Bangkok, follow-up home visits should be done only with the consent of trafficked returnees as some may not want their family members and community to know what they have been involved in, in the destination countries, for fear of stigmatization.

<sup>15</sup> This concept is entrenched in article 3 of the Convention on the Rights of the Child.

<sup>16</sup> *Ibid.*, art. 2.

69. States have the responsibility to identify children who are victims or potential victims of trafficking by systematically monitoring the well-being of children within their territory by means of a child protection system. Improved access to education for children who are at risk of being subjected to involuntary servitude or exploitation is central to reducing their vulnerability to trafficking. National legislation, including reform of penal or criminal codes, should be done to punish trafficking, sexual and physical violence against and labour exploitation of children at the national level.

70. Ireland has a good practice regarding the child victims: once a child is identified as a victim of trafficking, he or she is immediately referred to the social work team for separated children seeking asylum.<sup>17</sup>

71. It is also very important that, at the point of initial contact with victims, law enforcement officials be in a position to identify the child victim and provide him or her with the necessary information and assistance, including referrals to non-governmental organizations offering specialized services. Possible warning signs that a child might be a victim or potential victim of trafficking include but are not limited to where a child travels with an adult who is not a parent or guardian, is unaware of the final destination, or is unaccompanied. Where the age of victim is uncertain and it appears that the victim might be a child, the person should be treated as such until proven otherwise by further medical assessment and verification.

72. Once a child has been identified as a victim of trafficking, the measures of protection and assistance discussed in paragraphs 42 to 67 above shall be accorded to them.<sup>18</sup> Child victims of trafficking should, however, be dealt with in a manner appropriate to their overall well-being, having due consideration to the child's age, physical and mental immaturity and the desirability of promoting the child's reintegration. A child in such circumstances who, by virtue of being trafficked is temporarily or permanently deprived of his or her family environment, shall be entitled to special protection and assistance provided by the State.<sup>19</sup>

73. Protective measures should, as appropriate, include effective procedures for the establishment of social programmes to provide necessary support for the child and for those who have the care of the child, as well as for other forms of prevention and for identification, reporting, referral, investigation, treatment and follow-up and, as appropriate, judicial involvement.<sup>20</sup> The identities of child victims should be protected even in judicial proceedings and they should be dealt with in a manner different from adult victims of trafficking and should never share a shelter facility with adult victims.

74. Intercountry adoption may be considered as an alternative means for the child's care, if the child cannot be placed in a foster or an adoptive family or cannot in any suitable manner be cared for in the child's country of origin;<sup>21</sup> where this is

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<sup>17</sup> Child Care Act, 1991. Information provided by Ireland in response to the questionnaire circulated by the Special Rapporteur.

<sup>18</sup> See UNICEF Guidelines for Protection of the Rights of Children Victims of Trafficking in South-Eastern Europe, May 2003 (available from [http://unicri.it/www/trafficking/bibliography/thb-bibl.php?au\\_=unicef](http://unicri.it/www/trafficking/bibliography/thb-bibl.php?au_=unicef)).

<sup>19</sup> Convention on the Rights of the Child, art. 20.

<sup>20</sup> Convention on the Rights of the Child, art. 19, para. 2.

<sup>21</sup> *Ibid.*, art. 21, subpara. (b).

the case, the best interests of the child shall be the paramount consideration.<sup>22</sup> However, according to the Committee on the Rights of the Child, adoption should not be considered where there is reasonable hope of successful tracing and family reunification.<sup>23</sup>

75. In affording proper treatment of unaccompanied or separated children, States must fully respect non-refoulement obligations deriving from international human rights, humanitarian and refugee law and, in particular, must respect obligations codified in article 33 of the 1951 Refugee Convention and article 3 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.<sup>24</sup>

76. Importantly, States parties shall take all appropriate measures to promote the physical and psychological recovery and social reintegration of a child victim of: any form of neglect, exploitation, or abuse; torture or any other form of cruel, inhuman or degrading treatment or punishment; or armed conflicts. Such recovery and reintegration shall take place in an environment which fosters the health, self-respect and dignity of the child.<sup>25</sup>

## **F. Protection of and assistance to victims of trafficking, especially those in vulnerable situations**

77. Article 14, paragraph 1, of the Palermo Protocol provides that nothing in the Protocol shall affect the rights, obligations and responsibilities of States and individuals under international law, including international humanitarian law and international human rights law and, in particular, where applicable, the 1951 Convention and the 1967 Protocol relating to the Status of Refugees and the principle of non-refoulement as contained therein.

78. The recommended principles on human rights and human trafficking<sup>26</sup> state that the human rights of trafficked persons shall be at the centre of all efforts to prevent and combat trafficking and to protect, assist and provide redress to victims. Anti-trafficking measures shall not adversely affect the human rights and dignity of persons, in particular the rights of those who have been trafficked, and of migrants, internally displaced persons, refugees and asylum-seekers.

79. Article 22 of the Convention on the Rights of the Child stipulates that State parties shall take appropriate measures to ensure that a child who is seeking refugee status or who is considered a refugee in accordance with applicable international or

<sup>22</sup> Ibid., art. 21. Subparagraph (a) of the article requires that the adoption of a child be authorized only by competent authorities who determine, in accordance with applicable law and procedures and on the basis of all pertinent and reliable information, that the adoption is permissible in view of the child's status concerning parents, relatives and legal guardians and that, if required, the persons concerned have given their informed consent to the adoption on the basis of such counselling as may be necessary.

<sup>23</sup> See the general comment of the Committee on the treatment of unaccompanied and separated children outside their country of origin (CRC/GC/2005/6), para. 91.

<sup>24</sup> Ibid., para. 26.

<sup>25</sup> Convention on the Rights of the Child, art. 39.

<sup>26</sup> The principles were developed by OHCHR in 2002 as a means of providing practical, rights-based policy guidance on the prevention of trafficking and the protection of victims of trafficking.

domestic law and procedures, whether unaccompanied or accompanied, receives appropriate protection and humanitarian assistance.

80. It is very important to address the issue of trafficking of persons with a special vulnerability, such as refugees, asylum-seekers and stateless and internally displaced persons, in order to develop a more responsive framework. According to a report released in 2001 by ICRC, women and children make up 80 per cent of the population of refugee camps, prompting the conclusion that they flee because of their specific vulnerabilities, because they are targeted or because they fear attack.<sup>27</sup>

81. There is a responsibility to ensure that such categories of persons do not fall victim to trafficking and to ensure that the individuals among that group who have been trafficked or who fear trafficking have access to the asylum procedure. UNHCR deals with trafficking as it relates to such persons of concern and has developed activities specifically to prevent and respond to trafficking in such situations.<sup>28</sup>

82. There is encouraging evidence that some Governments have entertained and granted asylum based on a fear of trafficking.<sup>29</sup> It is necessary that trafficking victims or potential victims who may have a claim for refugee status obtain their right of residence in the receiving country. Interestingly, UNHCR has developed some guidance in that direction.<sup>30</sup>

83. As has been rightly observed in the context of refugee and displaced persons, there is little research on the number of trafficking victims who may be persons of concern to UNHCR. However, several studies have found that a growing number of refugees and internally displaced persons are at risk of trafficking.<sup>31</sup>

84. According to UNHCR, they often have few resources to provide for their needs and are vulnerable to the opportunities offered to them by traffickers. Many have lost the traditional family and community support networks that could potentially protect them from traffickers. Refugees are often forced to turn to criminal networks, including trafficking rings, to help them leave their homes as more and more countries adopt stricter visa and entry requirements. In addition, victims or potential victims of trafficking may have a claim to refugee status depending on the facts of their cases and UNHCR and several Governments have recognized such claims.<sup>32</sup>

85. The 2006 UNHCR guidelines on international protection relating to the refugee status of trafficking victims outline the personal characteristics, such as age,

<sup>27</sup> See Charlotte Lindsey, *Women Facing War*, ICRC study on the impact of armed conflict on women (Geneva, 17 October 2001), p. 65. Available at <http://www.icrc.org/web/eng/siteeng0.nsf/htmlall/p0798>.

<sup>28</sup> UNHCR Policy Development and Evaluation Service, "Review of UNHCR's efforts to prevent and respond to human trafficking" (PDES/2008/07), September 2008; available at <http://www.unhcr.org/48eb2ff82.html>.

<sup>29</sup> *Ibid.*, p. 3.

<sup>30</sup> According to UNHCR guidelines addressing the issue of eligibility for refugee status of trafficking victims, the responsibility of UNHCR is to prevent persons of concern from falling victim to trafficking and to ensure that trafficking victims have access to asylum procedures and accompanying protections (UNHCR, Guidelines on International Protection No. 7; see sect. III, footnote 5).

<sup>31</sup> UNHCR Policy Development and Evaluation Service, "Review of UNHCR's efforts", para. 5.

<sup>32</sup> *Ibid.*



gender, appearance, physical strength, race, ethnicity, etc., that make certain persons more vulnerable to trafficking than others. It also highlights the situations in which such persons are at heightened risk of trafficking, for example, during conflict or when crossing international borders.<sup>33</sup>

86. UNHCR offices have provided training to stakeholders on the above-mentioned guidelines, explaining how victims or potential victims of trafficking can be eligible for refugee status.

87. Furthermore, the implementing partners of UNHCR have provided legal assistance and counselling to victims and potential victims seeking asylum on the basis of a fear of trafficking.<sup>34</sup>

88. ICRC is equally involved in the mapping of persons at risk and the identification of those who have already suffered harm in order to prevent trafficking and provide protection and assistance to those who have been trafficked.<sup>35</sup>

89. This important work of ICRC and UNHCR will help to ensure that refugees, asylum-seekers, stateless persons, internally displaced persons and returnees do not become victims of trafficking and that those persons who have fallen victim are quickly identified and offered the necessary protection and assistance, including but not limited to family reunification to avoid their being re trafficked.

#### IV. Conclusions and recommendations

90. **Although some very good work has been done by major stakeholders to combat trafficking by setting out criteria for identification (inter alia, ILO, IOM, United Nations Office on Drugs and Crime, United Nations Children's Fund (UNICEF), UNHCR, OHCHR, governmental organizations and non-governmental organizations), there is still ambiguity with regard to the criteria being used by many countries.**

91. **Perhaps what is more disturbing to the Special Rapporteur is that screening procedures often do not comply with the rights-based approach and sometimes woefully fail to respect the right of victims to privacy and confidentiality including voluntary agreement to cooperate with authorities in the investigation process. In some cases, victims are simply treated as criminals and are arrested and deported with no opportunity to be identified and provided with the necessary assistance as trafficked victims. Stories of the victims along with their identities often make news headlines, adding to the post-traumatic stress disorder of many victims.**

92. **Furthermore, when law enforcement officials carry out raids and rescue persons who have been forced or trafficked into prostitution, social assistance programmes for their rehabilitation and reintegration and a long-term strategy**

<sup>33</sup> Ibid., para. 122.

<sup>34</sup> Ibid., para. 60.

<sup>35</sup> See Lindsey, *Women Facing War*, p. 35; and ICRC, *Inter-agency Guiding Principles on Unaccompanied and Separated Children*, 2004 (available at [http://www.icrc.org/Web/Eng/siteeng0.nsf/htmlall/p1101/\\$File/ICRC\\_002\\_1011.PDF!Open](http://www.icrc.org/Web/Eng/siteeng0.nsf/htmlall/p1101/$File/ICRC_002_1011.PDF!Open)).

for dealing with the root causes of trafficking should be in place. Case 1, discussed in section III.A of the present report, reinforces this point.

93. Understanding the definition of trafficking and the important elements contained therein may prove fundamental for the proper identification of trafficked victims and for responding effectively to their situation. The definition of trafficking as encompassed in the Palermo Protocol underscores the fact that trafficking is a process that involves a number of interrelated actions rather than a single act at a given point in time.

94. The Special Rapporteur is concerned that victims of trafficking are sometimes deported without a sufficient period for recovery and reflection. The Special Rapporteur reiterates that victims should not summarily be deported. A proper repatriation process which takes into account the safety of victims must be followed. States should consider giving temporary or permanent residence permits to victims in accordance with their circumstances.

95. Trafficked persons should not be detained, charged or prosecuted for the illegality of their entry into or residence in countries of transit and destination, or for their involvement in unlawful activities to the extent that such involvement is a direct consequence of their situation as trafficked persons.<sup>36</sup>

96. The Special Rapporteur is concerned that the root causes of trafficking, namely, growing poverty, high youth unemployment, gender inequalities and the demand for cheap labour, are not being sufficiently addressed and trafficking continues to thrive as potential victims become more desperate to escape their unfavourable situations.

97. The current world economic crisis has further exacerbated the desperation and the quest for human security, survival and development. Trafficking for purposes of labour exploitation is likely to escalate, particularly during the current global economic crisis and in the light of increasing poverty caused by massive unemployment and the tendencies of employers to use cheap labour in order to cut costs and maximize profits. To tackle this, States should provide training, particularly for labour inspectors, that will improve understanding of the interface between migration and trafficking and enhance mechanisms for the identification of persons trafficked into exploitative labour and mixed migration situations.

98. Often, victims of trafficking in persons have suffered severe trauma of a physical, sexual or psychological nature and require an enabling environment and the specialized services provided by trained personnel to trust, feel safe to talk about their victimization to and assist law enforcement officials.

99. Administration of justice systems must be geared towards guaranteeing access to justice to victims, providing effective remedy, promoting respect for the fundamental human rights of victims, including offenders, and ensuring adequate protection and assistance to victims of trafficking in order to prevent revictimization and avoid the danger of being re trafficked.

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<sup>36</sup> OHCHR, Recommended Principles and Guidelines on Human Rights and Human Trafficking (E/2002/68/Add.1), para. 7.

100. In view of the foregoing, the Special Rapporteur recommends the following:

(a) States, in close collaboration with stakeholders, should develop comprehensive but specific operational guidelines, procedures and tools for identification based on existing models, particularly those developed by IOM, ILO, UNICEF, the United Nations Office on Drugs and Crime and UNHCR, which have experience in working with trafficked victims. Such guidelines and procedures should be widely disseminated;

(b) Legal frameworks for the protection of victims need to be strengthened. Where countries have ratified the Palermo Protocol, they should ensure domestic application through the national constitutional and legal framework. In addition, there should be legislation on the protection of witnesses and their families, and administrative measures and practices dealing with costs borne by witnesses;

(c) Law enforcement officials (police, immigration, including embassy staff, staff of health and social services, and labour inspectors) should be adequately trained in respect of the national and international legal and policy framework for identification and protection of and assistance to victims, with clear emphasis on respect for the human rights of victims of trafficking. Such capacity-building should be institutionalized through the provision of regular training and retraining that is human rights, child and gender sensitive;

(d) Direct assistance to victims of trafficking requires resources and where the government is not providing such services, it should fund the non-governmental organizations that provide them. Men should also be seen as victims of trafficking, with an equal right to protection and assistance;

(e) Referral mechanisms must be in place to refer victims and potential victims to governmental and non-governmental agencies for assistance that will promote the achievement of the three Rs (rehabilitation, reintegration and redress). For such referral systems to be effective, they must be well coordinated and based on collaborative work among governments, intergovernmental agencies, law enforcement agencies, international organizations and non-governmental organizations, among others;

(f) International cooperation is imperative for improving protection of and assistance to victims of trafficking. To that end, bilateral and regional guidelines and procedures should be developed by States to facilitate cooperation between Governments and stakeholders, including international organizations, in the identification and provision of direct assistance;

(g) Governments should raise awareness of their roles in prevention and protection activities to combat trafficking. Awareness-raising will undoubtedly reduce human trafficking and help to encourage victims who would otherwise have hidden or disappeared to come forward and seek redress for wrongs suffered; this would include the maintenance of hotlines;

(h) States are urged to ensure adequate psychosocial, medical and legal assistance to all victims of trafficking. Inappropriate shelters, for example, placing women victims of domestic violence with victims of trafficking in the

same facility, or children with adults who are not their family members, is not a good practice in responding to the specific needs of victims of trafficking;

(i) States should adopt asylum-sensitive, anti-trafficking legislation to deal with cases of persons in especially vulnerable situations, such as refugees, asylum-seekers and stateless and internally displaced persons. In this regard, relevant training should be organized, especially for immigration and border control officers, lawyers and judges;

(j) States are urged to introduce victim-witness protection programmes and units within the national anti-trafficking framework as part of the institutional mechanism for effectively combating trafficking;

(k) States should ensure that procedures are in place for the rapid identification of child victims of trafficking and the provision of the necessary protection and assistance consistent with the best interests of the child. States must ensure that child victims of human trafficking are not subjected to criminal procedures or sanctions for offences related to their situation as trafficked persons;

(l) States should provide non-conditional assistance to victims and build their trust so that they accept the State's offer of protection and assistance.

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**UNODC**

United Nations Office on Drugs and Crime

# International Framework for Action

## To Implement the Trafficking in Persons Protocol



**UNHCR**

United Nations High Commissioner for Refugees



**unicri**

advancing security, serving justice,  
building peace

United Nations Development Fund for Women



IOM • OIM



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UNITED NATIONS OFFICE ON DRUGS AND CRIME  
Vienna

**International Framework for Action  
To Implement the Trafficking  
in Persons Protocol**



UNITED NATIONS  
New York, 2009

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This publication has not been formally edited.



## Acronyms and abbreviations

ASEAN:	Association of Southeast Asian Nations
CoE:	Council of Europe
CIS:	Commonwealth of Independent States
COMMIT:	Coordinated Mekong Ministerial Initiative against Trafficking
COP:	Conference of the Parties
CTOC:	Convention on Transnational Organized Crime
ECOSOC:	Economic and Social Council
ECPAT:	End Child Prostitution, Child Pornography and Trafficking of Children for Sexual Purposes
LEFÖ-IBF:	Lefö—Interventionsstelle für Betroffene von Frauenhandel (Intervention Centre for Victims of Trafficking in Women)
ICMPD:	International Centre for Migration Policy Development
ILO:	International Labour Organization
IOM:	International Organization for Migration
IPU:	Inter-Parliamentary Union
NGO:	Non-governmental organizations
ODIHR:	Office for Democratic Institutions and Human Rights
OHCHR:	Office of the High Commissioner for Human Rights
OSCE:	Organization for Security and Cooperation in Europe
TOC:	Transnational Organized Crime
TOCC:	Transnational Organized Crime Convention (see also UNTOC)
TIPP:	Trafficking in Persons Protocol
UN:	United Nations
UNCAC:	United Nations Convention against Corruption
UNDAW:	United Nations Divisions for the Advancement of Women
UNDESA:	United Nations Department of Economic and Social Affairs
UNDP:	United Nations Development Programme
UN.GIFT:	United Nations Global Initiative to Fight Trafficking
UNHCHR:	United Nations Office of the High Commissioner for Human Rights
UNHCR:	United Nations High Commissioner For Refugees
UNIAP:	United Nations Inter-Agency Project on Human Trafficking
UNICEF:	United Nations International Children’s Emergency Fund
UNICRI:	United Nations Interregional Crime and Justice Research Institute
UNIFEM:	United Nations Development Fund for Women
UNODC:	United Nations Office on Drugs and Crime
UNTOC:	United Nations Convention against Transnational Organized Crime

## Acknowledgements

This Framework for Action was prepared by the principal drafter Ms Georgina Vaz Cabral.

The elaboration of this Framework would not have been possible without the commitment of the following experts who have contributed to this tool: Ms Janette Amer (UNDAW/DESA), Ms Silke Albert (UNODC), Ms Marie-Anne Baulon (Ministry of Foreign Affairs, France), Ms Doris Buddenberg (UN.GIFT/UNODC), Ms Sheila Coutts (UN.GIFT/UNODC), Mr Richard Danziger (IOM), Mr David Dolidze (Council of Europe), Ms Aranka-Livia Drha (UN.GIFT/UNODC), Ms Zsofia Farkas (Terre des Hommes), Mr Martin Fowke (UNODC), Ms Francesca Friz-Prguda (UNHCR), Ms Anne Gallagher (OHCHR consultant), Ms Gao Yun (ILO), Mr Fernando Garcia-Robles (Organization of American States), Ms. Anelise Gomes De Araujo (OSCE), Ms Vera Gracheva (OSCE), Mr Shadrach Haruna (UNODC), Ms Tejal Jesrani (UNODC), Ms Kristiina Kangaspunta (UNICRI), Ms Lena Karlsson (UNICEF), Ms Mariana Katzarova (OHCHR), Ms Anja Klug (UNHCR), Ms Andrea Koller (UNODC), Ms Julie Kvammen (UNODC), Ms Marika McAdam (UNODC), Ms Eurídice Márquez Sánchez (IOM), Jonathan Martens (IOM), Mr Mohamed Mattar (The Protection Project, John Hopkins University), Ms Yoshie Noguchi (ILO), Mr Theo Noten (ECPAT International), Mr. Roger Plant (ILO), Ms Riikka Puttonen (UNODC), Ms Evelyn Probst (IBF/LEFö), Ms Anuradha Senmookerjee (UNIFEM), Ms Narue Shiki (UN.GIFT/UNODC), Ms Klara Skrivankova (Anti-Slavery International), Ms Alexandra Souza Martins (UNODC), Ms Alexia Taveau (UNODC), Ms Susu Thatun (UNICEF), Mr Hans van de Glind (ILO), Ms Candice Welsch (UNODC).

This tool would not have been possible without the financial support of the Government of France.

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**Part One**  
**Framework for Action:**  
**Introduction**



## Summary

The Framework for Action is a technical assistance tool that aims to assist United Nations Member States in the effective implementation of the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (United Nations Trafficking Protocol). The Framework for Action consists of a narrative part and a set of tables. The narrative describes key challenges in the implementation of the United Nations Trafficking Protocol and proposes general measures that can be taken in order to more effectively address these challenges. The set of tables details these measures further, through five pillars containing practical actions to support the implementation of the United Nations Trafficking Protocol.

### I. What is the Framework for Action

The Framework for Action is a technical assistance tool that assists United Nations Member States in the effective implementation of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (United Nations Trafficking Protocol), supplementing the United Nations Convention against Transnational Organized Crime (UNTOC).

The Framework is based on the objectives of the United Nations Trafficking Protocol<sup>1</sup> and its provisions, following the three internationally recognized themes of prevention, protection and prosecution (the 3Ps) and national and international cooperation and coordination. It recommends operational measures for each of the Protocol's provisions. These measures draw on other international instruments, political commitments, guidelines and good practices to enable the implementation of a comprehensive anti-human trafficking response.

The Framework will assist Member States in identifying gaps and putting in place additional measures they may need, in conformity with international standards. The proposed measures and the resource documents listed are non-exhaustive and therefore should be complemented by additional measures and tailored to countries' regional and national context as well as institutional and legal systems.

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<sup>1</sup>The purpose of the United Nations Trafficking Protocol is defined in its article 2:  
(a) To prevent and combat trafficking in persons, paying particular attention to women and children;  
(b) To protect and assist the victims of such trafficking, with full respect for their human rights; and  
(c) To promote cooperation among States Parties in order to meet those objectives.

The United Nations Trafficking Protocol was open for signature in December 2000. Almost a decade has since passed. Accordingly, the Framework reflects not only the text agreed upon a decade ago, but the knowledge and experience gained over the last 10 years in attempting to give life to that text for all those who respond to trafficking in persons and, most importantly, those who are victimized by it.

## II. Why elaborate a Framework for Action

The United Nations Trafficking Protocol stresses the need to adopt a comprehensive approach to trafficking in persons which addresses all aspects of the crime and which balances criminal justice concerns with the need to ensure the rights and protection of victims.

The United Nations Trafficking Protocol entered into force on 25 December 2003. Since then, while there has been progress in the number of ratifications (132 State Parties as of September 2009) generating amendments to national legislation, there has been less evidence of its effective implementation.

An overview of national measures and practices for the implementation of the Protocol provisions<sup>2</sup> has shown that the majority of States Parties to the Protocol have adopted at least a minimal legislative and institutional framework to ensure such implementation. However, in view of the varying capacity of Member States to fully implement existing or future measures in the areas under discussion, it concluded that more concerted efforts have to be made to help Member States in need to develop effective and multidisciplinary anti-trafficking strategies and build dedicated and sustainable resources to implement such strategies (CTOC/COP/2006/6/Rev.1).

The same conclusion can be drawn from the results of the UN.GIFT data collection published in the UNODC *Global Report on Trafficking in Persons*<sup>3</sup> which demonstrates that, as of November 2008, 80 per cent of the 155 countries and territories covered by the report had legislation comprising a specific offence on trafficking in persons in place. However, 40 per cent of the 155 countries covered by the *Global Report* did not record a single conviction for trafficking in persons from 2003 until 2008. The remaining 60 per cent recorded less than 10 convictions per year from 2003 to 2008.<sup>4</sup>

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<sup>2</sup>The overview is based on replies received from States to the relevant questionnaire for the review of the implementation of the United Nations Convention against Transnational Organized Crime and the United Nations Trafficking Protocol, CTOC/COP/2006/6/Rev.1.

<http://www.unodc.org/documents/treaties/COP2008/CTOC%20COP%202006%206%20Rev1%20Final%20E.pdf>

<sup>3</sup>UNODC, *Global Report on Trafficking in Persons*, 2009, <http://www.unodc.org/unodc/en/human-trafficking/global-report-on-trafficking-in-persons.html>

<sup>4</sup>*Ibid.*



### III. Main cross-cutting challenges in the fight against trafficking in persons

The growing number of States Parties to the United Nations Trafficking Protocol is an expression of the political will of Member States to combat human trafficking. Nevertheless, ratification in itself is not sufficient to ensure its effective implementation and impact on the ground.

The relevant reports of the Secretariat to the Conference of Parties to the Convention,<sup>5</sup> an analysis of existing regional and national action plans and corresponding evaluation reports and recent publications such as the *Global Report on Trafficking in Persons* all serve to highlight key cross-cutting challenges in the response to trafficking in persons.

A consistent challenge in the practical implementation of anti-human trafficking activities is allocation of sufficient financial resources.

The main topical challenges identified in prevention, protection and prosecution efforts lie in the three following areas: (a) knowledge and research, (b) capacity-building and development and (c) monitoring and evaluation.

In addition to the abovementioned topical challenges, insufficient allocation of resources is a consistent challenge in the practical implementation of anti-human trafficking activities.

#### A. Knowledge and research

Knowledge of and research into the specific national, regional and international trafficking in persons context is a prerequisite for the elaboration, implementation and evaluation of anti-human trafficking strategies and development of evidence-based policies. Knowledge and research are also paramount to overcoming the current partial understanding of the crime and the violations of human rights it entails.

Although most countries have adopted a specific offence on trafficking in persons, there is still a diversity of interpretations of and approaches to the Protocol and the definition of trafficking in persons used by Member States. Some only acknowledge certain forms of exploitation or certain categories of victims or criminals, thereby limiting the scope and effectiveness of the response and hindering international cooperation among countries.

In order to strengthen national, regional and global efforts to fight human trafficking, a better understanding of the scope and nature of this crime is needed, including

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<sup>5</sup>See CTOC/COP/2005/3/Rev.2: <http://www.unodc.org/documents/treaties/COP2008/CTOC%20COP%202005%203%20Rev2%20Final%20E.pdf>  
CTOC/COP/2006/6/Rev.1: <http://www.unodc.org/documents/treaties/COP2008/CTOC%20COP%202006%206%20Rev1%20Final%20E.pdf>

the labour exploitation dimension often not properly addressed. Many countries still do not collect even basic data and many are not collecting data in a way that facilitates insight into the national situation, let alone meeting standards of international comparability.<sup>6</sup> The data available is rarely disaggregated by age, gender, nationality, ethnicity, ability or form of exploitation.

In addition, there is a need for additional targeted and qualitative research to provide insight into the multifaceted dimensions of the crime. Research should include knowledge of the legal, social, cultural and economic circumstances that make children and adults vulnerable to trafficking; knowledge of the demand factors which fuel all forms of trafficking in persons; knowledge of the routes, changes in patterns/trends and modus operandi of the perpetrators; and knowledge of the social, cultural and legal responses that enable effective protection, rehabilitation, and integration or reintegration of victims.

## B. Capacity-building and development

Member States are faced with different challenges in preventing and combating trafficking in persons, not only because the extent and nature of the problem varies but also due to different capacities across countries and regions.

For this reason, strengthening capacity at the national level is necessary so that Member States have the institutional and technical ability to develop, implement and assess their own anti-human trafficking policies and strategies.

In view of the complex and changing nature of the crime, it is also essential that countries be able to strengthen, adapt and maintain the required capacity over time.

A review of the reports of the Open-ended Interim Working Group of Government Experts on Technical Assistance (CTOC/COP/2008/7) and of the first and second round of questionnaires on the implementation of the UNTOC and United Nations Trafficking Protocol and the background paper prepared by the Secretariat containing proposals for technical assistance activities (CTOC/COP/WG.2/2007/2), as well as the UNODC *Global Report on Trafficking in Persons* (2009), highlight the capacity-building needs of Member States in all areas of the response to trafficking in persons, namely: prevention, protection, prosecution, cooperation and coordination.

For example, Member States must strengthen their capacity to analyze and develop national policies and strategies for the implementation of the United Nations Trafficking Protocol, supported by national inter-agency coordination mechanisms in consultation with civil society. Likewise, Member States should be able to develop and carry out information and awareness-raising programmes for policymakers, criminal justice practitioners, border and immigration authorities, labour inspectors,

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<sup>6</sup>UNODC, *Global Report on Trafficking in Persons*, 2009, <http://www.unodc.org/unodc/en/human-trafficking/global-report-on-trafficking-in-persons.html>

workers' and employers' organizations, health practitioners and social workers, among others, in order to effectively prevent and combat trafficking in persons.

### C. Monitoring and evaluation

Systematic gathering and analysis of data on trafficking in persons is an important step for increasing the knowledge base and for monitoring trends and patterns at national, regional and international levels. In addition, data gathering and analysis are important as they help to set baselines against which Member States can assess progress in the implementation of national policies, strategies and programmes.

The United Nations Convention against Transnational Organized Crime established a Conference of the Parties as a vehicle for States Parties to report on their implementation of the Convention.<sup>7</sup> At its first session, the Conference of the Parties, inter alia, established a programme of work for reviewing periodically the implementation of the Trafficking in Persons Protocol,<sup>8</sup> as per article 32 of the Convention.

The United Nations Office of the High Commissioner for Human Rights (UNHCHR) Recommended Principles and Guidelines recommend that Member States establish mechanisms to monitor the human rights impact of anti-trafficking laws, policies, programmes and interventions. Consideration should be given to assigning this role to independent national human rights institutions where such bodies exist. Non-governmental organizations working with trafficked persons should be encouraged to participate in monitoring and evaluating the human rights impact of anti-trafficking measures.<sup>9</sup>

In view of the multidisciplinary nature of trafficking in persons and the number of government and non-governmental institutions working on the issue, Member States should ensure a common national system for collecting and sharing information so that different agencies use common standard language, methods and procedures that allow for comparability within countries and across them.

Equally important is that Member States use the findings from regular monitoring and impact evaluations in order to help identify gaps in the national response and adapt, take course-corrective actions or additional measures and/or make the necessary changes in policies or strategies to prevent and combat trafficking in persons.

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<sup>7</sup>According to the 2006 implementation report of the Conference of the Parties  
[http://www.unodc.org/pdf/ctoccop\\_2006/V0659538e.pdf](http://www.unodc.org/pdf/ctoccop_2006/V0659538e.pdf)

<sup>8</sup>See CTOC/COP/2004/6 and Corr.1, Chapter. I.  
<http://www.unodc.org/documents/treaties/UNTOC/COP/session1/V0587363e.pdf>

<sup>9</sup>ECOSOC, Recommended Principles and Guidelines on Human Rights and Human Trafficking, Guideline 6: Protection and support for trafficked persons, E/2002/68/Add.1, 2002, Guideline 1, paragraph 7.  
<http://www.un.org/ga/president/62/ThematicDebates/humantrafficking/N0240168.pdf>

## IV. Addressing the challenges

### A. Guiding principles

In order to address these challenges, there are a number of interacting principles applicable to all aspects of a comprehensive anti-human trafficking response.

- *Human rights-based approach:* The human rights of trafficked persons should be at the centre of all efforts to prevent and combat trafficking and to protect, assist and provide redress to victims. Anti-trafficking measures shall not adversely affect the human rights and dignity of persons, in particular the rights of those who have been trafficked, and of migrants, unaccompanied and separated children, internally displaced persons, refugees and asylum-seekers.<sup>10</sup>
- *Principle of non-discrimination:* The measures set out in the United Nations Trafficking Protocol should be interpreted and applied in a way that is not discriminatory to persons on the ground that they are victims of trafficking in persons. The interpretation and application of those measures should be consistent with internationally recognized principles of non-discrimination.<sup>11</sup>
- *Gender-sensitive approach:* Trafficking in both men and women should be acknowledged and the similarities and differences in the trafficking experience of women and men, in relation to vulnerabilities and violations should be addressed. The differential impacts of policies on men and women should also be taken into account.<sup>12</sup> A gender-sensitive approach empowers potential and actual victims to access information and remedies, and to claim their human rights. It includes ensuring that anti-trafficking strategies address gender-based discrimination and violence, and promote gender equality and the realization of human rights for both women and men.
- *Child-Rights approach and child participation:* All actions undertaken in relation to child victims and children at risk should be guided by applicable human rights standards and in particular by the principles of protection and respect for children's rights as set out in the United Nations Convention on the Rights of the Child (CRC) and in its Optional Protocol on the sale of children, child prostitution and child pornography. 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 the primary consideration.<sup>13</sup>

<sup>10</sup>Ibid, The primacy of human rights, p. 3.

<sup>11</sup>Article 14 of the United Nations Trafficking Protocol.  
[http://www.uncjin.org/Documents/Conventions/dcatoc/final\\_documents\\_2/convention\\_%20traff\\_eng.pdf](http://www.uncjin.org/Documents/Conventions/dcatoc/final_documents_2/convention_%20traff_eng.pdf)

<sup>12</sup>UNIFEM, Trafficking in Persons: a Gender and Rights Perspective, 2002.

[http://www.unifem.org/attachments/products/traffkit\\_eng.pdf](http://www.unifem.org/attachments/products/traffkit_eng.pdf)

<sup>13</sup>UNICEF Guidelines on the Protection of Child Victims of Trafficking, 2006.  
[http://www.unicef.org/ceecis/0610-Unicef\\_Victims\\_Guidelines\\_en.pdf](http://www.unicef.org/ceecis/0610-Unicef_Victims_Guidelines_en.pdf)

- *The United Nations Trafficking Protocol and other international instruments:*<sup>14</sup> The United Nations Trafficking Protocol supplements the United Nations Convention against Transnational Organized Crime and should be interpreted together with the Convention. Nothing in the Protocol shall affect the rights, obligations and responsibilities of States and individuals under international law, including international humanitarian law and international human rights law, international labour standards and, in particular, where applicable, the 1951 Convention and the 1967 Protocol Relating to the Status of Refugees and the principle of non-refoulement as contained therein.<sup>15</sup>
- *Comprehensive international approach:* Effective action to prevent and combat trafficking in persons, especially women and children, requires a comprehensive international approach in the countries of origin, transit and destination that includes measures to prevent such trafficking, to punish the traffickers and to protect the victims of such trafficking, including by protecting their internationally recognized human rights.<sup>16</sup>
- *Interdisciplinary, coordinated, integrated approach:* As a multidisciplinary problem, trafficking in persons requires that policies on a variety of issues are coordinated and consistent with the objective of preventing and combating trafficking in persons. Member States must ensure coordination among the various governmental agencies involved in anti-trafficking activities, among those agencies and NGOs, and among the agencies in one Member State and those in others.<sup>17</sup>
- *Evidence-based approach:* Policies and measures to prevent and combat trafficking in persons should be developed and implemented based on data collection and research and regular monitoring and evaluation of the anti-trafficking response.
- *Sustainability:* A sustainable anti-trafficking response is one that endures over time and is able to adapt creatively to changing conditions. Sustainability refers to coherence of practices in both time and efficiency.

## B. The Framework for Action

The Framework for Action focuses on five key pillars of intervention needed to ensure an effective and comprehensive anti-trafficking response: prosecution, protection, prevention, national coordination and cooperation, and international cooperation and coordination.

<sup>14</sup>See list of relevant international Conventions in Annex

<sup>15</sup>Article 14 United Nations Trafficking Protocol.

<sup>16</sup>Preamble of the United Nations Trafficking Protocol.

<sup>17</sup>Measuring Responses to Trafficking in Human Beings in the European Union: an Assessment Manual, EC Directorate General Freedom, Security and Justice, 2007.

[http://ec.europa.eu/justice\\_home/fsj/crime/trafficking/doc/assessment\\_18\\_10\\_07\\_en.pdf](http://ec.europa.eu/justice_home/fsj/crime/trafficking/doc/assessment_18_10_07_en.pdf)

## 1. Prosecution

Trafficking in persons remains largely under-prosecuted and punished. Although many countries have a specific offence criminalizing trafficking in persons in all or most of its forms, many countries still do not have a legal framework covering all provisions of the Protocol in a comprehensive manner. Conviction rates under the specific offence of trafficking remain low. In order to improve prosecution efforts, the following measures are required:

(a) Develop or strengthen national legal frameworks so that they are comprehensive and in compliance with the United Nations Trafficking Protocol and ensure their implementation in line with the Protocol and other international standards, prioritizing the rights of victims:

- i. Ensure that trafficking in persons is a criminal offence as defined in the United Nations Trafficking Protocol and prioritize the prosecution of trafficking in persons rather than related offences.
- ii. Ensure criminalization of crimes related to trafficking in persons, such as corruption, money laundering, obstruction of justice and participation in an organized criminal group.
- iii. Ensure that penalties and sanctions are appropriate and proportionate to the gravity of the crime and that proceeds of trafficking in persons are confiscated.
- iv. Ensure the rights of victims, including the rights of victims and witnesses to protection before, during and after the prosecution of the crime, as well as effective collaboration between law enforcement and social welfare, and civil society.
- v. Develop proactive, intelligence led investigative techniques without reliance on the testimony of victims,<sup>18</sup> and establish and ensure implementation of judicial procedures to avoid the re-victimization of trafficked persons, in particular children, during the judicial process.

(b) Ensure the enforcement of national anti-human trafficking legislation including by issuing regulations, circulars and/or administrative guidelines and by strengthening the capacity of criminal justice practitioners.

(c) Ensure the establishment of relevant institutions, such as specialized police units and judicial structures.

## 2. Protection

Many victims of trafficking are not identified and therefore remain unprotected. The identification of trafficked persons is a prerequisite for their access to assistance and protection. Many countries still need to establish or improve victim identification processes and the corresponding referral mechanisms. In order to improve the protection of victims, the following measures are required:

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<sup>18</sup>European Commission Directorate-General Justice, Freedom and Security, *Report of the Experts Group on Trafficking in Human Beings*, 2004, p. 41.  
[http://ec.europa.eu/justice\\_home/doc\\_centre/crime/trafficking/doc/part\\_1\\_en.pdf](http://ec.europa.eu/justice_home/doc_centre/crime/trafficking/doc/part_1_en.pdf)



(a) Adopt or amend the necessary legislative measures for comprehensive protection of and assistance to victims of trafficking and their empowerment and protection from re-victimization.

(b) Develop or strengthen the identification process, including through identification guidelines and procedures and other effective identification techniques.

(c) Ensure the enforcement of legislation measures including by issuing regulations, circulars and/or administrative guidelines.

(d) Establish or strengthen national referral mechanisms for victim protection and assistance, including referral to the asylum-system where appropriate.

(e) Ensure the application of international standards and a human rights-based approach to victim protection and assistance irrespective of their cooperation with law enforcement, taking into account the special needs of children. Such an approach includes access to a range of assistance services, granting a reflection period, access to compensation, possibility of temporary or permanent residency and non-liability of victims for their involvement in unlawful activities as a result for being trafficked.

(f) Adopt the necessary measures to ensure that the return of a trafficked person is undertaken on a voluntary basis and that any decision to return is preceded by a risk assessment and with due regard for his/her safety.

### 3. Prevention

Prevention is one of the most important aspects of an effective anti-human trafficking response. However, not all prevention strategies are integrated into broader policies related to trafficking in persons and many lack evidence-based research and planning as well as impact evaluations. In order to improve prevention strategies and programmes, the following measures are required:

(a) Amend or adopt the necessary legislative measures and establish comprehensive policies and programmes to prevent trafficking in persons and to protect victims from re-victimization, including measures to promote/support lawful migration for decent work and for youth of working age.

(b) Ensure effective national child protection systems and the active participation of children in the development of preventive measures.

(c) Ensure coherence among public policies related to trafficking in persons (migration, crime prevention, education, employment, health, security, non-discrimination, economic development, protection of human rights, child protection, gender equality, among others).

(d) Develop or strengthen measures to reduce vulnerability to trafficking by addressing its root causes including the demand that fosters all forms of trafficking in persons, and social indifference to exploitation.

(e) Conduct needs assessments for and impact evaluations of prevention strategies and programmes.

#### 4. National coordination and cooperation

Trafficking in persons is a complex multifaceted crime. The fight against trafficking requires the involvement of all sectors of society and a wide array of national institutions. This can lead to duplication of efforts, inefficient use of resources, incoherent or contradictory interventions and it can result in a less effective response. Member States must have inter-agency coordination and cooperation mechanisms in place that allow for information exchange, strategic planning, division of responsibilities and sustainability of results. In order to improve national cooperation and coordination, the following measures are required:

(a) Ensure the development and implementation of comprehensive and evidence-based policies on trafficking in persons and ensure coherence with other related policies.

(b) Establish a system or mechanism of multidisciplinary cooperation and coordination among relevant stakeholders, such as governmental institutions (including law enforcement agencies, judicial authorities, labour inspectorates, immigration and asylum authorities), non-governmental organizations, victim service providers, health institutions, child protection institutions, trade unions, workers' and employers' organizations, and the private sector.

(c) Ensure monitoring and evaluation of national strategies and/or plans of action to assess progress and impact in order to enable course-corrective actions, additional measures and/or changes in national policies.

#### 5. International cooperation and coordination

Trafficking in persons is a crime that is often committed across borders and therefore requires Member States to cooperate and coordinate among themselves and with international and regional organizations. Member States often do not have the capacity to prevent, investigate, adjudicate and punish transnational crimes because international cooperation is either non-existent or inadequate. Moreover, international mechanisms or structures must be in place to improve the coordination of efforts of international and regional organizations. In order to improve international cooperation and coordination, the following measures are required:

(a) Create the legal basis for international cooperation, including the promotion of cooperation agreements.

(b) Develop or strengthen national capacity in extradition, mutual legal assistance, transfer of sentenced persons, joint investigations, international cooperation for purposes of confiscation.

(c) Develop or strengthen national capacities for the identification, return, risk assessment and reintegration of victims of trafficking, with special consideration to the best interest of the child, and establish cooperation between countries of destination, transit and origin.



(d) Promote formal and informal cooperation, such as establishing communications procedures, and information and data exchange.

(e) Ensure coherence in policy recommendations and technical assistance provided by international and regional organizations.

(f) Ensure division of labour based on organizations' mandates and core competencies in order to avoid unnecessary duplication of efforts and to rationalize activities to make them cost-effective.

(g) Promote cooperation and joint programming among international and regional organizations for the development and implementation of common strategies and programmes.

## V. How to read the Framework for Action

The Framework for Action guides Member States in the implementation of the United Nations Trafficking Protocol in each of the five pillars needed to ensure an effective and comprehensive anti-trafficking response: (a) prosecution, (b) protection, (c) prevention, (d) national coordination and cooperation, and (e) international cooperation and coordination.

For each of the five pillars, the Framework is subdivided into Protocol requirements, specific objectives, framework indicators, implementation measures, operational indicators and resources:

The *Protocol requirements* list the provisions set out in the United Nations Trafficking Protocol.

The *specific objectives* describe the intent of the provisions.

The *framework indicators* are the minimum standards required, mainly legal and institutional indicators, for the implementation of the Protocol provisions.

The *implementation measures* specify practical recommended actions to achieve an effective implementation of the United Nations Trafficking Protocol.

The *operational indicators* refer to the implementation measures. They measure the implementation and help monitor change over time.<sup>19</sup>

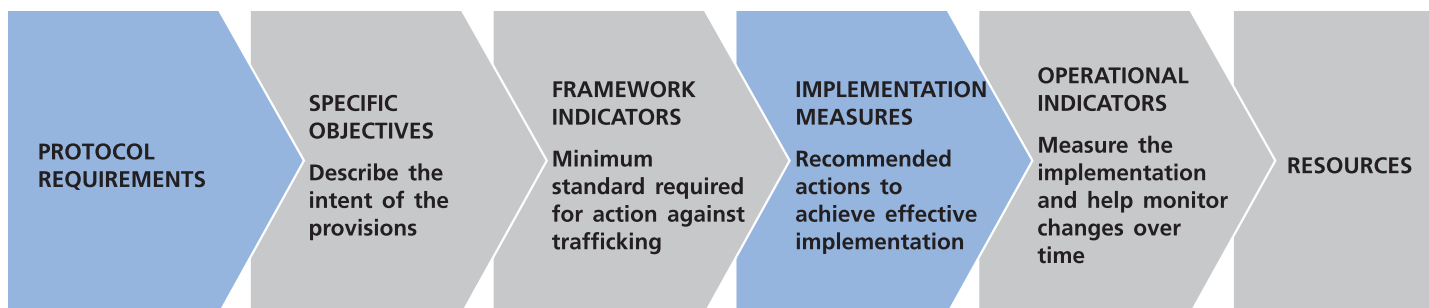
The *resources* refer to relevant documents, existing guidance, tools and good practices that can assist Member States in the implementation of the specific objectives outlined in the Framework for Action.

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<sup>19</sup>The corresponding information should not only be collected but also disaggregated, e.g for personal data, by age, sex, nationality, social and economic background; for acts of trafficking, different means utilized, forms of exploitation and duration of exploitation; for service provision, whether services are provided by state or non-state actors. This list is non-exhaustive.



**Part Two**  
**Framework for Action:**  
**Tables**

**FIGURE 1. GUIDE TO USING THE TABLES**

**TABLE 1. PROSECUTION**

PROTOCOL REQUIREMENTS	SPECIFIC OBJECTIVES	FRAMEWORK INDICATORS (Minimum standard)	IMPLEMENTATION MEASURES	OPERATIONAL INDICATORS	RESOURCES
<p><b>Definition and criminalization of trafficking in persons and related crimes</b></p>	<p>Ensure common norms in all member states</p> <p>Ensure appropriate criminal justice response and legal framework</p> <p>Facilitate international cooperation</p>	<p>Ratification or accession to TOCC AND TIPP</p> <p>Comprehensive national legal framework on trafficking in persons in place</p> <p>Relevant institutional framework dedicated to trafficking in persons in place</p>	<p>Analyse and assess existing legislation and needs in relation to the TOCC and TIPP</p> <p>Adopt appropriate legislation and regulations</p> <p>Establish specialized police units and judicial structures</p>	<p>Evidence of implementation of comprehensive legislation in line with international standards by practitioners</p> <p>Number of investigations and prosecutions carried out in line with international standards</p> <p>Number of specialized units established</p> <p>Number of specialized criminal justice practitioners</p> <p>Committed budget allocation</p>	<p>UNODC Toolkit to Combat Trafficking in Persons, 2008 (chapter 1, 2, 3 and 4)</p> <p>UNODC, Assessment Toolkit on the Criminal Justice Response to Human Trafficking (to be published)</p> <p>ILO, Human trafficking and forced labour exploitation, Guidelines for legislation and law enforcement, Special action programme to combat forced labour, 2005</p> <p>DAW/DESA, Handbook for legislation on violence against women, 2009</p> <p>ILO, Combating trafficking in children for labour exploitation: A resource kit for policy-makers and practitioners, 2008 (book 1 and 2 in particular tool 2.17)</p> <p>CoE, The Council of Europe Convention on Action against Trafficking in Human Beings. Handbook for parliamentarians, 2007</p>

overview

TABLE 1. PROSECUTION (Continued)

PROTOCOL REQUIREMENTS	SPECIFIC OBJECTIVES	FRAMEWORK INDICATORS (Minimum standard)	IMPLEMENTATION MEASURES	OPERATIONAL INDICATORS	RESOURCES
<p><b>Criminalize trafficking in persons, the attempt to commit the offence, the participation as an accomplice, the organization or the direction of other persons to commit the offence</b></p> <p>(article 5, Protocol)</p>	<p>Provide basis for detection, investigation and prosecution of offenders and also adequately punish traffickers</p> <p>Adopt such legislative and other measures as may be necessary to establish as criminal offences the conduct set forth in article 3 of the Protocol, when committed intentionally</p>	<p>Existence of a comprehensive criminal offence in compliance with the definition of article 3 of the Protocol, covering the full range of trafficking in persons, as well as organizing, directing and participating as an accomplice in any form of trafficking. The offence does not require involvement by an organized crime group or transnationality (article 34, para. 2, Convention). Such involvement, however, may constitute an aggravating circumstance.</p>	<p>Ensure offence reflects the definition of trafficking in persons (article 3 of the Protocol)</p> <p>Ensure legislation clearly and precisely defines the constituent elements of the offence in order to distinguish trafficking in persons from other offences to enable the identification of trafficking victims</p> <p>All forms of exploitation should be properly addressed with reference to relevant international human rights standards including fundamental principles and rights at work such as the abolition of forced labour and child labour</p> <p>Ensure legislation also applies when the exploitative purpose has not yet materialized</p> <p>Ensure implementation of the legislation through passing of (or by issuing) regulations, circulars, guidelines or instructions to present and explain in detail the new offence; and/or taking into consideration case law and jurisprudence in line with the legal system</p>	<p>Existence of regulations, circulars, guidelines, jurisprudence, case law, directives or instructions to explain or clarify the offence in line with the legal system</p> <p>Number of trafficking in persons investigations undertaken in line with international standards</p> <p>Number of persons charged for trafficking in persons in line with international standards</p> <p>Number of convictions for trafficking in persons in line with international standards</p> <p>Multidisciplinary training for law enforcement, prosecutors and judicial authorities, labour inspectors, social workers and other relevant officials in place</p>	<p>UNODC, Legislative guide for the implementation of the TOCC and its Protocols, 2005</p> <p>UNODC Toolkit to Combat Trafficking in Persons, 2008, (chapter 3)</p> <p>UNODC, Model Law against trafficking in persons, 2009</p> <p>UNODC Toolkit to Combat Trafficking in Persons, 2008, (tools 2.14, 5.20, 6.14, and 9.18)</p> <p>UNODC/IPU/UNGIFT, Handbook for Parliamentarians, 2009</p> <p>UNICEF/IPU, Handbook for Parliamentarians: Combating Child Trafficking, 2005</p> <p>DAW/DESA, Handbook for legislation on violence against women, 2009 (section 3.8)</p> <p>ILO, Forced labour and human trafficking: A handbook for labour inspectors, 2008</p> <p>OSCE, Human Trafficking for Labour Exploitation/Forced and Bonded Labour: Identification-Prevention-Prosecution; Human trafficking for Labour Exploitation/Forced and Bonded Labour: Prosecution of Offenders, Justice for Victims. Occasional paper, 2008</p>

			<p>Ensure seminars for parliamentarians and legal drafters in combating trafficking in persons</p> <hr/> <p>Ensure comprehensive training for law enforcement, immigration, judicial authorities, prosecutors, labour inspectors, social workers and other relevant officials in combating trafficking in persons. The training should focus on methods used in preventing such trafficking, prosecuting the traffickers and protecting the rights of the victims, including victim assistance and protection. The training should also take into account the need to consider human rights, refugee protection and child- and gender-sensitive issues and it should encourage cooperation with nongovernmental organizations, other relevant organizations and other elements of civil society (article 10, para. 2, Protocol)</p>		<p>Training manuals including by ICMPD, IOM, UNICEF, ILO, UNODC</p>
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TABLE 1. PROSECUTION (Continued)

PROTOCOL REQUIREMENTS	SPECIFIC OBJECTIVES	FRAMEWORK INDICATORS (Minimum standard)	IMPLEMENTATION MEASURES	OPERATIONAL INDICATORS	RESOURCES
<b>Definition of trafficking in persons</b> (article 3, Protocol)	<p>Ensure a common understanding of and approach to trafficking in persons and its constituent elements that would form the basis of domestic criminal offences and support efficient international cooperation in criminal matters</p> <p>Provide an effective criminal justice response to trafficking in persons</p>	Evidence of clear and coherent legislation in line with the trafficking definition (article 3, Protocol)	Ensure the trafficking in persons offence reflects the three constituent elements of action, means and exploitative purpose	<p>Legislation or offence applicable to women, men and children</p> <p>Legislation or offence on trafficking in persons applicable to internal and transnational trafficking</p> <p>Legislation or offence of trafficking in persons applicable regardless of whether an organized crime group is involved</p>	<p>UNODC Legislative guide for the implementation of the TOCC and its Protocols, 2005</p> <p>UNODC Toolkit to Combat Trafficking in Persons, 2008, (chapters 1 and 3)</p> <p>UNODC, Model Law against Trafficking in Persons, 2009</p>
Action: the recruitment, transportation, transfer, harbouring or receipt of persons					
Means: the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person			<p>Ensure that legislation makes clear that the use of improper means renders the consent of a victim irrelevant</p> <p>Ensure that legislation prevents trafficked persons from being prosecuted, detained or punished for their involvement in unlawful activities, to the extent that they have been compelled to do so</p>	<p>No prosecution or conviction of victims for illicit or criminal activities for which they were trafficked</p> <p>No prosecution or conviction of victims for immigration offences established under national law.</p>	UNODC, Toolkit to Combat Trafficking in Persons, 2008 (tool 6.1)
Purpose: exploitation, including the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.		Trafficking in persons legislation covering at a minimum those forms of exploitation mentioned in the Protocol, in place	<p>Ensure that legislation criminalizes at a minimum those forms of exploitation mentioned in the Protocol while other forms of exploitation may be added</p> <p>Ensure that the forms of exploitation are clearly defined in national legislation and/or case law</p>	<p>Legislation criminalizes at a minimum those forms of exploitation mentioned in the Protocol</p> <p>Legislation allows for criminalization of sexual and labour exploitation and any other form of exploitation including conscription of child soldiers, unlawful activities, illegal adoption, sex tourism among others</p>	<p>ILO, Human trafficking and forced labour exploitation, Guidelines for legislation and law enforcement, Special action programme to combat forced labour, 2005</p> <p>ILO, Combating trafficking in children for labour exploitation: A resource kit for policy-makers and practitioners, 2008 (book 1 and 2 in particular tool 2.17)</p>



<p><b>Victim consent</b> (article 3.b, Protocol)</p>	<p>Ensure that victim consent is irrelevant when the means have been utilized</p>	<p>Existence of provision in legislation or offence specifying that the consent of the victim is irrelevant when the means have been utilized</p>	<p>Ensure legislation and court practice reflect that when the use of one or more of the means has been established, the consent of the victim is irrelevant</p>	<p>Number of traffickers convicted in line with international standards despite the use of victim consent as a defense</p>	<p>UNODC Toolkit to Combat Trafficking in Persons, 2008, (tool 1.3)</p>
<p><b>Criminalization of trafficking in children</b> (article 3.c, Protocol)</p>	<p>Ensure that children are considered victims of trafficking in persons without the need for the means set forth in the definition to be proven</p>	<p>Existence of legislation criminalizing trafficking in children, which specifies there is no need to establish means as set forth in the definition.</p>	<p>Ensure legislation provides for increasing the gravity of the initial offence of trafficking in persons when children are involved as victims; alternatives can include creating a separate offence concerning trafficking children or ensuring legislation provides for aggravating circumstances to be taken into account</p> <p>Ensure the legal recognition of the internationally recognized status of the vulnerability of persons under the age of 18 (Preamble of the Convention on the Rights of the Child)</p> <p>Pursuant to the principle of vulnerability of children, ensure that the offence of trafficking in persons is established without the need to prove the use of the means as set forth in the definition</p>	<p>Number of convictions for trafficking in children in line with international standards</p> <p>Number of aggravated sanctions in line with international standards</p> <p>Evidence of a general principle recognizing the vulnerability of children</p>	<p>ILO, Combating trafficking in children for labour exploitation: A resource kit for policy-makers and practitioners, 2008</p> <p>Guidelines (N.7) on Justice in Matters involving Child Victims and Witnesses of Crime ECOSOC Resolution, 2005/20-22 July 2005</p> <p>ILO, Combating trafficking in children for labour exploitation: A resource kit for policy-makers and practitioners, 2008 (book 1 and 4)</p> <p>IOM/ Austrian Federal Ministry of the Interior, Resource Book for Law Enforcement Officers on Good Practices in Combating Child Trafficking, 2006</p>

TABLE 1. PROSECUTION (Continued)

PROTOCOL REQUIREMENTS	SPECIFIC OBJECTIVES	FRAMEWORK INDICATORS (Minimum standard)	IMPLEMENTATION MEASURES	OPERATIONAL INDICATORS	RESOURCES
<b>Liability of legal persons</b> (article 10, Convention)	<p>Harmonize trafficking in persons offences</p> <p>Ensure liability of all categories of offenders</p> <p>Ensure that individuals will not hide behind a legal entity to perpetrate the crime of human trafficking</p>	<p>Liability of legal persons established in compliance with legal principles of the State</p>	<p>Ensure enactment of a specific disposition on the liability of legal persons when it is not already a general principle of the national judicial system</p> <p>Ensure legislation reflects that liability of legal persons can be criminal, civil or administrative without prejudice to the criminal liability of natural persons having committed the crime of trafficking in persons (article 10.2 and 3 Convention)</p> <p>Ensure that legal persons held liable are subject to effective, proportionate and dissuasive criminal or non-criminal sanctions, including monetary sanctions (article 10.4 Convention)</p>	<p>General principle on the liability of legal persons and or/specific disposition on the liability of legal persons having committed the offence of trafficking in persons in place</p>	
<b>Criminalization and measures against corruption</b> (articles 8 and 9, Convention)	<p>Adopt legislative and other measures to criminalize corruption or ensure existing measures comply with the requirements of the TOC Convention</p> <p>Harmonize criminalization of corruption</p> <p>Eliminate corruption as one of the contributing factors to trafficking in persons</p>	<p>Criminal offence in place covering all forms of corruption in compliance with the Convention against Corruption, including the elements of participating as an accomplice, involving public official and, foreign public officials and international civil servants</p>	<p>Ensure implementation of the legislation through passing of (or by issuing) regulations, circulars, guidelines or instructions to present and explain in detail the new offence</p> <p>Ratify United Nations Convention against Corruption (UNCAC)</p>	<p>UNCAC ratified</p> <p>Offence of corruption in compliance with the United Nations Convention against Corruption and the Convention against Transnational Organized Crime in place</p>	<p>UN, Legislative guide for the implementation of the United Nations Convention against Corruption</p> <p>UNODC, Anti-corruption Toolkit, 2004</p> <p>UNODC, Compendium of International Legal Instruments on Corruption, 2005</p>

	<p>Adopt effective legislative, administrative or other measures to prevent, investigate and prosecute corruption in relation to trafficking cases</p>		<p>Ensure legislation refers to the list of forms of corruption as set out in the Convention. Legislation can provide for a specific offence concerning corruption in relation to trafficking in persons or corruption can be considered an aggravating circumstance in trafficking in persons cases</p> <p>Ensure the effectiveness of measures against corruption in relation to trafficking in persons cases</p> <p>Ensure measures reflect that:</p> <p>Corruption can take place throughout the trafficking process as well as before and after (during the phase of protection and assistance to victims; before, during and after judicial proceedings);</p> <p>Corruption can take place in the countries of origin, transit and destination;</p> <p>Corruption can take place in the public as well as private sector</p> <p>Establish a body to fight against corruption with codes or norms of conduct for public officials, measures to strengthen judicial integrity and to guarantee and increase transparency of public administration</p> <p>Implement measures of international cooperation, such as extradition treaties establishing corruption as an offence for which the offender can be extradited</p> <p>Implement measures providing for confiscation and seizure of assets and proceeds of the crime of corruption</p>	<p>Number of investigations, prosecutions and convictions for corruption related to trafficking in persons cases in line with international standards</p> <p>Anti-corruption training for law enforcement officers, judges, prosecutors, immigration officers, judicial authorities in place</p>	<p>UN.GIFT, The Vienna forum report: a way forward to combat human trafficking, Corruption and human trafficking: the grease that facilitates the crime, 2008</p>
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TABLE 1. PROSECUTION (Continued)

PROTOCOL REQUIREMENTS	SPECIFIC OBJECTIVES	FRAMEWORK INDICATORS (Minimum standard)	IMPLEMENTATION MEASURES	OPERATIONAL INDICATORS	RESOURCES
<p><b>Sanction</b> (article 11 para.1, Convention)</p>	<p>Ensure effective, proportionate and dissuasive criminal or non-criminal sanctions</p>	<p>Penalties and sanctions are appropriate and proportionate to the gravity of the crime</p>	<p>Ensure that legislation provides that:</p> <p>In the event of a “serious crime”, the offence is punishable by a maximum deprivation of liberty of at least four years or a more serious penalty (article 2 para. b, Convention);</p> <p>In the event of a crime committed against vulnerable persons the sanction must be increased appropriately and proportionately</p> <p>As in the case of the liability of legal persons (article 10 para. 4), additional administrative and/or other non-criminal sanctions must be used, e.g. monetary sanctions; where parents/ legal guardians are involved in the trafficking of their children they can be deprived of their parental rights, with due regard to the best interests of the child</p> <p>Ensure the effective application of sanctions</p>	<p>Severity of sanctions imposed for trafficking in persons</p> <p>Number of sanctions reflecting aggravating circumstances</p> <p>Number of additional administrative and/or other non-criminal sanctions used</p> <p>Number of penal sanctions applied</p> <p>Number of recidivists/repeat offenders</p>	<p>UNODC/UN.GIFT, Combating Trafficking in Persons—Handbook for Parliamentarians, 2009</p> <p>ILO, Combating trafficking in children for labour exploitation: A resource kit for policy-makers and practitioners, 2008 (book 4, section 4.4)</p> <p>DAW/DESA, Handbook for legislation on violence against women, 2009, (sections 3.11.1, 3.11.2, 3.11.5, 3.11.6)</p>

<p><b>Confiscation and seizure of assets and proceeds of crime</b> (article 12 and 14, Convention)</p>	<p>Ensure that traffickers and exploiters (natural and/or legal persons) are deprived of the proceeds of the crime and hampered from financing other crimes or laundering the proceeds</p> <hr/> <p>Confiscation and seizure of assets applied to trafficking in persons cases</p>	<p>Legislation on the identification, tracing, seizure of assets and confiscation of proceeds of crime of trafficking in persons in place</p>	<p>Establish procedural means such as those set out in article 12 taking into consideration the national judicial system to ensure effective confiscation and seizure of assets and/or proceeds of crime</p> <hr/> <p>Make use of international cooperation for confiscation of assets (article 13, Convention)</p> <hr/> <p>Ensure procedures are in place such that the proceeds of crime or confiscated property of traffickers and/or exploiters can be used to compensate victims of the crime or returned to their legitimate owners (article 14, para. 2)</p>	<p>Number of confiscation or seizure of assets in cases of trafficking in persons</p> <hr/> <p>Bilateral or multilateral agreements governing confiscation of assets and proceeds of crime in place</p>	<p>UNODC Toolkit to Combat Trafficking in Persons, 2008, (tool 5.7)</p>
<p><b>Special investigative techniques</b> (article 20, Convention)</p>	<p>Combat organized criminal groups engaged in trafficking in persons</p> <hr/> <p>Collect information, intelligence and relevant evidence to initiate judicial proceedings at the national level or within the framework of mutual legal assistance with other State Parties</p>	<p>Legislation on the use of special investigative techniques (undercover operations, infiltration, surveillance, use of informants etc.) in place to reduce reliance on victim testimony and corroborate evidence</p> <hr/> <p>Legal measures in place to participate on an ad hoc basis to international cooperation activities</p>	<p>Ensure the existence of standing agreements with countries of origin and destination for the use of co-located or non co-located joint investigation teams in the investigation of traffickers and exploiters and their assets</p> <hr/> <p>Develop proactive, intelligence led investigative techniques without reliance on the testimony of victims</p> <hr/> <p>Ensure that special investigative techniques such as electronic surveillance and infiltration operations can be used within national and international investigations (Convention article 20 para. 1) in a timely manner</p>	<p>Number of joint investigation teams established for the investigation of transnational trafficking of person cases</p> <hr/> <p>Number of investigations of organized criminal groups carried out making use of special investigative techniques</p> <hr/> <p>Existence of a compendium of special investigative and judicial cooperation mechanisms</p> <hr/> <p>Existence of Standard Operating Procedures on use of special investigative techniques including rapid identification of victims for relevant state authorities and officials</p>	<p>UNODC Toolkit to Combat Trafficking in Persons, 2008, (tool 5.8)</p> <p>IOM/ Austrian Federal Ministry of the Interior, Resource Book for Law Enforcement Officers on Good Practices in Combating Child Trafficking, 2006</p>

TABLE 2. PROTECTION/ASSISTANCE

PROTOCOL REQUIREMENTS	SPECIFIC OBJECTIVES	FRAMEWORK INDICATORS (minimum standard)	IMPLEMENTATION MEASURES	OPERATIONAL INDICATORS	RESOURCES
<b>Protection, assistance and reintegration victims of trafficking in persons</b>	Harmonize measures for protection of and assistance to victims of trafficking	Ratification or accession to TOCC and TIPP	Assess existing legislation on social and victim protection	Existence of appropriate legislation or other measures to protect and assist trafficked persons in compliance with TIPP and other international and regional relevant human rights instruments	UNODC, Toolkit to Combat Trafficking in Persons, 2008
	Ensure international standards for protection of and assistance to trafficked persons	Ratification or accession to other international and regional instruments on human rights and refugee protection (article 14, convention)	Review the gaps between existing legislation and the TOCC and TIPP obligations and national needs  Amend, complete or adopt the necessary legal measures to assist and protect trafficked persons  Ensure approach to protection of and assistance to trafficked persons is based on a respect for human rights, refugee protection and sensitivity to gender and child issues irrespective of their cooperation with law enforcement	Committed budget allocation  Appropriate legal measures to assist and protect trafficked persons in place  Evidence that protection of and assistance to victims of trafficking in persons is based on a respect for human rights, refugee protection and sensitivity to gender and child issues and is not made contingent on willingness or ability to cooperate  Number of trafficked persons that have access to protection and assistance measures regardless of gender, age, nationality or form of exploitation	DAW/DESA, Handbook for legislation on violence against women, 2009 (section 3.6, 3.7, 3.9, 3.12, 3.14)  ILO, Combating trafficking in children for labour exploitation: A resource kit for policy-makers and practitioners, 2008 (book 4, section 4.2 and 4.5)  United Nations, Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power, 1985  UN Guidelines for Justice in matters involving child victims and witnesses of crime, 2005  IOM, Handbook on Direct Assistance for Victims of Trafficking, 2007  UN OHCHR, Recommended Principles and Guidelines on Human Rights and Human Trafficking, Guideline 6: Protection and support for trafficked persons (E/2002/68/Add.1) 2002

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<p><b>Protection and assistance to victims of trafficking in persons</b> (article 6, Protocol)</p>	<p>Ensure an assistance and support system is in place for victims of trafficking in persons</p> <p>Protect and assist victims of trafficking in persons with full respect for their human rights (article 2.b., Protocol)</p> <p>Protect and assist trafficked persons as victims of a crime and of human rights violations</p> <p>Protect victims of trafficking so as to prevent their re-trafficking or re-victimization (article 9, para. 1(b))</p>	<p>Adoption of legislation and necessary measures to comprehensively protect and assist victims of trafficking in persons in line with TIP Protocol and other international and regional instruments on protection of human rights</p> <p>Legislation recognizes trafficked persons as victims of a crime, regardless of nationality, gender, age or form of exploitation</p>	<p>Adopt appropriate measures for victim assistance and victims/witnesses of trafficking in persons through regulations, directives, guidelines or a national/regional plan of action ensuring effective implementation</p> <p>Develop or strengthen identification process, including identification guidelines and procedures</p> <p>Establish a comprehensive and integrated protection and assistance system offering medical, psychological, social support (article 6.3), as well as legal and administrative support and integration/reintegration measures</p> <p>Ensure comprehensive training for law enforcement, immigration, judicial authorities, prosecutors, labour inspectors and other relevant actors in combating trafficking in persons, such as social workers.</p> <p>The training should focus on methods used in preventing such trafficking, prosecuting the traffickers and protecting the rights of the victims, including victim assistance and protection.</p> <p>The training should also take into account the need to consider human rights, refugee protection and child- and gender-sensitive issues and it should encourage cooperation with non-governmental organizations, other relevant organizations and other elements of civil society (article 10, para. 2, Protocol)</p>	<p>Evidence of adoption of regulations, directives, guidelines, or a national/regional action plans to ensure implementation of the protection and assistance measures</p> <p>Evidence of an effective application of regulations, directives, guidelines, or national/regional action plans</p> <p>Existence of an identification process, including identification guidelines and procedures</p> <p>Number of identified victims of trafficking in persons</p> <p>Evidence of integrated protection and assistance system or programme in place including a referral mechanism to available services</p> <p>Type of protection and assistance services offered</p>	<p>UNOHCHR, Recommended Principles and Guidelines on Human Rights and Human Trafficking, Guideline 6: Protection and support for trafficked persons (E/2002/68/Add.1) 2002</p> <p>OSCE/ODIHR, National Referral Mechanisms. Joining Efforts to Protect the Right of Trafficked Persons. A Practical Handbook, 2004</p> <p>World Health Organization, Ethical and Safety Recommendations for Interviewing Trafficked Women, 2003</p> <p>IOM, Handbook on Direct Assistance for Victims of Trafficking, 2007</p> <p>UNODC, Toolkit to Combat Trafficking in Persons, 2008, (chapter 6, 7 and 8)</p> <p>IOM/UN.GIFT, Guiding Principles on Memoranda of Understanding between key Stakeholders and Law enforcement agencies on Counter-Trafficking Cooperation, 2009</p> <p>UNODC, First Aid Kit for First Responders, 2009</p>
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**TABLE 2. PROTECTION/ASSISTANCE (Continued)**

PROTOCOL REQUIREMENTS	SPECIFIC OBJECTIVES	FRAMEWORK INDICATORS (minimum standard)	IMPLEMENTATION MEASURES	OPERATIONAL INDICATORS	RESOURCES
			<p>Ensure effective access to protection and assistance measures</p> <p>Ensure that all trafficked persons are informed about available protection and assistance services in a language they understand. Information can be either written or oral</p> <p>Ensure that access to consular services is provided if appropriate</p> <p>Facilitate access by all trafficked persons to all measures available to victims of crime</p> <p>Ensure referral of trafficked persons who claim that they are facing prosecution or other serious harm upon return to UNHCR, other refugee protection actors and/or asylum</p> <p>Ensure mutual referral mechanisms between different protection processes e.g. child protection system, asylum system, migrants protection, worker protection system</p> <p>Ensure cooperation with non-governmental organizations, other relevant organizations and other elements of civil society to identify, inform, support, reintegrate, and protect trafficked persons, including from being re-trafficked (for more details see National Coordination and Cooperation pillar)</p>	<p>Existence of information on available protection and assistance services</p> <p>Number of trafficked persons that have access to services</p> <p>Number of trafficked persons that receive protection and assistance measures regardless of gender, age, nationality, or form of exploitation</p> <p>Number of victims referred to UNHCR, other refugee protection actors and/or the asylum authorities</p> <p>Evidence of formal or informal cooperation between governmental institutions and NGO, or other relevant stakeholders</p> <p>Increased number of victims identified and referred by first responders, including law enforcement and consular officers</p> <p>Minimum protection and assistance quality standards in place</p> <p>Allocated state resources to fund protection system</p>	



PROTOCOL REQUIREMENTS	SPECIFIC OBJECTIVES	FRAMEWORK INDICATORS (minimum standard)	IMPLEMENTATION MEASURES	OPERATIONAL INDICATORS	RESOURCES
			<p>Ensure first responders, including law enforcement and consular officers are trained to identify and protect victims of trafficking in persons</p> <p>Set minimum protection and assistance quality standards</p> <p>Ensure, including through allocation of adequate budgets, that minimum protection and assistance quality standards are applied</p>		
<p><b>Housing</b> (article 6, para. 3 a)</p>	<p>Provide appropriate shelter for trafficked persons adapted to their needs</p>	<p>Evidence of shelters or other appropriate housing in place</p>	<p>Provide safe and secure accommodation for trafficked persons in specialized or non-specialized shelters, taking into consideration gender and age</p>	<p>Number of trafficked persons housed in shelters or other appropriate housing</p>	<p>UNODC, Toolkit to Combat Trafficking in Persons, 2008, (chapter 8, Tool 8.8)</p> <p>IOM, Handbook on Direct Assistance for Victims of Trafficking, 2007, (chapter 4: Shelter Guidelines)</p> <p>DAW/DESA, Handbook for legislation on violence against women, 2009, (section 3.6)</p>

**TABLE 2. PROTECTION/ASSISTANCE (Continued)**

PROTOCOL REQUIREMENTS	SPECIFIC OBJECTIVES	FRAMEWORK INDICATORS (minimum standard)	IMPLEMENTATION MEASURES	OPERATIONAL INDICATORS	RESOURCES
<p><b>Medical, psychological and material assistance to victims of trafficking</b> (article 6, para. 3 c, Protocol)</p>	<p>Respond to medical, psychological and material needs of trafficked persons</p> <p>Provide for the physical, psychological and social recovery of trafficked persons</p>	<p>Support services and/or specialized organizations in place</p> <p>Measure to provide for the physical, psychological and social recovery of victims of trafficking in persons in place</p>	<p>Create support services or specialized organizations or specialized crisis centres equipped to respond to trafficked persons' needs as appropriate</p> <p>Ensure implementation of measures for the physical, psychological and social recovery of trafficked persons</p> <p>Ensure that support services or specialized service providers are distributed appropriately throughout a State's territory and are part of a network, in order to secure effective referral</p> <p>Ensure that social workers or specialized health care staff are appropriately and comprehensively trained in trafficking in persons (including on legislation and measures to prevent and combat trafficking)</p> <p>Promote the creation of specialized networks to support medical, psychological and social assistance to victims</p> <p>Develop human rights-based, gender-responsive and equitable health policies and programmes for trafficked persons in line with human rights treaties and other related international standards</p>	<p>Number of trafficked persons supported by specialized organizations or support services</p> <p>Evidence of effective implementation measures for the physical, psychological and social recovery of trafficked persons</p> <p>Network of appropriately located support services and specialized service providers in place</p> <p>Training modules on trafficking in persons in place in medical, psychological and social service curricula and professional training available</p> <p>Percentage of social workers or specialized health care staff that have undertaken specialized training in trafficking in persons</p> <p>Evidence of specialized networks in place</p> <p>Evidence of human rights-based, gender-responsive and equitable policies and programmes to trafficked persons</p>	<p>DAW/DESA, Handbook for legislation on violence against women, 2009, (section 3.6)</p> <p>UNODC Toolkit to Combat Trafficking in Persons, 2008, (chapter 8, tools 8.5 (medical), 8.6 (psychological), 8.7 (material))</p> <p>UNICEF/Government of India, Manual for Medical Officers, Dealing with Child victims of Trafficking and Commercial Sexual Exploitation, 2005</p> <p>IOM, Handbook on Direct Assistance for Victims of Trafficking, 2007, (chapter 5 : Health and Trafficking)</p> <p>UNICEF/Government of India, Manual for Social Workers dealing with Child Victims of Trafficking and Commercial Sexual Exploitation, 2005</p> <p>UNODC, Toolkit to Combat Trafficking in Persons, 2008, (chapter 8, tools 8.11-8.15)</p> <p>UNDP, Toolkit on Human Trafficking and HIV (soon to be published)</p> <p>IOM/UN.GIFT, Caring for Trafficked Persons: Guidance for Health Providers, 2009</p>

			<p>Conduct legal and policy reviews as they relate to trafficked persons, and advocate the adaption of legislation, policies and strategies for equitable access to health care, HIV prevention, treatment and care services including commodities</p> <p>In collaboration with relevant national and international partners, including civil society organizations, develop, document, adapt and disseminate evidence-based policy and programmatic tools, guidelines and best practices related to health care, HIV prevention, treatment and care for trafficked persons</p>	<p>Evidence of review, change and implementation of legislation and policies for equitable access to health care, HIV prevention, treatment, care and support services and commodities for trafficked persons</p> <p>Availability of evidence-based policy and programmatic tools, guidelines and best practices related to health care, HIV prevention, treatment and care for trafficked persons</p>	
<p><b>Employment, education, training opportunities</b> (article 6, para. 3 d, Protocol)</p>	<p>To provide for the social recovery of victims of trafficking and their eventual rehabilitation</p>	<p>Legislation and measures in place to ensure access of victims to employment, education and training opportunities</p>	<p>In collaboration with national partners, including private sector, civil society partners, create or develop programmes providing livelihood options (including employment opportunities, vocational training, educational programmes) for trafficked persons and those vulnerable to trafficking</p> <p>Ensure access to existing vocational training or educational programmes</p>	<p>Number of vocational trainings or educational programmes created or available for trafficked persons</p> <p>Number of trafficked persons voluntarily enrolled in vocational trainings or educational programmes for integration/reintegration</p> <p>Number of trafficked persons gainfully employed (in place of origin/destination) as a result of these opportunities for integration/reintegration</p> <p>Funding allocated for the creation/development of livelihood opportunities for trafficked persons or those vulnerable to trafficking</p>	<p>UNODC, Toolkit to Combat Trafficking in Persons, 2008, (chapter 8, tools 8.9)</p> <p>ILO, Combating trafficking in children for labour exploitation: A resource kit for policy-makers and practitioners, 2008 (book 4, section 4.2)</p>

TABLE 2. PROTECTION/ASSISTANCE (Continued)

PROTOCOL REQUIREMENTS	SPECIFIC OBJECTIVES	FRAMEWORK INDICATORS (minimum standard)	IMPLEMENTATION MEASURES	OPERATIONAL INDICATORS	RESOURCES
<p><b>Protect the privacy and identity of victims in appropriate cases and to the extent possible under domestic law</b> (article 6, para. 1 Protocol) <b>and witnesses</b> (article 24, para. 2, Convention) <b>of trafficking in persons</b></p>	Protect the privacy and identity of trafficked persons before, during and after criminal proceedings	Existence of a legislative or administrative framework to protect the privacy and identity of trafficking victims receiving assistance and protection	<p>Assess relevant legislation on protection of privacy and identity. Complete or modify legislation if necessary to ensure its application to victims of trafficking</p> <p>Amend procedures to allow jurisdictions to protect the confidentiality and/or privacy of victims of trafficking</p> <p>Encourage testimony by victims/witnesses to be taken in a confidential manner in order to protect their identity by using communications technology such as video links, closed court or screened victim/witness, relocation</p> <p>Encourage respect for the principle of confidentiality employed by NGOs or other victim service providers with respect to their clients</p> <p>Take measures to ensure no information that could reveal the identity of a trafficked person is released, disseminated or broadcast</p>	<p>Procedural or other measures to protect privacy and identity in place</p> <p>Number of victims benefiting from measures to protect their confidentiality and/or identity</p>	<p>UNOHCHR, Recommended Principles and Guidelines on Human Rights and Human Trafficking, 20 May 2002. (E/2002/68/Add.1. article 8, point 9)</p> <p>UNODC, Toolkit to Combat Trafficking in Persons, 2008, (chapter 5)</p> <p>DAW/DESA, Handbook for legislation on violence against women, 2009, (section 3.9)</p>
<p><b>Participation of victims in proceedings</b> (article 6, para. 2 and 3b Protocol and article 25 para. 3, Convention)</p>	Ensure trafficked persons have recourse to justice and their views and concerns are not excluded from the criminal justice process	Legal measures in place to provide trafficked persons with information on their rights as well as on applicable administrative and judicial procedures	Ensure trafficked persons are informed about relevant judicial and administrative procedures in a language they understand. Information can be either written or oral	<p>Evidence that trafficked persons are informed about their rights and applicable administrative and judicial procedures</p> <p>Number of victims having participated in criminal proceedings or in trials</p>	<p>UNODC, Toolkit to Combat Trafficking in Persons, 2008, (chapter 5)</p> <p>DAW/DESA, Handbook for legislation on violence against women, 2009, (section 3.9)</p>

		<p>Assistance available to enable the views and concerns of trafficked persons to be presented and considered at appropriate stages of criminal proceedings against offenders</p>	<p>Ensure that trafficked persons are informed, in writing or orally, of their rights in a language they understand either by state legal aid services or by specialized structures</p> <hr/> <p>Ensure that trafficked persons are allowed a period of reflection, accompanied by appropriate support, to decide on their participation in a judicial procedure</p> <hr/> <p>Establish and ensure implementation of judicial procedures to avoid the re-victimization of trafficked persons, in particular children, during the judicial process</p> <hr/> <p>Ensure trafficking victims have access to legal aid during the entire period of civil or legal action against perpetrators of trafficking</p> <hr/> <p>Ensure trafficking victims have access to free legal aid when this is available</p>	<p>Legal assistance system to support victims in place</p> <hr/> <p>Legislative or administrative measures to offer a reflection period to victims in place</p> <hr/> <p>Number of trafficked persons having benefited from period of reflection</p> <hr/> <p>Number of victims having benefited from free legal assistance</p>	<p>UNODC, Toolkit to Combat Trafficking in Persons, 2008, (chapter 8, tool 8.4)</p> <p>UNODC, Toolkit to Combat Trafficking in Persons, 2008, (chapter 7, tool 7.1)</p> <p>IOM, Handbook on Direct Assistance for Victims of Trafficking, 2007</p>
<p><b>Physical safety of victims and witnesses</b> (article 6, para. 5 Protocol, article 25, para. 1 and article 24, Convention)</p>	<p>Ensure protection from retaliation or intimidation for victims and witnesses</p>	<p>Appropriate measures in place to ensure the physical safety of victims and witnesses of trafficking in persons</p>	<p>Ensure legislation provides for sanctions against anyone threatening or intimidating a victim or witness</p> <hr/> <p>Take measures aimed at ensuring the physical safety of victims, their families and others whose safety may be at risk</p> <hr/> <p>Ensure that standard operating procedures are applied with regard to child victims and witnesses</p>	<p>Effective legal and other measures preventing threat or intimidation of victims and witnesses in place</p> <hr/> <p>Number of risk assessments carried out</p> <hr/> <p>Evidence that measures used to increase the safety of victims are effective</p> <hr/> <p>Number of children having benefited from standard operating procedures</p>	<p>UNODC, Toolkit to Combat Trafficking in Persons, 2008, (chapter 5, tools 5.16-5.19)</p> <p>UNODC, Good practices for the protection of witnesses in criminal proceedings involving organized crime, 2008</p> <p>UN Guidelines for justice in matters involving child victims and witnesses of crime, 2005</p>

**TABLE 2. PROTECTION/ASSISTANCE (Continued)**

PROTOCOL REQUIREMENTS	SPECIFIC OBJECTIVES	FRAMEWORK INDICATORS (minimum standard)	IMPLEMENTATION MEASURES	OPERATIONAL INDICATORS	RESOURCES
	<p>Increase chances of cooperation/participation in criminal proceedings through assured protection of victims and witnesses</p>		<p>Existence and application of witness protection legislation, in particular concerning physical protection, to trafficking victims</p> <hr/> <p>Ensure awareness and training among law enforcement services and other competent authorities of their responsibility to ensure the safety of trafficking victims</p> <hr/> <p>Ensure the physical protection of the victim and/or witnesses before, during and until the end of judicial proceedings or trials. Physical protection measures can include privacy/identity protection: confidentiality of identity, change of identity, relocation to new accommodation or geographic location, use of special communications techniques to assist the witness, such as video link, recorded testimony, closed trials</p> <hr/> <p>Ensure that witness protection programmes and/or measures are tailor-made, considering the specific needs of trafficked persons</p> <hr/> <p>Conclude arrangements with other States to provide protective measures, such as a new residence, for a witness or victim.</p>	<p>Number of victims having benefited from physical protection</p> <hr/> <p>Evidence of training highlighting the issue of safety of trafficking victims</p> <hr/> <p>Evidence of use of special techniques such as video links, recorded testimony and closed trials</p> <hr/> <p>Evidence of witness protection measures and/or programmes tailor-made to trafficked persons</p> <hr/> <p>Arrangements with other States in place</p>	<p>UNICEF/UNODC, Justice in Matters involving Child Victims and Witnesses of Crime: Model Law and Related Commentary, 2005</p> <hr/> <p>UNICEF/UNODC, Justice in Matters involving Child Victims and Witnesses of Crime: Model Law and Related Commentary, Child-friendly version, 2005</p>

<p><b>Possibility of obtaining compensation</b> (article 6, para. 6 Protocol and article 25 para. 2 Convention)</p>	<p>To allow victims of trafficking the possibility of obtaining compensation for damage suffered</p>	<p>Legislation enabling victims to claim compensation in place</p>	<p>Establish appropriate procedures to allow victims to obtain compensation and restitution (article 25 para. 2, Convention) through criminal, civil and/or administrative proceedings</p> <p>Establish a dedicated victim compensation fund or scheme from which victims claims can be met</p> <p>Where a general victim compensation fund exists, ensure victims of trafficking in persons have access to it</p> <p>Ensure procedures are in place such that the proceeds of crime or confiscated property of traffickers and/or exploiters can be used to compensate victims of the crime or returned to their legitimate owners (article 14, para. 2)</p>	<p>Number of cases filed by victims to receive compensation</p> <p>Number of trafficking victims compensated for damage suffered</p> <p>Dedicated or general fund in place</p> <p>Number of victims compensated through dedicated or general funds</p> <p>Number of trafficking cases where proceeds of crime and/or property of offenders are confiscated and used as compensation</p>	<p>OSCE/ODIHR, Report on Compensation for Trafficked and Exploited Persons in the OSCE Region, 2008</p> <p>UNODC, Toolkit to Combat Trafficking in Persons, 2008, (chapter 8, tool 8.17)</p> <p>UNOHCHR, Recommended Principles and Guidelines on Human Rights and Human Trafficking, Guideline 9: Access to remedies, (E/2002/68/Add.1) 2002</p> <p>DAW/DESA, Handbook for legislation on violence against women, 2009 (section 3.11.5)</p>
<p><b>Special needs of children</b> (article 6, para.4 Protocol)</p>	<p>Adapt protection and assistance measures for trafficking victims to the special needs of children, including appropriate housing, education and care in coordination with existing child protection systems</p>	<p>Existence of appropriate services and measures to guarantee the physical and psychological well-being of trafficked child, as well as their education and reintegration in coordination with existing child protection systems</p>	<p>Ensure the implementation of UNICEF Guidelines: Where the age of the child is uncertain and there are reasons to believe that the victim is a child, the presumption shall be that the victim is a child</p>	<p>Evidence of implementation of the UNICEF Guidelines</p> <p>Evidence of appropriate services and measures taking into consideration the special needs of trafficked children</p> <p>Number of identified child trafficking victims with access to dedicated centres and/or shelters</p> <p>Number of trafficked children that have access to physical and psychological care</p>	<p>UNICEF, Implementation Handbook for the Convention on the Rights of the Child, 1998</p> <p>UNOHCHR, Recommended Principles and Guidelines on Human Rights and Human Trafficking, Guideline 8: Special measures for the protection and support of child victims of trafficking, (E/2002/68/Add.1), 2002</p> <p>ILO, Combating trafficking in children for labour exploitation: A resource kit for policy-makers and practitioners, 2008 (book 4, section 4.5 and book 5, section 5.3)</p>

**TABLE 2. PROTECTION/ASSISTANCE (Continued)**

PROTOCOL REQUIREMENTS	SPECIFIC OBJECTIVES	FRAMEWORK INDICATORS (minimum standard)	IMPLEMENTATION MEASURES	OPERATIONAL INDICATORS	RESOURCES
			<p>Dedicate centres and/or shelters specifically for trafficked children</p> <hr/> <p>Ensure that appropriate options are available to provide protection measures taking into consideration the special and individual needs of children, bearing in mind the particular needs of boys and girls</p> <hr/> <p>Ensure minimum standards of care specifically for children placed in residential structures or in alternative care to avoid that they are further traumatized (e.g. codes of conduct for staff, checking/ monitoring mechanisms for foster families etc.)</p> <hr/> <p>Take specific measures to ensure the physical and psychological care of trafficked children</p> <hr/> <p>The best interests of the child and possible conditions for return to the family must be evaluated beforehand by an on-site investigation. In keeping with the best interest of the child, and with full participation of the child victim, take specific measures to ensure the reintegration of child trafficking victims in their society or community of origin, and/or in their family</p>	<p>Number of trafficked children that have access to education or other integration measures and reintegration services</p> <hr/> <p>Number of trafficked children using the educational and social services of the host country</p>	<p>Guidelines on Justice in Matters involving Child Victims. and Witnesses of Crime – Economic and Social Council</p> <p>Resolution 2005/20 of 22 July 2005</p> <p>IOM/ Austrian Federal Ministry of the Interior, Resource Book for Law Enforcement Officers on Good Practices in Combating Child Trafficking, 2006</p> <p>UNODC, Toolkit to Combat Trafficking in Persons, 2008, (tool 5.19)</p> <p>UNICEF, Guidelines on the protection of child victims of trafficking, Technical Notes, 2006</p> <p>Asia ACTs against Child Trafficking : Protecting the Rights and Dignity of the Trafficked Children in South East Asia, 2007</p> <p>UNICEF, Reference guide on protecting the rights of child victims of trafficking in Europe, 2006</p> <p>UNICEF/Government of Kosovo, Lets Talk: Developing Effective Communication with Child Victim of Abuse and Human Trafficking, 2004</p>



			<p>Ensure alternative care arrangements that respect the rights and dignity of the trafficked child, in situations where the safe return of the child to his or her family is not possible, or where such return would not be in the child's best interest</p> <p>Take measures to ensure that trafficked children have satisfactory access to education and means of social integration in the host country, in line with the best interests of the child and with full participation of the child</p> <p>Include a clause specifically addressing the needs of child victims of trafficking in cooperation agreements between governmental institutions and non-governmental organizations or other specialized services</p>		<p>UNICEF, Guidelines for Protection of the Rights of Children Victims of Trafficking in Southeastern Europe, Regional Office, Geneva</p> <p>ILO, Combating trafficking in children for labour exploitation - Resource kit for policy and practitioners, Book 4: Taking action against child trafficking, 2008</p>
<p><b>Status of victims</b> (article 7, Protocol)</p>	<p>Authorize victims of trafficking in persons, who so desire, to remain temporarily or permanently in the destination country, when their personal situation so requires or when this is necessary to facilitate their participation in criminal proceedings against traffickers and exploiters and also to facilitate their social, medical and psychological care</p>	<p>Existence of legislative or other appropriate measures that permit victims of trafficking in persons to remain in a transit or destination country, temporarily or permanently, for humanitarian reasons, to participate in judicial or administrative proceedings or for other reasons</p>	<p>Ensure that trafficked persons are allowed a reflection period, accompanied by appropriate support, to decide on their participation in a judicial procedure</p> <p>Adopt regulations or guidelines to guarantee effective issuance of residence permits to trafficking victims</p> <p>Ensure that the issuance of residence permits to victims of trafficking is not discretionary</p> <p>Ensure that immigration status or return of the victim does not prevent the victim from filing for, being awarded and receiving compensation</p>	<p>Legislative or administrative measures to offer a reflection period to victims in place</p> <p>Existence of regulations or guidelines concerning the issuance of residence permits</p> <p>Number of victims obtaining residence permits (temporary or permanent)</p> <p>Number of trafficked persons informed of right to request asylum</p> <p>Number of trafficked persons who are granted refugee status or subsidiary protection</p>	<p>UNODC Toolkit to Combat Trafficking in Persons, 2008 (chapter 7)</p> <p>UNHCR, Guidelines on International Protection: The application of Article 1A(2) of the 1951 Convention and/or 1967 Protocol relating to the Status of Refugees to victims of trafficking and persons at risk of being trafficked</p> <p>UNHCR, Refugee Protection and Human Trafficking, Selected Legal Reference Materials, First Edition – December 2008</p>

**TABLE 2. PROTECTION/ASSISTANCE (Continued)**

PROTOCOL REQUIREMENTS	SPECIFIC OBJECTIVES	FRAMEWORK INDICATORS (minimum standard)	IMPLEMENTATION MEASURES	OPERATIONAL INDICATORS	RESOURCES
			<p>Ensure that immigration status or return of the victim does not prevent the victim from filing for, being awarded and receiving compensation</p> <p>Ensure that refugee protection needs of trafficked persons are identified and addressed</p> <p>Respect the principle of non-refoulement and ensure that all victims of trafficking who express a wish to seek asylum or a fear to return are allowed access to asylum procedure for an examination of their claim</p> <p>Ensure that trafficked persons receive information regarding their right to request asylum</p> <p>Ensure that refugee protection actors including asylum authorities and specialized service provider are trained on human trafficking</p> <p>Ensure that human trafficking protection actors including authorities and specialized service provider are trained on refugee protection</p>	Number of trainings conducted	
<b>Repatriation of victims</b> (article 8, Protocol)	Facilitate and accept the return of victims who are nationals or have the right of permanent residence, with due regard for their safety (article 8, para. 1)	Legislative guidance for officials responsible for repatriation in place in order to facilitate and accept the return of victims, have the right of permanent residence, with due regard for their safety and for the status of any legal proceedings related to the fact that the person is a victim and is preferably voluntary	Ensure that, to the extent possible, return of trafficked persons is undertaken on a voluntary basis	<p>Number of victims properly identified and repatriated in accordance with the laid down procedure</p> <p>Number of voluntary and safe returns</p>	<p>UNODC Toolkit to Combat Trafficking in Persons, 2008 (chapter 7)</p> <p>IOM, Handbook on Direct Assistance for Victims of Trafficking, 2007 (chapter 3: Referral and Reintegration Assistance)</p>

	<p>Verify without unreasonable delay whether a trafficking victim is a national or has the right of permanent residence and issue the necessary travel documents for re-entry (article 8, para. 3 and 4)</p> <p>Ensure that the return of a victim of trafficking in persons is with due regard for the safety of that person and for the status of any legal proceedings related to the fact that the person is a victim and is preferably voluntary (article 8 para. 2)</p>		<p>Ensure no relevant judicial proceedings involving a victim of trafficking are ongoing before repatriating the victim. If necessary adopt legislative provisions requiring officials or tribunals responsible for matters relating to illegal immigration and deportation not to order or carry out orders of deportation of a victim while that person was (or may be) required in judicial proceedings against alleged Traffickers</p> <p>Ensure that there is a clear identification procedure of victims nationalities with the respective embassies of the native countries of the victims</p> <p>Ensure a proper risk assessment analysis procedure in the victims' country of origin before repatriation. Each case must be dealt with on a case by-case basis and comply with the principle of non refoulement, including through referral to the asylum procedure where relevant</p> <p>Ensure the safety of the victim, the same provisions as may be needed to ensure the protection of witnesses in cases involving organized crime, such as powers to conceal identities, relocate the victim or issue new identity documents, could be considered here</p> <p>Safe return could be organized by bilateral and multilateral agreements in that case the special needs of trafficked children should be taken into account</p>	<p>Number of risk assessments conducted in line with international law and refugee protection principles</p> <p>Evidence of availability of monitoring tools to measure sustainability of reintegration measures</p>	
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**TABLE 3. PREVENTION**

PROTOCOL REQUIREMENTS	SPECIFIC OBJECTIVES	FRAMEWORK INDICATORS (Minimum Standard)	IMPLEMENTATION MEASURES	OPERATIONAL INDICATORS	RESOURCES
<b>Prevention of trafficking in persons</b>	Ensure international standards to prevent trafficking in persons	<p>Ratification or accession to TOCC and TIPP</p> <p>Ratification or accession to international and regional instruments on human rights</p>	<p>Ensure approach to prevent trafficking in persons is based on a respect for human rights and refugee protection principles, sensitivity to gender and child issues</p> <p>Assess existing legislation and/or policies to prevent trafficking in persons in connection with related phenomenon such as human rights protection, violence against women, children protection, education, migration, health, discriminations, economic development, etc</p> <p>Review the gaps between existing legislation and/or policies and the international obligations and national needs</p> <p>Amend, complete or adopt the necessary legal or other measures to prevent trafficking in persons</p>	Existence of appropriate legislation or other measures to prevent trafficking in persons in line with TIPP and international and regional relevant human rights instruments	<p>UNOHCHR, Recommended principles and guidelines on human rights and human trafficking—guideline 7: preventing trafficking (e/2002/68/add.1)</p> <p>DAW/DESA, handbook for legislation on violence against women, 2009</p> <p>UNODC, Toolkit to Combat Trafficking in Persons, 2008 (chapter 9)</p> <p>ILO, Combating trafficking in children for labour exploitation: resource kit for policy-makers and practitioners, 2008 (book 4, section 4.2. And 4.3)</p> <p>UNICEF, Guidelines on the Protection of Child Victims of Trafficking, sept. 2006</p>

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<p><b>Prevention of trafficking in persons</b> (article 9, Protocol)</p>	<p>Establish comprehensive policies and programmes and other measures to prevent trafficking in persons and to protect victims from re-victimization (article 9 para. 1 Protocol)</p> <p>Undertake measures such as media campaigns and social and economic initiatives to prevent trafficking in persons, including through cooperation with non-governmental organizations (article 9, para. 2 and 3 Protocol)</p> <p>Take or strengthen measures to make persons less vulnerable to trafficking and to discourage the demand that fosters all forms of trafficking in persons (article 9, para. 4 and 5, Protocol)</p>	<p>Strategy or comprehensive prevention programmes or/ and other administrative and legal measures, mass media campaigns or other public information campaigns, reduction of demand, availability of safe migration opportunities, alleviation of harsh social or economic or other discriminatory conditions in place as appropriate</p> <p>Preventive measures included in Action plan on trafficking or other relevant Action plan (Child protection, violence against women ...) in place</p> <p>Measures in place to reduce demand in countries of origin, transit and destination and reduce vulnerability to trafficking of persons in source countries</p>	<p>Should be implemented in conjunction with article 31 of the Organized Crime Convention on Prevention</p> <p>Ensure coherence among public policies related to trafficking in persons (crime prevention, migration, education, employment, health, security, non-discrimination, economic development, child protection, human rights and refugee protection etc.)</p> <p>Strengthen monitoring and management of labour markets, including regulation and monitoring of workplaces and recruitment processes</p> <p>Review/research into policies impacting human trafficking to ensure their complementarity and avoid overlaps</p> <p>Conduct research and data collection into the nature and extent of the problem including labour exploitation, root causes, trends of trafficking, demand for exploitative services and labour, and on the gaps and shortcomings on assistance to prevent re-victimization</p> <p>Ensure cooperation between all stakeholders and between Member States to develop and establish prevention strategy or programmes including civil society and community-based organization, private sector and the media</p> <p>Identify groups and communities vulnerable to trafficking, those who may come into contact with trafficking situations and the general public, and describe their environment</p> <p>Identify ways to address the root causes of trafficking and factors that place vulnerable persons, including children, at risk, such as social and economic marginalization, institutional and home-based discrimination, violence, and abuse</p>	<p>Evidence of coherent mechanism and of existing financial resources to implement the prevention strategy or programmes and/ or administrative and legal measures</p> <p>Existence of measures to promote/support lawful migration for decent work, for youth of working age</p> <p>Evidence of evaluations that measure the impact of prevention measures implemented</p> <p>Existence of a evidence-based research report to elaborate prevention strategy</p> <p>Prevention measures included in cooperation agreements or framework within a State including with NGOs and all relevant actors such as media organizations</p> <p>Develop or strengthen international cooperation to govern migration for employment, as the lack of legal migration channels can increase the vulnerability of potential victims</p> <p>Evidence of identification of the vulnerable groups, communities and their environments as well as recommendations or interventions to target preventive strategies</p>	<p>UNODC Toolkit to Combat Trafficking in Persons, 2008, (chapter 9)</p> <p>UNOHCHR, Recommended principles and guidelines on human rights and human trafficking—Guideline 7: Preventing trafficking (E/2002/68/Add.1)</p> <p>DAW/DESA, Handbook for legislation on violence against women, 2009, (section 3.5)</p> <p>UNICEF, Guidelines on the Protection of Child Victims of Trafficking, Sept. 2006 (p.11)</p> <p>ILO, Combating trafficking in children for labour exploitation: Resource kit for policy-makers and practitioners, 2008 (book 4, section 4.2 and 4.3)</p> <p>UNODC ,Toolkit to Combat Trafficking in Persons, 2008 (tool 9.11) (role of media)</p> <p>UNODC, Toolkit to Combat Trafficking in Persons, 2008, (chapter 9, tool 9.12)</p> <p>UNODC, Toolkit to Combat Trafficking in Persons, 2008 (tool 9.18)</p>
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**TABLE 3. PREVENTION (Continued)**

PROTOCOL REQUIREMENTS	SPECIFIC OBJECTIVES	FRAMEWORK INDICATORS (Minimum Standard)	IMPLEMENTATION MEASURES	OPERATIONAL INDICATORS	RESOURCES
			<p>Implement awareness-raising campaigns to raise awareness among identified vulnerable groups. For instance, through free hotlines, or other accessible open- sources, including information on how to obtain legal employment, migration information, the risks of trafficking in persons</p> <hr/> <p>Implement awareness-raising campaigns to raise awareness among key /influential audience in destination communities to generate concerns and to address the demand for easily exploitable services and labour</p> <hr/> <p>Ensure effective child protection systems and the active participation of children in the development of preventive measures</p> <hr/> <p>Implement measures to reduce specifically the vulnerability of children promoting livelihood opportunities for young people and/or their families, strengthening the child protection systems (social services etc.), addressing the systematic values and beliefs that fuel child trafficking, raising awareness through education in schools (e.g. integration of the issue into school curricula), and creating multi-stakeholder community networks which are able to identify potential child victims and prevent them from being trafficked</p> <hr/> <p>Monitor the impact of awareness campaigns including attitude in countries of origin, transit and destination</p> <hr/> <p>Establish rapid response strategy and capacity to prevent trafficking in persons in situations of war, natural disaster, and other crises that may result in refugee flows</p> <hr/> <p>Conduct regular impact assessment of prevention measures on the target group and identify gaps and shortcomings</p>	<p>Evidence that prevention strategies are comprehensive, addressing vulnerability issues including poverty, underdevelopment and lack of equal opportunity (for reason of gender, HIV status, nationality, statelessness and other factors)</p> <hr/> <p>Evidence of concrete measures targeting potential migrants and trafficked persons (or other vulnerable groups) are in place</p> <hr/> <p>Evidence of identification of key/ influential audience and their environment to target preventive strategies at destination including “demand reduction” strategies</p> <hr/> <p>Existence of reports on monitoring the impact of awareness campaigns including attitude</p>	<p>UNODC, Toolkit to Combat Trafficking in Persons, 2008, (chapter 9, Tool 9.12)</p>

			<p>Ensure or strengthen training of law enforcement, immigration service and other services related to prevention (article 10, para. 2, Protocol) as well as social support and welfare service and civil society partners</p>	<p>National rapid response strategy adopted to prevent trafficking in persons in the event of war, natural disaster or other crises</p> <hr/> <p>Human, institutional, and financial resources allocated for implementation of rapid response Evidence prevention measures have the desired effect and are correctly targeted</p> <hr/> <p>Impact assessment reports and amendment of the prevention strategy or programmes</p> <hr/> <p>Number of law enforcement officers, border police and immigration officer, social welfare officers and workers, civil society partners trained jointly as well as independently to identify potential victims of trafficking in persons</p>	<p>UNODC, Toolkit to Combat Trafficking in Persons, 2008, (tool 9.18)</p>
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TABLE 3. PREVENTION (Continued)

PROTOCOL REQUIREMENTS	SPECIFIC OBJECTIVES	FRAMEWORK INDICATORS (Minimum Standard)	IMPLEMENTATION MEASURES	OPERATIONAL INDICATORS	RESOURCES
<b>Border measures dealing with commercial carriers</b> (article 11, Protocol)	Strengthen border controls  Adopt measures to prevent commercial carriers from being used to commit trafficking offences and to require commercial transportation carriers to ascertain that all passengers have the required travel documents, including sanctions for failure to do so include exceptions for refugee	Legal measures to strengthen border controls in place  Legal or other measures in place to prevent commercial carriers from being used to commit trafficking offences	Ensure or strengthen border capacity to prevent and detect trafficking in persons  Train border management officials to prevent and detect trafficking in persons  Ensure that border control measures are in line with international human rights and refugee law through adequate protection safeguards  Ensure or strengthen cross-border cooperation (see International Cooperation and Coordination Framework)  Awareness and capacity-building programmes targeting the commercial carriers	Number border interceptions and victims detected  Number of officers trained to detect trafficked persons  Number of referrals to the asylum procedure  Existence of direct channels of communication between border control agencies  Existence of awareness and capacity-building programmes targeting the commercial carriers	UNODC, Toolkit to Combat Trafficking in Persons, 2008, (chapter 5, tool 5.11)  UNODC, Toolkit to Combat Trafficking in Persons, 2008 (chapter 5, tool 5.11)
<b>Measures relating to travel or identity documents</b> (article 12, Protocol)	Ensure that travel and identity documents are of such quality that they cannot be altered or misused  Prevent the unlawful issuance of a State Party's travel documents	Technical measures to make documents more difficult to falsify, forge or alter in place  Administrative and security measures to protect the production and issuance process against corruption, theft or other means of diverting documents in place	Train front line law enforcers on document forensics  Train foreign officers and consular officials to identify forged identity and travel documents  Train commercial carriers to identify forged identity and travel document  Ensure that refugees are not punished for illegal entry, including by using forged passports	Number of front line law enforcers trained on document forensics  Number of foreign officers and consular officials trained to identify forged identity and travel documents  Number of falsified or forged documents intercepted  Number of commercial carriers to identify forged identity and travel documents	UNODC, Toolkit to Combat Trafficking in Persons, 2008, (chapter 9, tool 9.6)



**TABLE 4. NATIONAL COORDINATION/COOPERATION**

PROTOCOL REQUIREMENTS	SPECIFIC OBJECTIVES	FRAMEWORK INDICATORS (Minimum Standard)	IMPLEMENTATION MEASURES	OPERATIONAL INDICATORS	RESOURCES
<b>National coordination/cooperation among all stakeholders</b>	Coordinate responses on trafficking in persons	<p>Coordination of all stakeholders involved in the fight against trafficking in persons (governmental institutions, judicial authorities, labour inspectors, NGOs and other elements of civil society, private sectors, workers' and employers' organization, child and youth care providers, asylum authorities, all other relevant stakeholders)</p> <p>Comprehensive and coherent public policies covering prevention, protection, and prosecution in place</p> <p>Coherence among public policies related to trafficking in persons (crime prevention, migration, employment, health, security, non-discrimination, economic development and human rights and refugee protection etc. )</p>	Take stock and carry out an assessment of existing policies or measures on trafficking in persons	Adoption of legal or administrative measures to establish a coordination body or structure	<p>European Commission, Measuring Responses to Trafficking in Human Beings in the European Union: An Assessment Manual, 2007</p> <p>DAW/DESA, Handbook for legislation on violence against women, 2009 (sections 3.2, 3.3)</p> <p>OSCE/ODIHR, National referral mechanisms: Joining Efforts to Protect the Rights of Trafficked Persons. A Practical Handbook, 2004</p> <p>UNODC Toolkit to Combat Trafficking in Persons, 2008 (chapter 2)</p> <p>OSCE, Efforts to combat trafficking in human beings in the OSCE area: coordination and reporting mechanisms. 2008 Annual Report of the OSCE Special Representative and Coordinator for Combating Trafficking in Human Beings presented at the Permanent Council Meeting, 13 November 2008</p> <p>ILO, Combating trafficking in children for labour exploitation: A resource kit for policy-makers and practitioners, 2008 (book 3, section 3.5)</p>
	Respond effectively, and appropriately to trafficking in persons		Adopt a comprehensive strategy and/or a plan of action specifically related to trafficking in persons, or including references to trafficking in persons	Existence of a dedicated budget to implement a strategy or plan of action and coordinated activities	
	Ensure formulation of coherent and comprehensive public policies on trafficking in persons		Establish a multidisciplinary coordination mechanism or body in charge of implementing a coordinated national response to trafficking in persons	Evidence of clear and effective division of labour among government entities dealing with trafficking in persons	
			Establish a system or mechanism of cooperation to exchange information between law enforcement, immigration and other relevant authorities (article 10, para.1, Protocol)	Coordination mechanism meets regularly	
			Conduct an impact assessment of actions and measures, monitoring and follow-up of the implementation of a strategy/plan of action to respond to changes in the trafficking situation	Centralized system for data collection on trafficking in persons in place	
			Ongoing and regular review of the strategy/ plan of action	Regular monitoring and evaluation of national trafficking in persons response	
				Production of annual reports or thematic reports	
				Updates of the strategy/plan of action on the basis of regular assessments	
				Evidence that the coordination mechanism adapts to national circumstances	

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TABLE 4. NATIONAL COORDINATION/COOPERATION (Continued)

PROTOCOL REQUIREMENTS	SPECIFIC OBJECTIVES	FRAMEWORK INDICATORS (Minimum Standard)	IMPLEMENTATION MEASURES	OPERATIONAL INDICATORS	RESOURCES
					<p>South Eastern Europe's Struggle Against Trafficking in Persons. Stability Pact for South Eastern Europe. Task Force on Trafficking in Human Beings, 2004</p> <p>ICMPD, Guidelines for the development and implementation of a comprehensive national anti-trafficking response, 2006</p>
<p><b>State actors cooperation with civil society</b> (article 6.3 and article 9.3, Protocol)</p>	<p>Promote cooperation among relevant governmental institutions and NGOs, other relevant organizations and other elements of civil society to prevent and combat trafficking in persons and protect victims</p>	<p>Cooperation agreements or framework between relevant government institutions, NGOs, other organizations and other elements of civil society in place</p>	<p>Ensure effective cooperation in place through formal agreements or informal arrangements establishing comprehensive policies, programmes and other measures to prevent and combat trafficking in persons (article 9.3, Protocol) and to provide assistance to trafficked persons such as :</p> <ul style="list-style-type: none"> <li>Appropriate housing;</li> <li>Counseling and information, in particular as regards their legal rights, in a language that the trafficked person can understand;</li> <li>Medical, psychological and material assistance;</li> <li>Refugee protection;</li> <li>Employment, educational and training opportunities (article 6.3, Protocol)</li> </ul> <p>Promote effective cooperation through the development of formal cooperation agreements. An agreement should include, at a minimum: a list of partners, clearly defined purpose of cooperation, principles of cooperation, target group, detailed definition of the distribution of responsibilities, details of the cooperation procedure between the partners, procedure of mutual communication of information, entry into force and amendment, funding of the NGO cooperation partner</p>	<p>NGOs and/or other relevant organizations included in coordination body or structure</p> <hr/> <p>Existence of national anti-trafficking initiative involving NGOs and other relevant organization in their development and execution</p> <hr/> <p>Communication network in place</p> <hr/> <p>Identification mechanism in place</p> <hr/> <p>Referral mechanism in place</p>	<p>DAW/DESA, Handbook for legislation on violence against women, 2009 (section 3.3.1)</p> <p>UNDP and Civil Society Organizations: A Toolkit for Strengthening Partnerships, 2006</p> <p>e.g. Mekong subregion: Thailand Memoranda of Understanding (MoUs) ensure a proper cooperation in the assistance to victims of trafficking in persons</p> <p>OSCE-ODHIR, National referral mechanism, Joining the Rights of Trafficked Persons, A Practical Handbook, 2004</p>

			Ensure that cooperation agreements incorporate a holistic and multidisciplinary approach, and enshrine certain basic principles such as balance among the objectives of all stakeholders, transparency and a clear delegation of responsibilities		IOM/UN.GIFT, Guiding Principles on Memoranda of Understanding between Key Stakeholders and Law Enforcement Agencies on Counter-trafficking Cooperation, 2009
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**TABLE 5. INTERNATIONAL COOPERATION/COORDINATION**

PROTOCOL REQUIREMENTS	SPECIFIC OBJECTIVES	FRAMEWORK INDICATORS (Minimum Standard)	IMPLEMENTATION MEASURES	OPERATIONAL INDICATORS	RESOURCES
<b>International cooperation among member states</b>	<p>Encourage international cooperation</p> <p>Create legal basis for the implementation of a framework for cooperation</p> <p>To increase state parties capacity to prevent, investigate, prosecute, adjudicate and punish transnational organized crimes</p>	Cooperation formalized through signature of a cooperation agreement	<p>Conduct needs assessment to determine requirements for effective cooperation</p> <p>Develop a cooperation agreement including at a minimum: A common definition of the objective of cooperation; Distribution of tasks and responsibilities; A procedure for information and data exchange</p>	Agreement on cooperation in place	<p>UNODC, Toolkit to Combat Trafficking in persons, 2008 (chapters 1 and 4)</p> <p>ILO, Combating trafficking in children for labour exploitation: a resource kit for policy-makers and practitioners, 2008 (book 3, sections 3.1 And 3.3)</p>
<b>Mutual legal assistance</b> (article 18, Convention)	<p>To give States Parties the ability to seek assistance with regard to:</p> <ul style="list-style-type: none"> <li>• Taking evidence or statements from persons</li> <li>• Effecting service of judicial documents</li> <li>• Executing searches, seizures and freezing assets</li> <li>• Examining objects and sites</li> <li>• Providing information, evidentiary items and expert evaluations</li> </ul>	<p>Use of UNTOC as legal basis for MLA</p> <p>Efficient and prompt handling of MLA requests</p> <p>Communication between requesting and requested States Parties regarding MLA requests</p>	<p>Establish MLA procedure using UNTOC as a legal basis (article 18, para.7)</p> <p>Strengthen national capacity to make and execute MLA requests</p> <p>Establish a national focal point to facilitate communication</p> <p>Ensure that no information on trafficking victims asylum application is shared with his or her country of origin</p>	<p>Designated central authority competent to receive and execute requests or transmit them for execution</p> <p>Same authority able to handle MLA requests for different treaties</p> <p>Existence and use of clear and functioning guidelines/ procedures for handling requests such as use of UNODC MLA request writer tool</p> <p>National capacity strengthened to make and execute MLA requests</p>	<p>UNODC, Mutual Legal Assistance request writer tool</p> <p>UNODC, Model Law on Mutual Assistance in Criminal Matters, 2007</p> <p>ASEAN, Trafficking in Persons: Handbook on International Cooperation, Asia Regional Trafficking In Persons (ARTIP), (chapter 3, to be published)</p> <p>UNODC, The Competent National Authorities (CNAs) On-line Directory</p>

	<ul style="list-style-type: none"> <li>• Providing originals or certified copies of relevant documents and records</li> <li>• Identifying or tracing proceeds of crime</li> <li>• Facilitating the voluntary appearance of persons in the requesting State party</li> </ul> <p>To designate a central authority to receive, execute and transmit requests</p>				<p>UNODC Toolkit to Combat Trafficking in Persons, 2008 (tool 4.1, tool 4.4, tool 4.5)</p>
<p><b>Transfer of sentenced persons</b> (article 17, Convention)</p>	<p>To highlight this specific form of mutual legal assistance</p> <p>Support extradition mechanism (conditional surrender, return of sentenced person to country of origin)</p>	<p>Use of this form of International cooperation for States Parties that will extradite their own nationals only under condition of return,</p>	<p>Where necessary establish bilateral and multilateral agreements on the transfer of sentenced persons</p>	<p>Existence of bilateral or multilateral agreements or arrangements on the transfer of sentenced persons</p> <p>Occurrence and frequency of use of this form of mutual legal assistance</p>	<p>UNODC, Compendium of United Nations standards and norms in crime prevention and criminal justice, 2006, (Part One - Treatment of prisoners)</p> <p>CoE, Convention on the Transfer of Sentenced Persons, 1983</p> <p>UNODC, Toolkit to Combat Trafficking in Persons, 2008 (tool 4.4, tool 4.5)</p>

**TABLE 5. INTERNATIONAL COOPERATION/COORDINATION (Continued)**

PROTOCOL REQUIREMENTS	SPECIFIC OBJECTIVES	FRAMEWORK INDICATORS (Minimum Standard)	IMPLEMENTATION MEASURES	OPERATIONAL INDICATORS	RESOURCES
<b>Joint investigations</b> (article 19, convention)	<p>To ensure that transnational crime are properly investigated and relevant evidence gathered in the admissible format for prosecution with due respect to the sovereignty of the countries involved.</p> <p>To promote bilateral or multilateral agreements or arrangements regarding establishment of joint investigative bodies, while ensuring that the sovereignty of the State party in whose territory such investigation is to take place is fully respected.</p>	<p>Use of joint investigation and prosecution teams in cases of trafficking in persons</p> <p>Bilateral or multilateral agreements or arrangements regarding the establishment of joint investigative in place</p>	<p>Use of co-located or non-co-located joint investigation teams</p> <p>Facilitate formal and informal cooperation arrangements</p>	<p>Existence of agreements or arrangements</p> <p>Number of effective investigations carried out jointly</p> <p>Increased communication between law enforcement agencies in different jurisdictions or different countries</p> <p>Ability to make such agreements on a case by case basis specified in the domestic legislation, including clear procedures for such investigations</p>	<p>UNODC, The Competent National Authorities (CNAs) On-line Directory.</p> <p>UNODC, Toolkit to Combat Trafficking in Persons, 2008 (tool 5.10)</p>
<b>International cooperation for purposes of confiscation</b> (Article 13 Convention)	To require requested State parties to take particular measures to identify, trace and freeze or seize proceeds of crime or property, equipment or other instrumentalities (referred to in article 12, para. 1) for purposes of eventual confiscation.	<p>Existing legislation that allows a State to respond to requests to identify, trace and freeze or seize proceeds of crime or property, equipment or other instrumentalities</p> <p>Existing legislation that allows a State to confiscate proceeds of crime or property, equipment or other instrumentalities</p>	<p>Establish procedure using UNTOC as a legal basis (article 13, para. 6)</p> <p>States parties that receive a request for confiscation from another State party taking one of two actions:</p> <p>Either directly submitting for enforcement by its competent authorities an order issued by the requesting State party</p> <p>Or submitting the request to competent authorities in order to obtain a domestic order of confiscation</p>	<p>Number of requests made and executed, where applicable, to identify, trace and freeze or seize proceeds of crime or property, equipment or other instrumentalities for purposes of eventual confiscation</p> <p>Number of requests made and executed, where applicable, for confiscation related to trafficking in human being cases</p>	<p>UNODC, Mutual Legal Assistance request writer tool</p> <p>UNODC, Toolkit to Combat Trafficking in Persons, 2008 (tool 4.6)</p> <p>ASEAN, Trafficking in Persons: Handbook on International Cooperation, Asia Regional Trafficking In Persons (ARTIP), (chapter 4, to be published)</p>

	<p>To require requested State parties to take particular measures to confiscate proceeds of crime or property, equipment or other instrumentalities (referred to in article 12, para.1)</p>				
<p><b>Measures to strengthen cooperation among border control agencies by, inter alia, establishing and maintaining direct channels of communication</b> (article 11, para. 6, Protocol )</p>	<p>To encourage and strengthen cooperation and direct communication among border control agencies</p>		<p>Make use of the framework of regional organizations (Ameripol, Europol, EAPCCO (East Africa), SADC, SARPCO (Southern Africa), ASEANPOL), CIS or INTERPOL thus facilitating operational cooperation</p>	<p>Focal point for cooperation with international and regional police cooperation organizations in place (Ameripol, Europol, EAPCCO (East Africa), SARPCO (South Africa), (ASEANPOL), CIS, INTERPOL)</p>	<p>INTERPOL, Model [bilateral] police Cooperation agreement INTERPOL</p> <p>Convention on police cooperation in South East Europe (UNODC toolkit p. 158)</p> <p>CIS Program of Co-operation to Combat Trafficking in Human Beings for 2007-2010.</p> <p>UNODC Toolkit to Combat Trafficking in Persons, 2008 (chapter 4)</p>

**TABLE 5. INTERNATIONAL COOPERATION/COORDINATION (Continued)**

PROTOCOL REQUIREMENTS	SPECIFIC OBJECTIVES	FRAMEWORK INDICATORS (Minimum Standard)	IMPLEMENTATION MEASURES	OPERATIONAL INDICATORS	RESOURCES
<b>Cooperation among international and regional organizations</b>	Coordinate activities among international organizations	Coordination forum/fora which promotes inter-agency cooperation and coordination in place (e.g. ICAT )	Promote joint programming and the development of common strategies and work plans	Number of joint programmes in place	e.g. COMMIT Memorandum of Understanding and Sub-regional Plan of Action
	Rationalize resources		Strengthen knowledge sharing and inter-agency cooperation at the local and international levels	Common strategies and work plans in place	
	Avoid duplication	Framework or alliance for cooperation in place	Ensure division of labour based on organizations' mandates and core competencies in order to eliminate duplication of efforts and rationalize activities to make them cost-effective	Procedure for the exchange and sharing of information in place	e.g. OSCE: Alliance Against Trafficking in Persons; UNIAP  UNODC, Toolkit to Combat Trafficking in Persons, 2008 (chapter 2
	Ensure coherence in policy recommendations and technical assistance provided	Donor coordination forum/ fora in place, in line with Paris Declaration on Aid Effectiveness	Ensure stakeholder consultations in order to take stock of ongoing activities and lessons learned when developing a programme/project		
	Cooperation between regional organizations in a given region		Ensure strong linkages between the Framework for Action objectives and the country assistance programmes of donors and partnering aid agencies		
			Increase capacity development support provided through coordinated programmes consistent with partners' national strategies		
			Harmonize priorities, strategies, and aid-giving procedures among countries and align them with recipient countries' declared priorities, strategies and procedures.		
			Replicate or build upon existing cooperation alliances such as the Alliance Against Trafficking in Persons of the OSCE or Coordinated Mekong Ministerial Initiative against Trafficking (COMMIT) or UN Inter-Agency Project on Human Trafficking in the Greater Mekong Subregion (UNIAP)		



## Annexes

### (a) Resources referred to in tables

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International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families

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# Global Report on **TRAFFICKING IN PERSONS**

 **HUMAN TRAFFICKING**  **A CRIME THAT SHAMES US ALL**



**UN.GIFT**

Global Initiative to Fight Human Trafficking

February 2009

## Acknowledgements

This report was produced in the Policy Analysis and Research Branch of UNODC, under the supervision of Sandeep Chawla, Angela Me (Statistics and Surveys Section) and Thibault le Pichon (Studies and Threat Analysis Section).

### **Field research:**

Kendra Spangler and Rogelio Quintero (Data collection and research for Mexico, Central America and the Caribbean); Marina Oliveria and Adriana Maia (Data collection and research for South America); Thierno Gueye and Olatunde Olayemi (Data collection and research for West and Central Africa); Nihal Fahmy and Shereen Soliman (Data collection and research for North Africa and the Middle East); Sarah Simons (Data collection and research for East Africa); Carol Allais (Data collection and research for Southern Africa); Hayder Mili and Cheryl Brooks (Data collection and research for Eastern Europe, Central Asia and Afghanistan); Deepika Naruka and Marie Erickson (Data collection and research for South Asia); Alexia Taveau (Data collection and research for East Asia and the Pacific); and Kauko Aromaa, Anniina Jokinen, Martti Lehti, Elina Ruuskanen, Terhi Viljanen and Minna Viuhko from HEUNI (Data collection and research for Western and Central Europe, Canada and United States of America).

Particular appreciation and gratitude go to the UNODC Field Offices Representatives and staff for the support they provided during the data collection phase.

### **Research coordination and report preparation:**

Fabrizio Sarrica (Lead researcher, data collection coordination, data analysis and global overview), Michael Jandl (Consultant, data analysis and coordination) and Cristiano Borneto (Intern, data entry).

Anja Korenblik (Programme and publication management), Shannon Brown (Contractor, language editing), Suzanne Kunnen (design and desktop publishing) and Kristina Kuttig (design and desktop publishing).

The support and inputs of Anna Alvazzi del Frate, Philip Davis, Theodore Leggett, Steven Malby and Wolfgang Rhomberg are also gratefully acknowledged, as well as the contributions from other colleagues in the UN.GIFT Secretariat at UNODC, the Anti-Human Trafficking and Migrant Smuggling Unit of UNODC and the Organized Crime and Criminal Justice Section of UNODC.

UNODC reiterates its appreciation and gratitude to Member States for the reports and the information that provided the basis for this publication, as well as to the International Labour Organization (ILO), the International Organization for Migration (IOM) and the many non-governmental organizations around the world which kindly shared their information with UNODC.

UNODC would also like to thank UN.GIFT and the United Arab Emirates for the financial support provided for the preparation and publication of this report.

Coverphoto: © UNICEF

This report has been produced without formal editing.

The designations employed and the presentation of the material in this publication do not imply the expression of any opinion whatsoever on the part of the Secretariat of the United Nations concerning the legal status of any country, territory, city or area of its authorities, or concerning the delimitation of its frontiers and boundaries.

Countries and areas are referred to by the names that were in official use at the time the relevant data were collected.

The following abbreviations have been used in this report:

<b>CIS</b>	Commonwealth of Independent States	<b>MENA</b>	Middle East and Nord Africa
<b>CTS</b>	United Nations Surveys of Crime Trends and Operations of Criminal Justice Systems	<b>NGO</b>	Non-governmental Organization
<b>ECCAS</b>	Economic Community of Central African States	<b>OSCE</b>	Organization for Security and Co-operation in Europe
<b>ECOWAS</b>	Economic Community of West African States	<b>TiP</b>	Trafficking in Persons (Human Trafficking and Trafficking in Human Beings are also used)
<b>FBI</b>	Federal Bureau of Investigation	<b>UN.GIFT</b>	United Nations Global Initiative to Fight Human Trafficking
<b>HEUNI</b>	European Institute for Crime Prevention and Control	<b>UAE</b>	United Arab Emirates
<b>ILO</b>	International Labour Organization	<b>UNICEF</b>	United Nations Children's Fund
<b>Interpol</b>	International Criminal Police Organization	<b>UNODC</b>	United Nations Office on Drugs and Crime
<b>IOM</b>	International Organization for Migration		

In the report the terms children, boys and girls refer to people under 18 years old, and the terms adults, men and women refer to persons who are 18 years old or above.

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## A knowledge crisis about a crime that shames us all

The term *trafficking in persons* can be misleading: it places emphasis on the transaction aspects of a crime that is more accurately described as enslavement. Exploitation of people, day after day. For years on end.

After much neglect and indifference, the world is waking up to the reality of a modern form of slavery. The public and the media are becoming aware that humans prey upon humans for money. Parliaments are passing appropriately severe laws. The judiciary is facing its anti-slavery responsibility, with more prosecutions and convictions. Civil society and (to a lesser extent) the private sector are mobilizing good-will and resources to assist victims.

Hearing this wake-up call, politicians as well as ordinary people ask me two sets of questions. First, they want to know how big the crime of human trafficking really is: how many victims are there? Who are the traffickers, what are their routes and their gains? What are the trends, namely is the problem getting ever more severe? Why and where?

Second, people want to know what to do, individually and collectively. Why aren't governments and the United Nations, why aren't we all, doing more? Some people are even willing to mobilize personal resources to fight this crime: but for whom and how?

The first set of questions needs to be answered as a matter of priority. Only by understanding the depth, breadth and scope of the problem can we address the second issue, namely, how to counter it. So far we have not attained much knowledge and therefore initiatives have been inadequate and disjointed. Policy can be effective if it is evidence-based, and so far the evidence has been scanty.

UNODC first attempted to identify human trafficking patterns in April 2006. This second report goes a step further, cataloguing and analysing the world's response, based on criminal justice and victim assistance data from 155 countries. A few observations stand out, in lieu of conclusions.

First, over the past few years, the number of countries that have taken steps to implement the foremost international agreement in this area - the UN Protocol against Trafficking in Persons - has doubled. However, there are still many countries, particularly in Africa, that lack the necessary legal instruments.

Second, the number of convictions is increasing, but not proportionately to the growing awareness (and probably, size) of the problem. Most convictions still take place in only a few countries. While these countries may have human trafficking problems more serious than others, they are doing something about them. On the other hand, as of 2007/08, two out of every five countries covered by this report had not recorded a single conviction. Either they are blind to the problem, or they are ill-equipped to deal with it. I urge governments and other stakeholders to call on UNODC expertise, including the recently published Toolkit to Combat Trafficking in Persons, to show their commitment.

Third, sexual exploitation is by far the most commonly identified form of human trafficking (79%), followed by forced labour (18%). This may be the result of statistical bias. By and large the exploitation of women tends to be visible, in city centres, or along highways. Because it is more frequently reported, sexual exploitation has become the most documented type of trafficking, in aggregate statistics. In comparison, other forms of exploitation are under-reported: forced or bonded labour; domestic servitude and forced marriage; organ removal; and the exploitation of children in begging, the sex trade, and warfare.

Fourth, a disproportionate number of women are involved in human trafficking, not only as victims (which we knew), but also as traffickers (first documented here). Female offenders have a more prominent role in present-day slavery than in most other forms of crime. This fact needs to be addressed, especially the cases where former victims have become perpetrators.



Fifth, most trafficking is national or regional, carried out by people whose nationality is the same as that of their victims. There are also notable cases of long-distance trafficking. Europe is the destination for victims from the widest range of origins, while victims from Asia are trafficked to the widest range of destinations. The Americas are prominent both as the origin and destination of victims in the human trade.

This report increases our partial understanding of the forces at play in modern slave markets. Yet internationally standardized data are still not available, a limitation that hampers the sharing of information between and among states, and with the UNODC. Aggregated statistics cannot be put together, neither at geographic nor thematic levels.

As a consequence, we still lack a global understanding of the subject, and of how its components interact to make the whole. Think of illicit drugs, the most heavily documented subject at UNODC. Drug control policies take into account data concerning the entire value-added chain (production, consumption, trade, etc.) of all drugs (opium, cocaine, amphetamines, etc.), in all markets (Afghanistan, Colombia, US, EU, Iran, etc.) Drug information is organized in multidimensional data bases, so that policies can target the whole, and any of its parts (from therapy of addicts, to seizures of drugs, to conversion of cultures).

Nothing of this sort is possible today in the domain of human trafficking. We do not have as yet the logical categories needed to establish multidimensional data bases. We should be, but we are not, able to segment today's slave markets into their components (demand, supply, trafficking, and related prices). We must, but cannot, catalogue (for lack of data) the different types of slavery: exploitation through child-begging in Europe is different from what goes on in a brothel, or on a street corner in Australia. Preventive measures must also be adapted to take into account that an Asian father sells his underage daughter under circumstances different from what forces an African teenager into a rag-tag army of killers, or what pushes an illegal immigrant into a sweat shop in the Americas. Meas-

ures to rescue victims and punish criminals must vary accordingly.

I plead with social scientists in academia, and especially in governments, to work more intensively with UNODC to generate the logical categories and the statistical information needed for evidence-based, anti-slavery policy. The crisis we face of fragmented knowledge and disjointed responses intensifies a crime that shames us all.



Antonio Maria Costa  
Executive Director  
United Nations Office on Drugs and Crime

## Executive Summary

In 2007, UNODC conducted, in the framework of the United Nations Global Initiative to Fight Human Trafficking (UN.GIFT), a study on the state of the world's response to the crime of human trafficking. This report offers an unprecedented view of the available information on the state of the world's response to human trafficking, including near-comprehensive data on national legislative and enforcement activity. Over the course of a few months in 2007 and 2008, UNODC gathered information concerning 155 countries and territories. With a few notable exceptions, nearly all of the larger states participated. This report summarizes this information, starting with a discussion of the global and regional figures and closing with country profiles for participating nations.

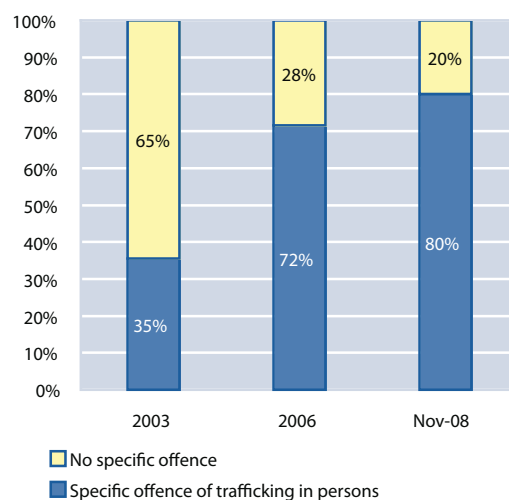
Of course, data on the response of states to human trafficking are only indirect indicators of the nature of the underlying problem. Countries with well-resourced criminal justice agencies may show a great deal of activity even when human trafficking is relatively rare, while countries with larger problems but less capacity may be unable to muster a proportionate response. But the material gathered here does illustrate that, in a remarkably short time, tremendous progress has been made in combating a crime that was only recently widely acknowledged. It also demonstrates that sharing human trafficking data on a global basis is possible and can yield valuable insights, despite the inherent limitations of the criminal justice figures.

### The response to trafficking in persons

The Protocol to Prevent, Suppress and Punish Trafficking in Persons only came into effect in December 2003, but it has inspired widespread legislative response. As of November 2008, 63% of the 155 countries and territories this report had passed laws against trafficking in persons addressing the major forms of trafficking<sup>1</sup>.

Another 16% had passed anti-trafficking laws that cover only certain elements of the Protocol definition.<sup>2</sup> In 2003, only one third of the countries covered by this report had legislation against human trafficking; at the end of 2008, four-fifths did. The number of countries having anti-trafficking legislation more than doubled between 2003 and 2008 in response to the passage of the Protocol. In addition, 54% of responding countries have established a special anti-human trafficking police unit, and more than half have developed a national action plan to deal with this issue.

Percentage of countries covered by this report that have introduced a specific offence on trafficking in persons into their legislation



Source: UNODC/UN.GIFT

Given that this legislative framework is very new, it is remarkable that 91 countries (57% of the reporting countries) reported at least one human trafficking prosecution, and 73 countries reported at least one conviction. A core of 47 countries reported making at least 10 convictions per year, with 15 making at least five times this number.

<sup>1</sup> These laws criminalize, at the very least, sexual exploitation and forced labour and have no restriction regarding the age or gender of the victim.

<sup>2</sup> For example, laws that are limited to sexual exploitation or only apply to female or child victims.

**Criminalization of trafficking in persons – status of national legislation, by country (November 2008)**

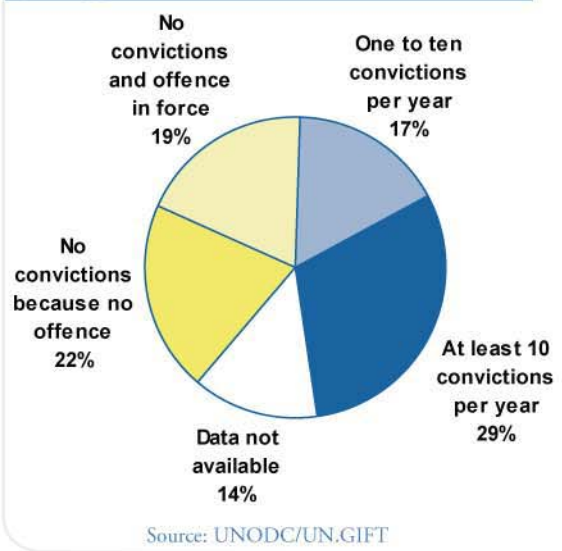


**Cover most/all forms:** Countries where the specific offence of trafficking in persons is in force, criminalizing at a minimum sexual exploitation and forced labour, with no restrictions concerning the profile of the victim.

**Partial:** Countries where the specific offence of trafficking in persons is in force, but legislation does not criminalize all or most forms listed in Article 3 of the UN Trafficking Protocol or does not define trafficking in persons.

**No specific offence:** Countries where forms of trafficking in persons are criminalized through other offences due to the absence of a specific trafficking in persons offence.

**Distribution of all countries according to the number of convictions recorded for the specific offence of trafficking in persons during the reporting period**



There is, of course, considerable regional variation in compliance to standards. Many African countries still do not have legislation on human trafficking, or they have laws that criminalize only some aspects of human trafficking (such as child trafficking). And not all high income countries have comprehensive legislation, either. In addition, most of the human trafficking convictions come from just a few countries, some of which are wealthy and some of which are not. This suggests that progress against human trafficking is not necessarily determined by income levels but is essentially a product of individual national initiative.

This research project was aimed at gathering information on legislative, institutional and criminal justice responses, not at assessing the scale or the nature of the human trafficking problem. It remains unclear what share of human trafficking cases come to the attention of the authorities and whether the cases detected are representative of the underlying activity. Each incident presents a case study of the way human trafficking is conducted in a given country, but there may be reasons why other types of cases

remain undetected. On the other hand, a large number of case studies can provide some interesting insights when compared across a range of countries and across time. The following sections discuss some of these insights.

### Gender, citizenship and forms of victimization

Crime, organized crime in particular, is typically a male activity. Men make up over 90% of the prison populations of most countries and are particularly over-represented as perpetrators of violent crime. It might be assumed that human trafficking, where violence and threats are keys to the business, would likewise be overwhelmingly male dominated. But, surprisingly, the data on the gender of those convicted for trafficking in persons do not support this premise.

The data gathered on the gender of offenders in 46 countries suggest that women play a key role as perpetrators of human trafficking. In Europe, for example, women make up a larger share of those convicted for human trafficking offences than for most other forms of crime.

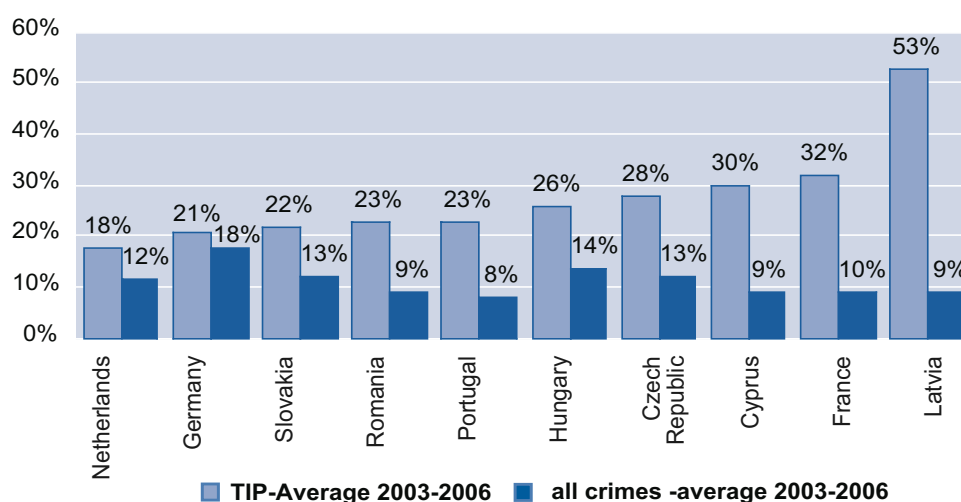
The criminal justice figures also shed light on the nature of the transnational networks involved. To date, it has remained unclear whether human trafficking enterprises were driven primarily by networks situated in the source countries or in

the destination countries. Based on the data collected for this report, most of the offenders were citizens of the country where they were arrested. This suggests that local criminal networks acquire the victims and sell them to criminal networks based in destination countries. This stands to reason since many source countries are relatively poor with small foreign populations. Offenders often endeavour to win the trust of the victims and use their local connections to threaten retaliation against family members if victims resist. Local people are better situated to acquire and control victims.

However, in cases where the arrest took place in a high-income destination country, the offenders were more likely to be foreign than when the arrest took place in a source country. In many instances, diaspora populations from source regions may be used as a conduit for moving victims into the countries where they will be exploited. This phenomenon also is seen in other forms of transnational trafficking.

The data also can give some tentative insights into the profile of the victims. Victims of human trafficking were identified through the criminal justice process and through victims' assistance organizations. Over 21,400 victims were identified in 2006 among the 111 countries reporting victim data for that year. As with the offenders, the profile of the victims is highly influenced by

Proportion of females in convictions for trafficking in persons and for all crimes combined in Europe

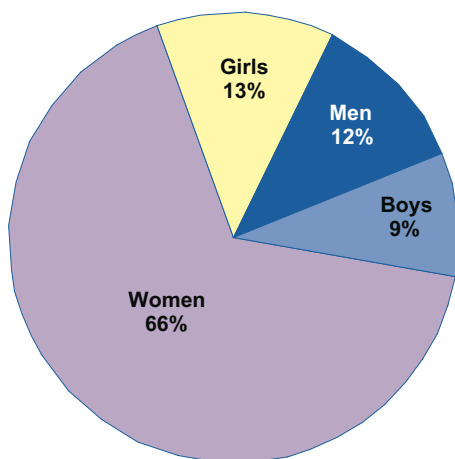


Source: UNODC/UN.GIFT



local laws and priorities, which often focus on child victims and victims of sexual exploitation (usually women). With this caveat in mind, in the 61 countries where the gender and age of the victim were specified, two thirds of the identified victims were women and 13% were girls.

**Profile of victims identified by State authorities in 61 countries where information was collected, aggregated for 2006**



Source: UNODC/UN.GIFT

In the 52 countries where the form of exploitation was specified, 79% of the victims were subjected to sexual exploitation. While it remains likely that labour exploitation and male victims are relatively under-detected, the over-representation of sexually exploited women is true across regions, even in countries where other forms of trafficking are routinely detected.

## Human trafficking flows

Criminal justice data alone cannot give a sense of the scale of human trafficking flows, but it can give some idea about source and destination countries. Victims and perpetrators may be detected in source, transit or destination countries. The criminal justice data therefore provide several independent sources of information on where victims are being acquired and where they are being transported.

In most of the reported cases, victims were moved across international borders. Domestic trafficking, or the exploitation of citizens in

their home country, was reported by 32 countries but is likely under-detected due to restrictive definitions of trafficking or the greater visibility of foreign victims. Even in countries reporting domestic trafficking, foreign victims were almost always more numerous.

Cross-border flows are not necessarily long distance flows. Much of the cross-border trafficking activity was between countries of the same general region, particularly between neighbouring countries. But there was also evidence of intercontinental trafficking. Most remarkably, victims from East Asia were detected in more than 20 countries in regions throughout the world, including Europe, the Americas, the Middle East, Central Asia and Africa. This suggests that the trafficking of East Asians is a bit of a phenomenon in itself and worthy of detailed study. Other long distance flows include the trafficking of African victims to locations in Europe and North America; the trafficking of Latin American victims to North America and Europe; the trafficking of Central European, Eastern European and Central Asian victims to Europe and the Middle East; and the trafficking of South Asian victims to the Middle East.

## The need for continued monitoring

Aside from these insights, the primary value of this report has been to assess the information available, to highlight what is not known and to suggest how information-gathering systems could be improved. Looking at the data received, there is a clear need for an international standardization of definitions along the lines suggested by the Protocol. Too often, even similarly situated countries with compatible legal systems are counting different things. There is also a need to encourage Member States to collect more and better information on the state of human trafficking in their countries. Some countries could cite the number of victims or offenders, for example, but had no data on the gender, age or citizenship of these people. Domestic crimes that are tantamount to trafficking are not being tallied in national totals. By setting the accounting agenda, it is possible that lagging states could be encouraged to meet

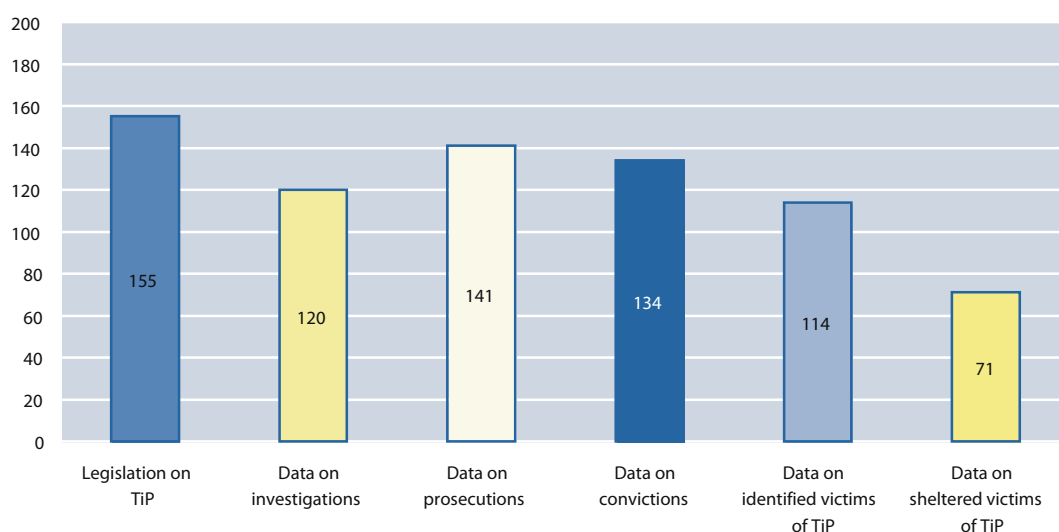
their obligations to pass appropriate laws and in thinking about the human trafficking problem strategically.

One of the key unanswered questions remains: Just how big is the human trafficking problem globally? Without a sense of the magnitude of the problem, it is impossible to prioritize human trafficking as an issue relative to other local or transnational threats, and it is difficult to assess whether any particular intervention is having effect. While coming to an estimation based on the present data would be premature, it is incumbent on the international community to gather the information necessary to fill this gap. Far more knowledge is needed before the true size of the market for human beings can be estimated, but this information could be gathered through a sustained programme of data sharing.

This report has demonstrated that international monitoring of human trafficking trends and patterns is possible and that a surprising wealth of information is available. But it remains a pilot for a project, one with much greater potential to track the global phenomenon of human trafficking and our collective efforts to address it. An international mechanism to monitor trends and patterns of trafficking in persons needs to be established with the object of continuing data

collection of the sort gathered in the present survey (data on legal and institutional frameworks; criminal justice statistics; and victim service information). Such a mechanism also could work toward gathering more information on the market context for these crimes, including data on price and demand. Coordinated efforts require collective information systems, and the global struggle against trafficking in persons needs knowledge to inform strategic interventions.

Number of countries making data available to UNODC by topic



Source: UNODC/UN.GIFT

## Introduction and methodological note

It has been five years since the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children<sup>3</sup> came into effect, and the time is ripe for an assessment of progress. In March 2007, UNODC conducted, in the framework of the United Nations Global Initiative to Fight Human Trafficking (UN.GIFT), a study on the state of the world's response to the crime of human trafficking. The research looked beyond the ratification of the Protocol to ask how many countries had formulated national legislation and created supporting institutions and how many investigations, prosecutions and convictions these efforts had produced. This report presents the information gathered by 10 UNODC researchers from 155 countries and territories from September 2007 until July 2008. The information itself pertains to the period 2003 to 2007.

These data show that the efforts of the international community to promote action on human trafficking resulted in a tremendous amount of national activity, much of it very recent, to combat the trade in human beings and to ameliorate its effects. At the same time, the research also revealed two related problems. The first is that some countries are not collecting even basic data, and many are not collecting data in a way that facilitates insight into the national situation, let alone meeting standards of international comparability. The second problem is that the information gathered does not shed light on the most fundamental question: Have all these efforts been successful in reducing human trafficking worldwide?

This report is about the collective global response to human trafficking. Due to the nature of the information collected, it can say much less about

the activity itself. Criminal justice data do not accurately represent the nature or the extent of the underlying activity any more than a fisherman's catch represents the state of the fish in the sea. Some countries do not have specific legislation on human trafficking or do not criminalize some elements of the definition agreed in the Protocol. Even countries with the appropriate legislative framework vary tremendously in the resources available for enforcement and the way these resources are targeted. Also, countries with the largest amounts of State activity may be atypical, their data far from being representative of the global scene. Governments may legitimately note that the higher visibility of trafficking in a national criminal justice system may be, in large part, due to the significant importance and priority a State places on responding to trafficking in persons.

Nonetheless, it is of the utmost importance to our collective efforts to combat human trafficking that data be shared over time in an internationally standardized way. A poor indicator is better than no indicator as long as it is not represented as more than it is. Over time, the collection of information from so many different perspectives can, in aggregate, make up for many of the deficiencies of the data itself. Our global data set, reviewed time and again, can indeed tell us something more about the trends and patterns of the problem. This information is vital so that, in a world of limited resources, efforts can be focused for maximum effect.

This research project has shown that many countries are willing to share data and that many have data to share. In addition to documenting the substantial commitment a wide range of countries have made to stop the trade in persons, some modest insights can be gained into the hidden world of human trafficking. Institutionalizing this information-gathering in an ongoing cooperative programme, similar to that undertaken for drugs or to that used to monitor the implementation of the Trafficking Protocol within the framework of the Conference of the Parties to the United Nations Transnational Organized Crime Convention, is clearly a possibility and potentially an invaluable one.

3 The United Nations Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime can be downloaded at [http://www.unodc.org/pdf/crime/a\\_res\\_55/res5525e.pdf](http://www.unodc.org/pdf/crime/a_res_55/res5525e.pdf) and [http://www.unodc.org/pdf/crime/a\\_res\\_55/255e.pdf](http://www.unodc.org/pdf/crime/a_res_55/255e.pdf)

## 1. Collecting the data

Collecting global data on any issue is no small undertaking, and the process is more complicated still when the topic is one as controversial and complex as human trafficking. In order to break the picture down into manageable pieces, 10 researchers were assigned geographic regions and were placed in appropriate UNODC field offices around the world.<sup>4</sup> In addition, the UN-affiliated European Institute for Crime Prevention and Control (HEUNI) was asked to gather data for Europe and North America. These researchers contacted the relevant national governments and non-governmental organizations with the purpose of collecting the available data under three subject areas:

- Information on legislative and administrative frameworks, including the status of anti-trafficking laws; the creation of government victim protection and support programmes; the establishment of special law enforcement units on trafficking in persons; and the drafting of national action plans to deal with the human trafficking problem.
- Criminal justice data, including the number of investigations, arrests, prosecutions and convictions.
- Information on victim services, including the number of victims identified by public authorities and sheltered by service providers; and the number of foreign victims returned to their home countries.

In the end, information was collected for 155 countries and territories, some more complete than others. Still, this is a remarkable coverage rate given the topic, the timeframe and the resources available. It is difficult to generalize about the countries that were not covered by this research. In some instances, researchers may not have been persistent enough, focusing their attention on other countries. In other cases, countries formally declined to participate or failed to provide all the available information. A few countries had no information to contribute. In general, however, the researchers were able to gather more

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<sup>4</sup> The researchers were placed at UNODC field offices in Abuja, Bangkok, Brasilia, Cairo, Dakar, Mexico City, Nairobi, New Delhi, Pretoria and Tashkent.

data on more countries than has ever been assembled before in one place. A complete listing of the countries covered, represented in Map 1, is appended to this report (Page 17).

## 2. What the data represents

The first category of information gathered – legislative and institutional arrangements to combat human trafficking – is at once simple and complex. With regard to the national laws, one measure is for countries to be grouped into those with a specific offence that criminalizes at least trafficking in persons for the purposes of sexual exploitation and forced labour and that have no restriction regarding the age or the gender of the victim; those whose specific offence on trafficking in persons is restricted to some forms of exploitation and to some category of victims (e.g., trafficking for sexual exploitation, child trafficking) or without a clear definition of the offence; and those criminalizing trafficking in persons through other offences due to the absence of a specific offence on trafficking in persons. Beyond this basic measure, a more detailed legislative analysis than that made in this report would be necessary to evaluate the compliance of the States' laws with the Trafficking Protocol. The purpose of gathering this category of information was to establish whether countries criminalize the minimum forms of exploitation included in the Trafficking Protocol.

The second category of data has the advantage of being quantifiable and is thus more concrete. This category captures the application of the laws, which is important because while international pressure can compel legislative action, it is largely symbolic if the executive arm of government does not follow up. The goal is to provide genuine deterrents to transnational anti-social activity, and this is not accomplished until some offenders are actually convicted. It is impossible to convict traffickers where there are no traffickers to convict, of course, and since there are no reliable estimates about the scale of human trafficking, it would be thereby senseless to prescribe some model level of criminal justice activity. On the other hand, there are many parts of the world where human trafficking is known



to exist but where there is little or no law enforcement response.

These data also give us important clues about the activity of human trafficking itself. Each charge laid gives some indication that a particular form of trafficking is present. Both the offenders and their victims have an age, a gender and a nationality, so any given case provides an example of who is trafficking whom. It is of great interest to those involved in law enforcement that people from one corner of the world are becoming victims in another, perhaps brought there by people from another region altogether. Even if the number of cases is small, if they persist across time, this suggests an issue ripe for international cooperation.

What these data fail to demonstrate is the amount of trafficking that is actually taking place. This is because quite a few things need to happen before a human trafficker is ever sentenced to prison. The country concerned must have laws prohibiting the activity, and it must have a law enforcement apparatus capable of – and willing to – detect crimes of this sort. It helps if this apparatus is supported by a public that reports suspicious activity and a legal/social service structure that encourages and supports victims to step forward and testify against their trafficking offenders. Provided that offenders are tried and jailed, there still needs to be some system of data collection that registers this event as a human trafficking conviction. Finally, the government in question must decide that it is willing to share this information with a body like the United Nations.

As a result, very little can be concluded from the criminal justice data alone as to where the problem is most acute or whether the response of any given country is proportionate to the challenge it faces. There are a few countries that regularly return large numbers of human trafficking convictions, and it can safely be concluded that these countries have both a problem and are taking action to address it. But equally troubled countries may do little in response and thereby produce no statistics. Others may have relatively small markets for the trafficking and exploitation of human beings, but through diligent investigation, detect a disproportionately large

number of incidents compared to other countries. Even within a particular country, it is difficult to say whether a trend towards a greater or lesser number of convictions is a result of true changes in the number of offences occurring or whether these variations are due to changes in the amount of attention given to the issue or the mechanisms for reporting the data. In the end, the amount of criminal justice activity is a highly ambiguous indicator.

Luckily, criminal justice data are not the only source of information on trafficking. Another set of institutions – those dedicated to providing services to victims – is capable of keeping its own set of figures and observations. These groups gather detailed information about the people they serve and, while not collected under oath, this information may be more reliable due to the use of a victim-centred approach and the non-adversarial context in which it is garnered. Victim information – the topic of the third heading of data collected for this report – can be compared and contrasted with that collected in the criminal justice process.

### 3. Countries covered

UNODC accessed information on legislation, criminal justice statistics and data on offenders and victims identified by State authorities and other institutions for 155 countries and specially administered territories for the period 2003–2007.

Given time and budget constraints, some countries and some information could not be covered. For other countries, the information was too difficult to collect, either because it was not accessible to competent authorities or the information could not be supplied because it simply did not exist. Additionally, some countries preferred not to share their information.

The results and analysis presented in this report are based on the available information collected from these 155 countries and specially administered territories. Table 1 lists the countries and territories covered in this report, grouped by region.

## GLOBAL REPORT ON TRAFFICKING IN PERSONS

Table 1: Countries and territories covered in this report, by region

Africa and the Middle East				Americas		
North Africa and Middle East (total: 10)	West and Central Africa (total: 16)	East Africa (total: 9)	Southern Africa (total: 11)	North America (total: 3)	Central America and the Caribbean (total: 12)	South America (total: 9)
Algeria Bahrain Egypt Iraq Israel Morocco Oman Qatar Sudan United Arab Emirates	Benin Burkina Faso Chad Cote d'Ivoire Gabon Gambia Ghana Guinea Liberia Mali Mauritania Niger Nigeria Senegal Sierra Leone Togo	Burundi Djibouti Eritrea Ethiopia Kenya Mauritius Rwanda Tanzania Uganda	Angola Botswana Democratic Republic of the Congo Lesotho Malawi Mozambique Namibia South Africa Swaziland Zambia Zimbabwe	Canada Mexico United States of America	Costa Rica El Salvador Guatemala Honduras Nicaragua Panama Barbados Dominican Republic Haiti Saint Lucia Saint Vincent and the Grenadines Trinidad and Tobago	Argentina Bolivia Brazil Chile Colombia Ecuador Paraguay Peru Venezuela, Bolivarian Republic of
Asia and the Pacific		Europe and Central Asia				
East Asia and the Pacific (total: 27)	South and South-West Asia (total: 8)	Eastern Europe and Central Asia (total: 12)	Western and Central Europe (total: 38)			
Australia Brunei Darussalam Cambodia Indonesia Japan Lao PDR Malaysia Mongolia Myanmar New Zealand The Philippines Korea, Republic of Singapore Thailand Timor-Leste Viet Nam Cook Islands French Polynesia Kiribati Micronesia, Federated States of Nauru New Caledonia Niue Palau Western Samoa Solomon Islands Tuvalu	Afghanistan Bangladesh Bhutan India Maldives Nepal Pakistan Sri Lanka	Armenia Azerbaijan Belarus Georgia Kazakhstan Kyrgyzstan Moldova, Republic of Russian Federation Tajikistan Turkmenistan Ukraine Uzbekistan	Albania Austria Belgium Bosnia and Herzegovina Bulgaria Croatia Cyprus Czech Republic Denmark Estonia Finland France Germany Greece Hungary Iceland Ireland Italy Latvia Lithuania Luxembourg Malta Montenegro The Netherlands Norway Poland Portugal Romania Serbia Kosovo (Serbia) Slovakia Slovenia Spain Sweden Switzerland The FYR of Macedonia Turkey The United Kingdom			

In order to facilitate the synthesis and improve the reading of this report, text references have been made to a number of sub-regional groupings. The composition of these sub-regional groupings was based on geographical criteria as well as on similarities in human trafficking patterns.

#### Sub-regional groupings in Africa and the Middle East:

- The Middle East, which includes Bahrain, Iraq, Israel, Oman, Qatar and the United Arab Emirates.
- North Africa, which includes Algeria, Egypt, Morocco and Sudan.

#### Sub-regional groupings in the Americas:

- The Caribbean, which includes Barbados, the Dominican Republic, Haiti, Saint Lucia, Saint Vincent and the Grenadines, and Trinidad and Tobago.
- Central America, which includes Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua and Panama.

#### Sub-regional groupings in Asia and the Pacific:

- East Asia, which includes Brunei Darussalam, Cambodia, Indonesia, Japan, Lao PDR, Malaysia, Mongolia, Myanmar, the Republic of Korea, Singapore, Thailand, Timor-Leste, Viet Nam, China and the Philippines.
- The Mekong countries, which includes five countries surrounding the Mekong River

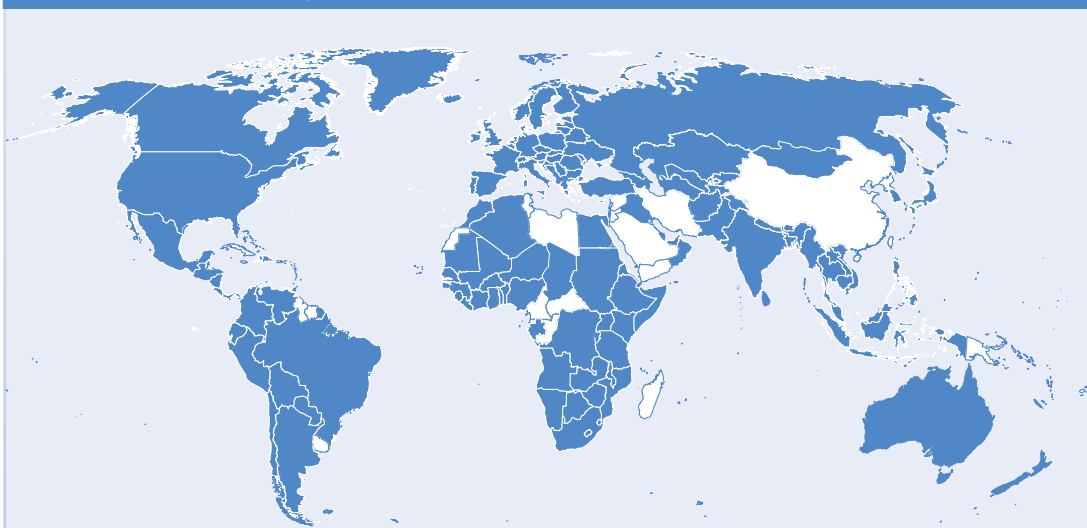
(Cambodia, Lao PDR, Myanmar, Thailand and Viet Nam).

- The Pacific, which includes Australia, New Zealand, the Cook Islands, French Polynesia, Kiribati, Micronesia, Nauru, New Caledonia, Niue, Palau, Western Samoa, Solomon Islands and Tuvalu.
- South and South-West Asia, which includes Afghanistan, Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan and Sri Lanka.

#### Sub-regional groupings in Europe and Central Asia:

- Eastern Europe, which includes Armenia, Azerbaijan, Belarus, Georgia, Moldova, the Russian Federation and Ukraine.
- Central Asia, which includes Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan.
- Central Europe, which includes the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Slovenia and Slovakia.
- Northern Europe, which includes Denmark, Iceland, Finland, Norway and Sweden.
- South-East Europe, which includes Albania, Bosnia and Herzegovina, Bulgaria, Croatia, Montenegro, Romania, Serbia and Kosovo (Serbia), and The FYR of Macedonia.
- Southern Europe, which includes Cyprus, Greece, Italy, Malta, Portugal, Spain and Turkey.
- Western Europe, which includes Austria, Belgium, France, Germany, Ireland, Luxembourg, the Netherlands, Switzerland and the United Kingdom.

Map 1: Countries covered by the UNODC/UN.GIFT data collection



Source: UNODC/UN.GIFT

#### 4. The potential for progress

The massive pool of information collected for this report is both profoundly informative and fundamentally unsatisfying. It provides a sound baseline that calls out for sustained supplementation. Many countries have only recently passed human trafficking-specific legislation or created supporting institutions. The number of human trafficking convictions and the recorded number of victims assisted have increased every year during the period examined. As these numbers grow, so does the depth and accuracy of the data collected.

This report should stand as a pilot for a much needed barometer of human trafficking activity. It provides a preliminary snapshot of the situation but has the potential to become much more. To have real meaning, this undertaking needs to be sustained through inclusion in a regular data collection exercise. The periodical United Nations Survey of Crime Trends and Operations of Criminal Justice Systems (CTS), and the instruments adopted to monitor the implementation of the United Nations Convention on Transnational Organized Crime within the framework of the Conference of the Parties to the convention can be used to regularly collect such information.

It is now known that at least 155 countries and territories are willing to contribute information on human trafficking to a common database. Some inputs were better than others, but at least Member States have been put on notice as to the kind of information that should be collected. And, as this collection becomes regularized, it may be possible to gather more data. For example, many countries can say how many victims and offenders of any given citizenship passed through their systems, but these two groups of people are not currently cross-linked.

Ultimately, the goal should be to provide a database robust enough that questions of concern to the international community can be answered: What are the specific trafficking trends, and what are the main trafficking patterns and flows? Where is trafficking in persons most acute and

how might it be recognized? Without an answer to these questions, appropriation of scarce resources becomes guesswork, and measurement of progress very unreliable. Sound information is needed to support decisions on a topic as important as human trafficking. This report shows that this information can be gathered economically and quickly. The international community cannot afford to go without it.

#### 5. Limitations of the data

For the most part, the information used to compile this report was collected by national institutions, mostly for their own administrative purposes. The data were thus not originally compiled for the purposes of this research.

These data are affected by a number of limitations, as a result of which they do not provide full coverage of the phenomenon and cannot be systematically compared. The first limitation relates to differences in national legislation. National law is the basis for the official registration of the crime, and the data are clearly affected by the existence, scope and moment of entry into force of such legislation. In addition, national criminal justice systems differ from country to country, with different procedures implemented in the context of different legal systems. As a consequence, the volume and form of investigations, prosecutions or convictions will also necessarily reflect each country's legal and procedural system.

The second limitation relates to the ability of the criminal justice system to detect criminal activities. For various reasons, not all crimes committed are discovered (the so-called 'dark number' of undetected crimes). Thus, a large share of human trafficking activities is not detected by national authorities or other institutions. As a result, comparing criminal justice statistics across countries is highly problematic, since it means comparing an unknown and variable mix of phenomena, including the actual prevalence of the crime, the ability of law enforcement agencies to detect it and other factors.

The third limitation comes from the nature and

functioning of data recording systems. The level of efficiency of existing systems that record human trafficking cases has a clear impact on the statistics provided in this report. The volume of victims and offenders officially recorded can be heavily influenced by the performance of the recording mechanisms.

For these reasons, it is not possible to interpret the data collected for this report as representing the true extent or magnitude of human trafficking. The figures used cannot be compared across countries, either to represent the severity of human trafficking or the different levels of performance of countries responding to the phenomenon.

Not all the information targeted by this research was available in all the countries covered. Consequently, when information on some relevant aspects of the trafficking situation is not represented for a country, the data can be considered as unavailable to UNODC. In addition, some information may be partial. For instance, information on the number of shelters available for victims of human trafficking, their capacities and the number of victims sheltered may not necessarily include all the shelters existing in a particular country but only those that could be identified when preparing this report. Similarly, court statistics might be partial when the absence of a centralized data depository system caused the team of researchers to seek information from each relevant court separately.

Finally, a margin of uncertainty exists related to the information presented for a limited number of countries where different authoritative sources (e.g., police and public prosecutors) provided different figures for the same indicator. In some of these cases, decisions had to be made by UNODC on which of these sources should be used.





# Global Overview



# 1. Status of the legislation on trafficking in persons

## a. The push of the United Nations Trafficking Protocol

By November 2008, 98 (63%) of the 155 countries and specially administered territories covered by this report had adopted a specific offence criminalizing trafficking in persons at least for the purposes of sexual exploitation and forced labour with no restriction regarding the age or the gender of the victim<sup>1</sup>. Twenty-seven (17%) of these countries have a specific offence of trafficking in persons restricted to some forms of exploitation and to some categories of victims (e.g., trafficking for sexual exploitation, child trafficking) or without a clear definition of the offence. Thirty (20%) of the countries covered by this data collection did not have a specific offence on trafficking in persons in their legislation as of November 2008. However, most of these countries reported that they criminalize forms or aspects of trafficking through other offences, such as sexual exploitation, child protection or labour-related offences.

This use of other offences to prosecute trafficking is also quite common among countries that have a specific and comprehensive offence on trafficking in persons. In practice, many criminal justice systems find it difficult to prove some important elements of the definition of trafficking, such as deception, abuse of vulnerability or even exploitation. As a consequence, some systems prosecute trafficking cases through offences like pandering, slavery, child protection or even by making use of labour laws to punish clear cases of trafficking in persons for forced labour.

The data shows that, during 2003-2007, a minimum of 20% (N: 19) of countries having specific offences in their criminal codes have systematically used offences other than trafficking in persons to prosecute trafficking episodes. This number, in fact, is likely to be greater since information on this issue was provided by a limited number of countries.

It must be stressed that while using trafficking-related offences can provide some recourse to justice for victims, applying legislation that is not specifically in line with the UN Trafficking Protocol raises the difficult issue of victim protection, which is normally not considered within the context of trafficking-related offences.

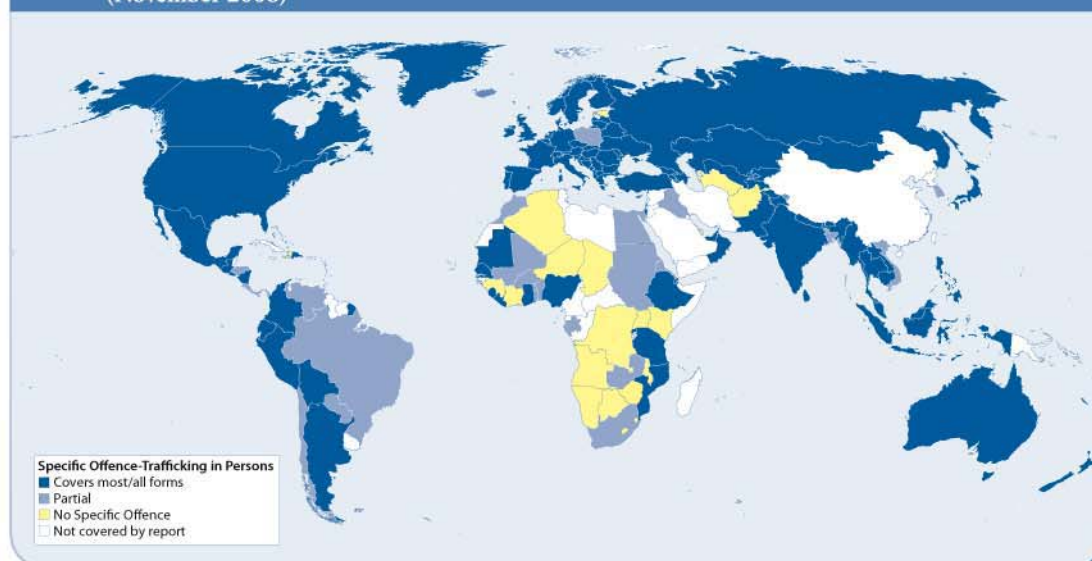
Map 2 represents the status of the criminalization of trafficking in persons. A large part of the world does have a specific offence criminalizing trafficking in persons at least for sexual exploitation and forced labour. There are a few countries, however, that criminalize only part of the phenomenon or do not clearly define trafficking in their legislation. Other countries prosecute some forms of trafficking in persons through other offences, because the specific crime of trafficking in persons is not included in their national legislation.

One of the elements emerging from the collected data is that most legislative frameworks on trafficking in persons have been developed only within the last few years. The real impact of the Protocol appears through a time-analysis of the dates when countries first introduced trafficking in persons legislation. The UN Protocol entered into force in December 2003. The data shows that the majority of countries did not have any sort of trafficking in persons legislation prior to that year and that most of the current laws criminalizing human trafficking were established after 2003.

<sup>1</sup> The fact that the offence of trafficking in persons criminalizes at least trafficking in persons for the purposes of sexual exploitation and forced labour and has no restriction regarding the age or gender of the victim does not imply that the legislation is in line with the Protocol. The compliance of each country's legislation to the UN Trafficking Protocol can only be assessed through an in-depth legal analysis. This type of legal analysis is out of the scope of the present research.



Map 2: Criminalization of trafficking in persons – status of national legislation, by country (November 2008)



Source: UNODC/UN.GIFT

**Cover most/all forms:** Countries where the specific offence of trafficking in persons is in force, criminalizing at a minimum sexual exploitation and forced labour, with no restrictions concerning the profile of the victim.

**Partial:** Countries where the specific offence of trafficking in persons is in force, but legislation does not criminalize all or most forms listed in Article 3 of the UN Trafficking Protocol or does not define trafficking in persons.

**No specific offence:** Countries where forms of trafficking in persons are criminalized through other offences due to the absence of a specific trafficking in persons offence.

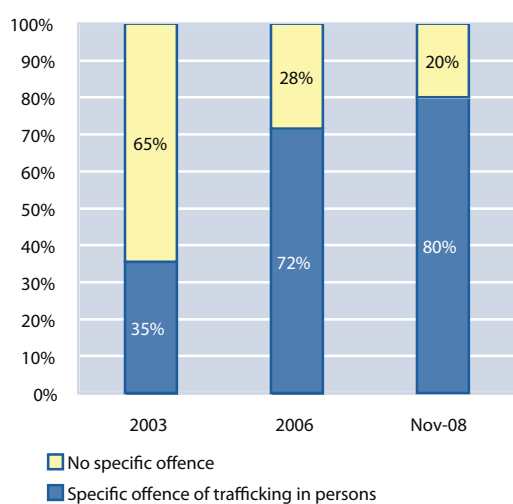
Table 2: Period of first introduction of the specific offence of trafficking in persons, number of countries by region

	Middle East and North Africa (total: 10)	West and Central Africa (total: 16)	East Africa (total: 9)	Southern Africa (total: 11)
Before 2003	2 countries	2 countries	1 country	
2003-2006	2 countries	9 countries	3 countries	1 country
After 2006	4 countries	1 country	2 countries	2 countries
No offence in force as of November 2008	2 countries	4 countries	3 countries	8 countries

	North America (total: 3)	Central America and the Caribbean (total: 12)	South America (total: 9)	South and South-West Asia (total: 8)	East Asia and the Pacific (total: 27)
Before 2003	2 countries	1 countries	4 countries	5 countries	8 countries
2003-2006		6 countries	4 countries	1 country	14 countries
After 2006	1 country		1 country		1 country
No offence in force as of November 2008		5 countries		2 countries	4 countries

	Western and Central Europe (total: 38)	Eastern Europe and Central Asia (total: 12)
Before 2003	24 countries	6 countries
2003-2006	12 countries	4 countries
After 2006	1 country	1 country
No offence in force as of November 2008	1 country	1 country

Fig. 1: Percentage of countries that have introduced a specific offence on trafficking in persons into their legislation

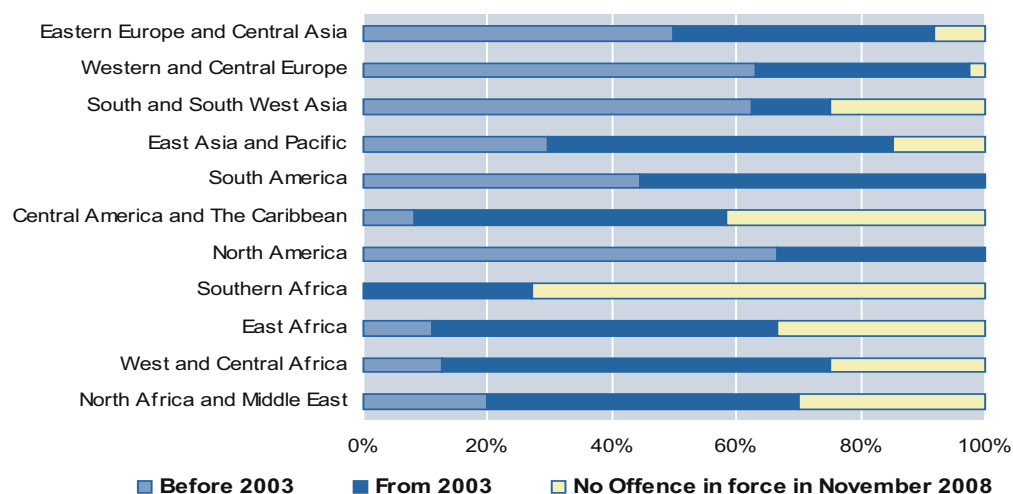


Source: UNODC/UN.GIFT

The charts in Figures 1 and 2 present the percentage of countries in each region that had legislation on human trafficking in 2003, 2006 and 2008. While in some countries the legal concept of trafficking in persons is not new, many other countries only adopted a specific offence of trafficking in persons after December 2003, when the UN Trafficking Protocol entered into force.

About 35% of the countries included in this report adopted a specific offence on trafficking in persons prior to 2003, but the UN Trafficking Protocol generated a wave of amendments to criminal codes introducing this offence. Forty-five per cent of the countries covered in this report adopted an offence of trafficking in persons for the first time during the period 2003-2008. These countries are mainly in East Asia and the Pacific, Central America and the Caribbean

Fig. 2: Percentage of countries that have introduced a specific offence on trafficking in persons into their legislation, by region



Source: UNODC/UN.GIFT

bean, and West Africa. While 65% of the countries had no specific anti-trafficking legislation before 2003, this figure was reduced to 20% by November 2008.

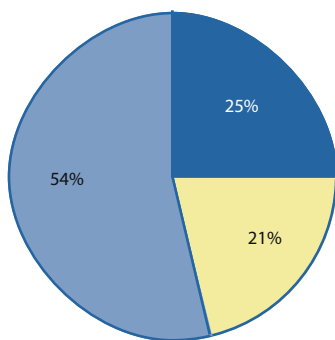
Additionally, after 2003 many of the 35% of countries with long-standing anti-human trafficking provisions amended their criminal codes to include more forms of trafficking (i.e., criminalizing trafficking for forced labour and trafficking in adults).

About 25% of the countries in this report (N: 39) either introduced a new anti-trafficking law or amended their existing provisions between 2006 and November 2008. This number is likely to increase by the end of 2008, because at the time of publication of this report, many countries had proposed amendments that were still awaiting approval by competent authorities.

The relatively new development of comprehensive legislation addressing trafficking in persons might be a key explanation for the low level of conviction rates in some parts of the world.

The data collected during the reporting period also shows an increased political commitment to combat trafficking in persons. About 52% (N: 81) of the countries established a special anti-human trafficking police unit or a similar body that was actively functioning in November 2008.

**Fig. 3: Percentage of countries having a trafficking in persons offence in force in November 2008**



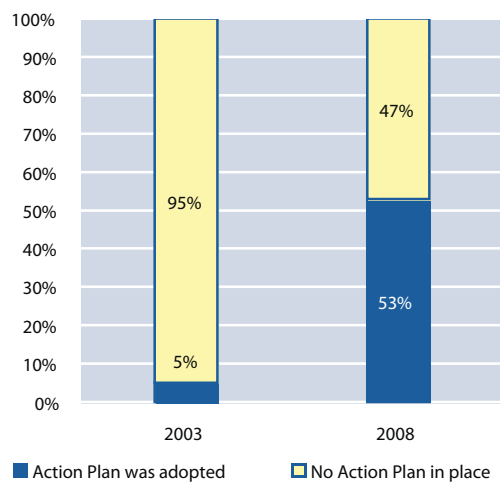
■ No Offence in November 2008  
 ■ Offence established before 2006 and not modified  
 ■ Offence established or amended during the period Jan 06 - Nov 08

Source: UNODC/UN.GIFT

A few more countries have specialized police dealing with organized crime matters, in general, or with human rights or child protection issues that deal directly or indirectly with the crime of trafficking in persons. Similarly, about 76 countries adopted a specific national plan of action on trafficking in persons prior to November 2008, and other countries adopted plans of action for related matters, such as child protection. A country without a national action plan to combat trafficking in persons might, however, not necessarily be less efficient than those that have one in place. Nevertheless, the adoption of a national action plan can generally be seen as a sign of the importance that trafficking in persons has in a country's political agenda.

Figure 4 represents the increase in the number of national action plans for trafficking in persons adopted after the entry into force of the UN Trafficking Protocol.

**Fig. 4: Percentage of countries that adopted a national action plan on trafficking in persons before and after 2003**



Source: UNODC/UN.GIFT

b. Regional overviews

Middle East and North Africa (MENA)

Map 3: Specific offence of trafficking in persons - status of national legislation (November 2008)



Source: UNODC/UN.GIFT

**Cover most/all forms:** Countries where the specific offence of trafficking in persons is in force, criminalizing at a minimum sexual exploitation and forced labour, with no restrictions concerning the profile of the victim.

**Partial:** Countries where the specific offence of trafficking in persons is in force, but legislation does not criminalize all or most forms listed in Article 3 of the UN Trafficking Protocol or does not define trafficking in persons.

**No specific offence:** Countries where forms of trafficking in persons are criminalized through other offences due to the absence of a specific trafficking in persons offence.

Among the North African and Middle Eastern countries covered by this report, at the time of publication only Bahrain, Israel, Oman and the United Arab Emirates (all from the Middle East sub-region) had included a specific offence of trafficking in persons in their criminal codes and criminalized, at a minimum, sexual exploitation and forced labour, with no restrictions concerning the age of the victim.

Egypt specifically criminalized child trafficking in June 2008. The legislation of Morocco includes the offence of trafficking in persons in its criminal code, but the legislation does not include a definition. Similarly, Sudan reported the adoption of an offence of trafficking in persons as part of its 2007 cyber crime legislation, but the law does not specifically define trafficking in persons. The Iraqi legislation criminalizes trafficking in women and children. The United Arab Emirates introduced legislation in 2006, as did Bahrain in 2008, and Israel added a forced labour component to its existing anti-trafficking law in 2006.

As a result of the general absence of national legislation on trafficking in persons during the reporting period, criminal justice systems within the MENA region tended to rely on other laws to prosecute trafficking cases. This situation, however, is also common in countries such as Israel, where specific anti-trafficking legislation exists. Most of the countries of the MENA region included in this report have legislation on related crimes or partial aspects of the crime, such as sexual exploitation, pandering and segregation.

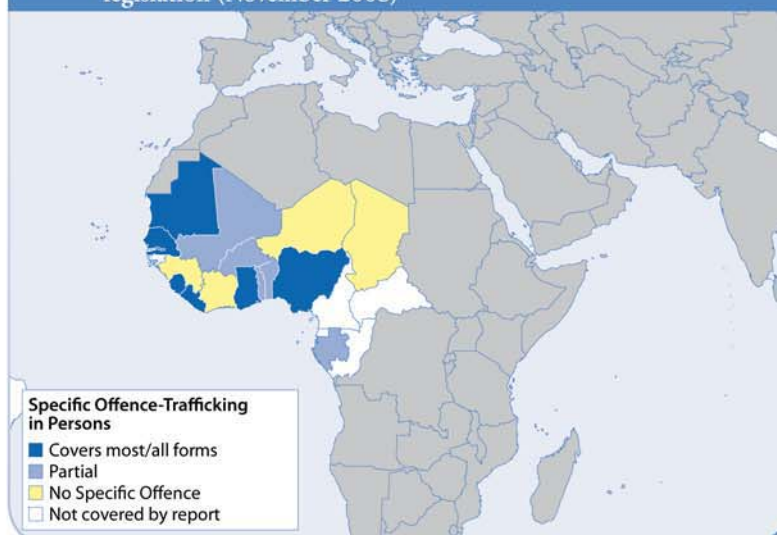


## West and Central Africa

The legislative situation in West and Central Africa is slightly different compared to that in the other three African regions, and the 16 countries in this region considered in this report can be grouped by the type of trafficking in persons legislation they have adopted. The first group includes the five Anglophone countries<sup>2</sup> plus Senegal and Mauritania, all of which have adopted a specific provision criminalizing at least trafficking for sexual exploitation and for forced labour, with no restrictions regarding the age or gender of the victim. The second group is made up of Benin, Burkina Faso, Gabon, Mali and Togo, which have adopted provisions that only criminalize child trafficking. The third group includes the remaining four countries, Chad, Cote d'Ivoire, Guinea and Niger, that did not have a specific offence addressing any forms of trafficking in persons.

The introduction of an offence of trafficking in persons – or child trafficking – in national legislation is recent in most of the region. Mauritania and Nigeria have had a specific offence of trafficking in persons in place since 2003, and Mali has had a child trafficking provision in its criminal code since 2001, but the other nine countries only adopted a provision on child or human trafficking in 2005 or later. Authorities in Chad, Côte d'Ivoire and Niger are currently considering draft anti-trafficking laws.

Map 4: Specific offence of trafficking in persons – status of national legislation (November 2008)



Source: UNODC/UN.GIFT

**Cover most/all forms:** Countries where the specific offence of trafficking in persons is in force, criminalizing at a minimum sexual exploitation and forced labour, with no restrictions concerning the profile of the victim.

**Partial:** Countries where the specific offence of trafficking in persons is in force, but legislation does not criminalize all or most forms listed in Article 3 of the UN Trafficking Protocol or does not define trafficking in persons.

**No specific offence:** Countries where forms of trafficking in persons are criminalized through other offences due to the absence of a specific trafficking in persons offence.

At the regional level, the Member States of West and Central Africa are parties either to the 2001 ECOWAS<sup>3</sup> Plan of Action to Combat Trafficking in Persons especially Women and Children (extended until 2011), or to the ECOWAS/ECCAS<sup>4</sup> Plan of Action to Combat Trafficking in Persons especially Women and Children and to the 2006 Multilateral Cooperation Agreement to Combat Trafficking in Persons in West and Central Africa.

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3 The Economic Community of West African States (ECOWAS).

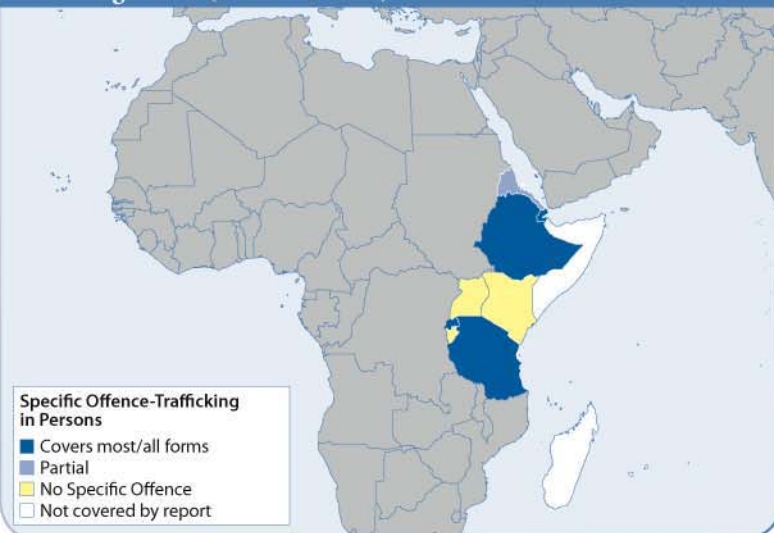
4 The Economic Community of Central African States (ECCAS).

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2 Ghana, Liberia, Nigeria, Sierra Leone and the Gambia.

East Africa

Map 5: Specific offence of trafficking in persons – status of national legislation (November 2008)



Source: UNODC/UN.GIFT

**Cover most/all forms:** Countries where the specific offence of trafficking in persons is in force, criminalizing at a minimum sexual exploitation and forced labour, with no restrictions concerning the profile of the victim.

**Partial :** Countries where the specific offence of trafficking in persons is in force, but legislation does not criminalize all or most forms listed in Article 3 of the UN Trafficking Protocol or does not define trafficking in persons.

**No specific offence:** Countries where forms of trafficking in persons are criminalized through other offences due to the absence of a specific trafficking in persons offence.

At the time of preparation of this report, some of the countries in East Africa (Djibouti, Ethiopia, Eritrea, Rwanda and Tanzania) had enacted trafficking in persons legislation. Other countries were in the process of adopting such legislation in 2008, either having presented draft legislation to their legislative bodies or being in an advanced stage in the drafting process.

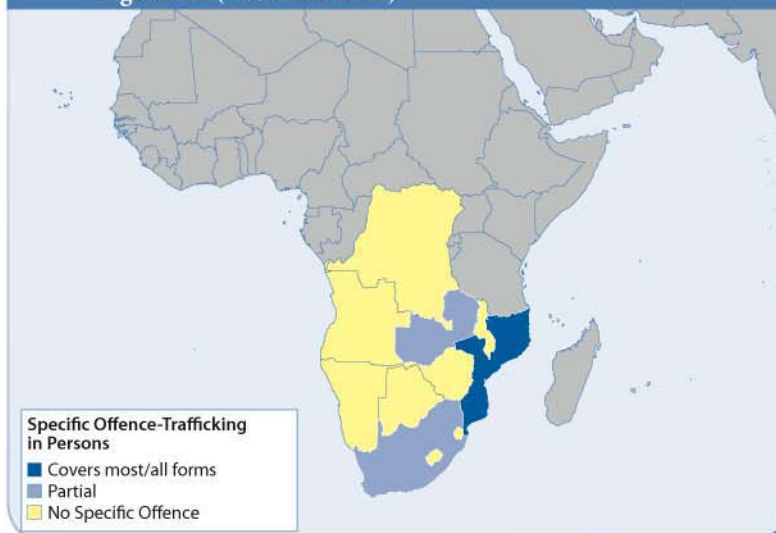
In the absence of any comprehensive legislation during the reporting period, all the countries had other laws that could be used to prosecute offenders for crimes commonly associated with human trafficking, especially related to child trafficking offences such as “child stealing” and “child abduction”, or sexual offences, labour laws, “offences against morals and the family” and many others.

## Southern Africa

Mozambique's Anti-Human Trafficking Act was signed into law in 2008, making it the first country in the region with dedicated anti-trafficking legislation. Few other countries in the region have a national policy or comprehensive legislation in place to address this crime, and there was no regional instrument in Southern Africa during the reporting period concerning the prevention, suppression or punishment of trafficking. The Zambian Criminal Code contains a provision criminalizing trafficking in persons, but it does not include a definition of the crime. The South African Children's Bill contains specific child trafficking provisions (for sexual exploitation only), and Malawi has included useful provisions prohibiting child exploitation and has trafficking legislation in the drafting stage.

With the exception of Mozambique's Anti-Human Trafficking Act of 2008, none of the criminal laws currently in place in the region adequately address all the essential elements of human trafficking as listed in Article 3 of the UN Trafficking Protocol. In the absence of comprehensive legislation, all the countries in Southern Africa have laws in place that could be used to prosecute offenders for crimes commonly associated with human trafficking.

Map 6: Specific offence of trafficking in persons – status of national legislation (November 2008)



Source: UNODC/UN.GIFT

**Cover most/all forms:** Countries where the specific offence of trafficking in persons is in force, criminalizing at a minimum sexual exploitation and forced labour, with no restrictions concerning the profile of the victim.

**Partial:** Countries where the specific offence of trafficking in persons is in force, but legislation does not criminalize all or most forms listed in Article 3 of the UN Trafficking Protocol or does not define trafficking in persons.

**No specific offence:** Countries where forms of trafficking in persons are criminalized through other offences due to the absence of a specific trafficking in persons offence.



North America

Map 7: Specific offence for Trafficking in Persons – status of national legislation – (November-2008)



Source: UNODC/UN.GIFT

**Cover most/all forms:** Countries where the specific offence of trafficking in persons is in force, criminalizing at a minimum sexual exploitation and forced labour, with no restrictions concerning the profile of the victim.

**Partial:** Countries where the specific offence of trafficking in persons is in force, but legislation does not criminalize all or most forms listed in Article 3 of the UN Trafficking Protocol or does not define trafficking in persons.

**No specific offence:** Countries where forms of trafficking in persons are criminalized through other offences due to the absence of a specific trafficking in persons offence.

Canada's first law that specifically criminalized trafficking in persons was enacted in 2002. Additional amendments were made to the Criminal Code in 2005 which created three additional specific offences to cover all forms of trafficking. Together with a specific trafficking in persons offence, non trafficking specific offences were used for prosecuting some forms of trafficking activities during the reporting period. Mexico implemented reforms in its penal code in 2007. Anti-trafficking efforts in Mexico fall partly under the competency of the country's 31 states and one federal district. In 2008, 19 of the Mexican states adopted anti-trafficking provisions as part of their criminal codes.

The USA adopted the Trafficking in Victims Protection Act (TVPA) in 2000, and subsequently amended it in 2003 and 2004. During the reporting period, non trafficking specific offences were used together with a specific trafficking in persons offence for prosecuting some forms of trafficking activities.

Anti-trafficking legislation in these three countries criminalizes at least trafficking in persons for sexual exploitation and forced labour, with no restrictions on the age or gender of the victim.

Central America and the Caribbean

Of the 12 countries in the region covered by this report, the Dominican Republic, El Salvador, Guatemala and Nicaragua have implemented reforms in their penal codes criminalizing at least trafficking in persons for sexual exploitation and forced labour, with no restrictions on the age or gender of the victim. The other countries in the region either had no anti-trafficking provisions in place during the reporting period (Barbados, Haiti, Saint Lucia, Saint Vincent and the Grenadines, and Trinidad and Tobago) or criminalized only trafficking in persons for the purpose of sexual exploitation (Honduras and Panama). Costa Rica criminalized only the international trafficking of women and children for the purpose of sexual exploitation and the trafficking of minors.

Countries that did not have the legal instruments to prosecute offenders through specific provisions on human trafficking applied other offences to prosecute some forms of trafficking, including sexual exploitation, forced labour, slavery, servitude, illegal adoption and corruption of minors. Some countries in the region revised their legal provisions on human trafficking during the reporting period (e.g., Nicaragua in 2008), while others were considering the adoption of new provisions or were reforming existing legal provisions (e.g., Costa Rica, Guatemala, Haiti and Panama).



## South America

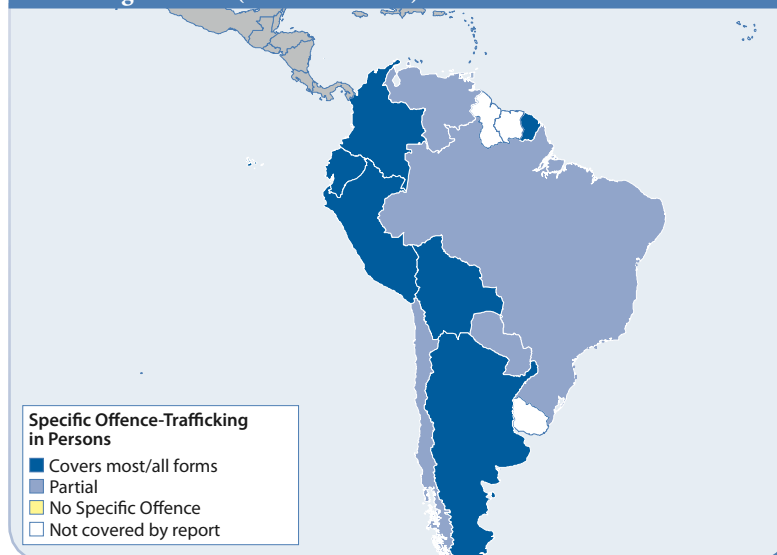
Almost all South American countries covered by this report have adopted specific provisions in their legislation to combat trafficking in persons. Between 2005 and 2008, several countries in the region introduced new anti-trafficking laws or modified provisions that previously had covered only international trafficking for sexual exploitation.

By mid-2008, a specific offence of trafficking in persons covering all or most forms of exploitation had been adopted by Argentina, Bolivia, Colombia and Peru. In Brazil, the specific offence of trafficking in persons covered only sexual exploitation, however trafficking for forced labour was criminalized through other offences.

During the period considered by this report, the laws in Chile and Paraguay did not include a specific offence of trafficking in persons, but they both criminalized illegal entry into the country for the purpose of prostitution, implying that these two countries criminalized only international trafficking for the purpose of sexual exploitation. In 2008, both Chile and Peru were at the stage of introducing new and comprehensive trafficking in persons offences into their criminal codes. The law in force in Ecuador in 2008 did not include removal of organs as a possible purpose for trafficking in persons. In Colombia, Ecuador and Peru, forced begging was included in legislation as one of the forms of exploitation of trafficking in persons, and specific programmes and protocols exist for victim assistance.

It is important to note that during the reporting period, most forms of human trafficking for the purposes of labour exploitation, slavery and servitude were covered by other offences in the penal codes or by labour laws, and not always under the offence of trafficking in persons. These laws were often used in lieu of anti-trafficking legislation, for example in slavery cases in Brazil. While this provides a quick way out of slavery and limited compensation for victims, it raises the difficult issue of specific victim support and protection and precludes a forceful criminal justice response.

Map 8: Specific offence for Trafficking in Persons – status of national legislation – (November-2008)



Source: UNODC/UN.GIFT

**Cover most/all forms:** Countries where the specific offence of trafficking in persons is in force, criminalizing at a minimum sexual exploitation and forced labour, with no restrictions concerning the profile of the victim.

**Partial:** Countries where the specific offence of trafficking in persons is in force, but legislation does not criminalize all or most forms listed in Article 3 of the UN Trafficking Protocol or does not define trafficking in persons.

**No specific offence:** Countries where forms of trafficking in persons are criminalized through other offences due to the absence of a specific trafficking in persons offence.

In this region, all states covered by this overview have had a working group or national focal point in place since 2005 to coordinate anti-trafficking policy and assistance to victims. Bolivia, Brazil, Colombia, Ecuador, Paraguay and Peru all adopted national plans of action in 2005. Several federal states and some municipalities in Brazil have drafted their own local plans of action.

East Asia and the Pacific

Map 9: Specific offence of trafficking in persons – status of national legislation – (November 2008)



Source: UNODC/UN.GIFT

**Cover most/all forms:** Countries where the specific offence of trafficking in persons is in force, criminalizing at a minimum sexual exploitation and forced labour, with no restrictions concerning the profile of the victim.

**Partial:** Countries where the specific offence of trafficking in persons is in force, but legislation does not criminalize all or most forms listed in Article 3 of the UN Trafficking Protocol or does not define trafficking in persons.

**No specific offence:** Countries where forms of trafficking in persons are criminalized through other offences due to the absence of a specific trafficking in persons offence.

Most of the 27 countries in East Asia and the Pacific included in this report have adopted specific legislative provisions to combat trafficking in persons or at least some of its aspects. The exceptions are the four Pacific States of Micronesia, Samoa, the Solomon Islands and Tuvalu where the specific offence of trafficking in persons was not part of their criminal codes.

Between 2005 and 2008, eight countries in the region and two of the Pacific Islands introduced new anti-trafficking laws or modified previous provisions on trafficking in persons, so most of the legislation in the region is recent. New Zealand’s 2002 legislation is the oldest anti-trafficking legislation in force in the region that criminalizes all aspects of trafficking.

Trafficking for sexual exploitation has been a prominent focus of legislation. As of November 2008, the Republic of Korea, Singapore and Viet Nam had specific provisions on trafficking in persons solely addressing sexual exploitation (or trafficking in women and children). Many of the countries that had legislation criminalizing all or most forms of trafficking in persons in 2008 only criminalized trafficking for sexual exploitation prior to 2006.

## South and South-West Asia

Except for the Maldives and Afghanistan, all the South Asian countries covered in this report included the specific offence of trafficking in persons in their criminal codes during the reporting period.

Trafficking in persons is not a new legislative concept for most of the countries in this region. The offence of human trafficking, even if limited in scope, existed in most national legislations before it did in other parts of the world. The most recent anti-trafficking legislation was adopted in Sri Lanka in 2006. Five countries of the region criminalize at least trafficking in persons for sexual exploitation and forced labour, with no restrictions on the age or gender of the victim, while Bangladesh criminalizes only trafficking for sexual exploitation.

Afghanistan's criminal justice system, in the absence of specific trafficking in persons legislation, applies the law on kidnapping to prosecute cases that likely would be considered trafficking in persons according to the UN Trafficking Protocol.

Map 10: Specific offence of trafficking in persons – status of national legislation – (November 2008)



Source: UNODC/UN.GIFT

**Cover most/all forms:** Countries where the specific offence of trafficking in persons is in force, criminalizing at a minimum sexual exploitation and forced labour, with no restrictions concerning the profile of the victim.

**Partial:** Countries where the specific offence of trafficking in persons is in force, but legislation does not criminalize all or most forms listed in Article 3 of the UN Trafficking Protocol or does not define trafficking in persons.

**No specific offence:** Countries where forms of trafficking in persons are criminalized through other offences due to the absence of a specific trafficking in persons offence.



## Eastern Europe and Central Asia

Map 11: Specific offence of trafficking in persons – status of national legislation (November 2008)



Source: UNODC/UN.GIFT

**Cover most/all forms:** Countries where the specific offence of trafficking in persons is in force, criminalizing at a minimum sexual exploitation and forced labour, with no restrictions concerning the profile of the victim.

**Partial:** Countries where the specific offence of trafficking in persons is in force, but legislation does not criminalize all or most forms listed in Article 3 of the UN Trafficking Protocol or does not define trafficking in persons.

**No specific offence:** Countries where forms of trafficking in persons are criminalized through other offences due to the absence of a specific trafficking in persons offence.

Most of the countries of this region have legislation in force defining and criminalizing trafficking in persons. The only exception is Turkmenistan, which adopted some provisions in 2007, but did not establish a specific offence of trafficking in persons in its criminal code.

Legislations on trafficking in persons are not new in Eastern Europe and Central Asia. Most of the countries had legislation on related crimes or on partial aspects of the crime even before signing the UN Trafficking Protocol. Belarus, Ukraine and Moldova adopted laws on trafficking in persons before 2003 that were still in force in 2008. However, most of the countries established new legislation between 2003 and 2008. Where legislation already existed, it criminalized at least trafficking in persons for sexual exploitation and forced labour, with no restrictions concerning the age or gender of the victim.

The criminal justice systems within this region tended to apply specific trafficking in persons legislation where available, but laws on various non-trafficking specific offences also were used frequently. In several countries of the region, the offences of “recruitment for exploitation”, “pandering”, “sexual exploitation” or similar charges were used to prosecute traffickers as a side offence of trafficking in persons or even as the only offence when some elements of the trafficking process were difficult to prove.

At regional level, the member states of the Commonwealth of Independent States (CIS) established a plan of cooperation in 2005 to combat trafficking in persons and the trafficking of human organs and tissues. Similarly, the programme for cooperation among the CIS countries to combat trafficking in persons for the period 2007-2010 was approved by the Council of Heads of States of the CIS on 28 November 2006.

## Western and Central Europe

Most of the 38 countries and territories in the European region covered by this report have specific provisions in their criminal codes to combat trafficking in persons or at least some of its aspects. Estonia did not have a specific offence of trafficking in persons but criminalized aspects of it through related offences. The Polish Criminal Code considers specifically the offence of “trafficking in persons” and, even though it is not defined there, the jurisprudence refers to the definition found in Article 3 of the UN Trafficking Protocol for applying this article of the penal code.

Trafficking in persons is not a new legal concept for most of these countries. Between 2005 and 2008, more than 10 countries reshaped their anti-trafficking legal frameworks, mainly modifying their criminal codes to include the forms of trafficking that were not previously criminalized. Most of the countries in South-East Europe adopted legislation on trafficking between 2001 and 2004; Italy, Greece and Turkey adopted a legislation between 2002 and 2003; most of the Northern European countries adopted a legislation between 2002 and 2004; Central European countries adopted their legislation between 1998 and 2004; and most of Western Europe has had a legislation dealing with trafficking for sexual exploitation in place since the late 1990s.

The majority of the countries in this region that have a specific offence of trafficking in persons criminalize at least trafficking for sexual exploitation and forced labour, with no restrictions concerning the age and the gender of the victim. Nevertheless, it appears that many of the European criminal justice systems still employ other offences to prosecute some trafficking cases. For instance, the offences of “sexual exploitation”, “pimping” or “pandering” often are used to prosecute cases of trafficking for sexual exploitation. The offences of “slavery” or “trade of slaves” often are used to prosecute trafficking for forced labour.

Map 12: Specific offence for trafficking in persons - status of national legislation – (November-2008)



Source: UNODC/UN.GIFT

**Cover most/all forms:** Countries where the specific offence of trafficking in persons is in force, criminalizing at a minimum sexual exploitation and forced labour, with no restrictions concerning the profile of the victim.

**Partial:** Countries where the specific offence of trafficking in persons is in force, but legislation does not criminalize all or most forms listed in Article 3 of the UN Trafficking Protocol or does not define trafficking in persons.

**No specific offence:** Countries where forms of trafficking in persons are criminalized through other offences due to the absence of a specific trafficking in persons offence.

### Criminalization of the offence of trafficking in persons

The lack of specific and/or adequate legislation on trafficking in persons at the national level is 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 the relevant international instruments and standards will also play an important role in the prevention of trafficking and related exploitation. The UN Trafficking Protocol requires the criminalization of trafficking in persons. The UN Convention against Transnational Organized Crime, Article 5 of the Trafficking Protocol, also requires the criminalization of the full range of conducts related to trafficking in persons as defined in Article 3 of the Protocol. In other words, it is not sufficient to criminalize some underlying offences of human trafficking, but human trafficking in its entirety needs to be criminalized. Additionally, the UN Trafficking Protocol requires the criminalization of the attempt to commit trafficking, participation as an accomplice, and organizing or directing others to commit trafficking.

Extract from the Toolkit to Combat Trafficking in Persons, Global Programme against Trafficking in Human Beings, United Nations, 2006.

### Core results – Global baseline data on legislation

- Before 2003, 35% of the countries had legislation and 65% did not.
- As of November 2008, 80% of the countries had legislation and 20% did not.
- By November 2008, 17% of countries had a specific offence criminalizing only some forms of trafficking.
- At least 20% of the countries with a specific offence on trafficking in persons also use other offences to prosecute trafficking cases.



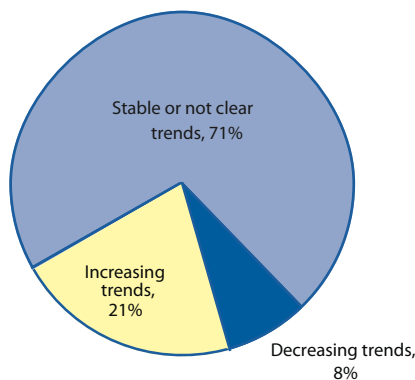
## 2. The criminal justice response to trafficking in persons

### a. A large area of impunity

As more countries introduce the specific offence of trafficking in persons and show an increased political commitment, more prosecutions and convictions are expected to be recorded.

Figure 5 shows the trend in the number of convictions recorded by the countries considered in this report.

**Fig. 5: Trends in the number of recorded convictions\*, percentage of countries (for at least three years between 2003 and 2007)**



Source: UNODC/UN.GIFT

\* When trends in convictions were not available, trends concerning prosecutions or investigations were considered.

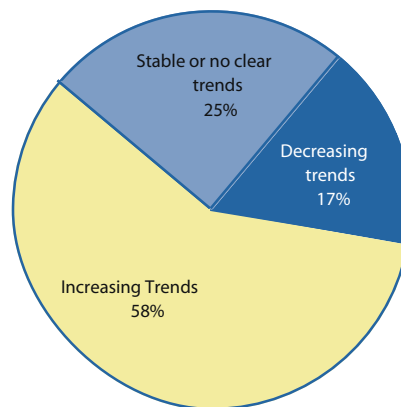
About 21%<sup>5</sup> of countries registered an increase in convictions during 2003-2007, while 8% recorded a decrease in the absolute number of persons convicted. In the other countries where this trend analysis was carried out, the level of convictions remained stable during the period considered.

Western and Central Europe was the region where more countries had decreasing trends in the number of criminal proceedings for trafficking in persons during the period considered.

<sup>5</sup> A time series analysis on the absolute number of convictions was possible when countries registered convictions for at least three years during the period considered. Time series statistics were supplied by 141 countries.

Conversely, Eastern Europe and Central Asia was the region where a larger share of countries registered increasing trends in the number of convictions during the period 2003-2007.

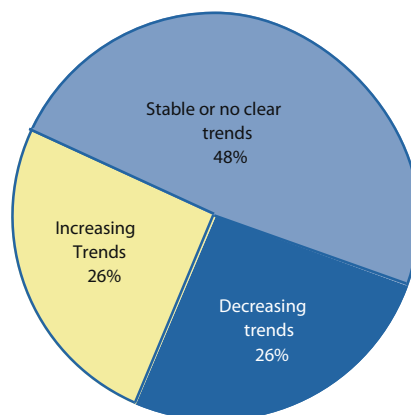
**Fig. 6: Trends in the number of recorded convictions\* in Eastern Europe and Central Asia, percentage of countries**



Source: UNODC/UN.GIFT

\* When trends in convictions were not available, trends concerning prosecutions or investigations were considered.

**Fig. 7: Trends in the number of recorded convictions\* in Western and Central Europe, percentage of countries**



Source: UNODC/UN.GIFT

\* When trends in convictions were not available, trends concerning prosecutions or investigations were considered.

Overall, the number of prosecutions and convictions recorded in a large part of the world was very limited. This is likely due to the absence of legislation or the fairly recent status of most of the legislation addressing trafficking in persons in many countries.

A large number of the countries covered by this report did not record even a single conviction under the specific offence of trafficking in persons.

Table 3 indicates the number of countries where no prosecutions for the specific offence of trafficking in persons were recorded through mid-2008. Prosecutions conducted under non-specific trafficking in persons offences are not considered in this table.

Table 3 shows that, during the reporting period, 50 countries recorded no prosecutions for the specific offence of trafficking in persons – the equivalent of about 32% of the countries cov-

**Table 3 Prosecutions for the specific offence of trafficking in persons, number of countries by region**

Regions	Number of countries with no recorded prosecutions for the specific offence of trafficking in persons (TIP)		Number of countries with at least one recorded prosecution of trafficking in persons	Number of countries where information on prosecutions was unavailable
	Countries with no TIP offence	Countries with TIP offence		
Middle East and North Africa	2 countries	2 countries	3 countries	3 countries
West and Central Africa	4 countries	2 countries	8 countries	2 countries
East Africa	3 countries	2 countries	2 countries	2 countries
Southern Africa	8 countries	1 country	1 country	1 country
North America			3 countries	
Central America and the Caribbean	5 countries	1 country	6 countries	
South America		1 country	7 countries	1 country
East Asia and the Pacific	4 countries	7 countries	13 countries	3 countries
South and South-West Asia	2 countries	1 country	5 countries	
Eastern Europe and Central Asia	1 country		11 countries	
Western and Central Europe	1 country	3 countries	32 countries	2 countries
<b>Total</b>	<b>30</b>	<b>20</b>	<b>91</b>	<b>14 (9% of all countries)</b>



ered by this report<sup>6</sup>. This ratio is lower in the regions of Western and Central Europe, Eastern Europe and Central Asia, North America and South Asia. In Southern and East Africa and in the Middle East and North Africa, the majority of countries recorded no prosecutions.

Nineteen of the countries with a specific offence of trafficking in persons in their criminal codes had not recorded any prosecutions as of November 2008. This lack of prosecutions is likely due

to the recent introduction of the offence in the criminal code.

Less information was available concerning convictions. No information was collected at all on the number of convictions for trafficking in persons for 11% of the countries included in this report. Convictions conducted under non-specific trafficking in persons offences are not considered in this table.

Table 4: Convictions for the specific offence of trafficking in persons, number of countries by region

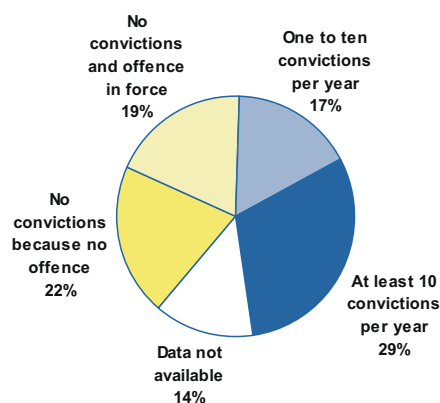
Regions	Number of countries with no recorded convictions for the specific offence of trafficking in persons (TIP)		Number of countries with at least one recorded conviction of trafficking in persons	Number of countries where information on convictions was unavailable
	Countries with no TIP offence	Countries with TIP offence		
Middle East and North Africa	2 countries	2 countries	3 countries	3 countries
West and Central Africa	4 countries	5 countries	5 countries	2 countries
East Africa	3 countries	3 countries	1 country	2 countries
Southern Africa	8 countries	2 countries		1 country
North America		2 countries	1 country	
Central America and the Caribbean	5 countries	2 countries	4 countries	1 country
South America		1 country	7 countries	1 country
East Asia and the Pacific	5 countries	8 countries	11 countries	3 countries
South and South-West Asia	2 countries	2 countries	4 countries	
Eastern Europe and Central Asia	1 country		11 countries	
Western and Central Europe	1 country	3 countries	26 countries	8 countries
<b>Total</b>	<b>31</b>	<b>30</b>	<b>73</b>	<b>21 (14% of all countries)</b>

<sup>6</sup> About 10 of these 50 countries are part of the small Pacific Islands and the East Caribbean. The percentage of countries where no prosecutions were recorded would be about 28% if these countries and territories were not taken into consideration.

About 40% of the countries covered by this report recorded no convictions<sup>7</sup> during the reporting period. This ratio was lower in Western and Central Europe, Eastern Europe and Central Asia, and South America. Very few convictions were recorded between 2003 and 2007 in East and Southern Africa.

It is clear that the existence and the date of introduction of specific anti-trafficking legislation plays an important role in understanding the absolute levels and trends in recorded prosecutions and convictions. Without a specific offence of trafficking in persons there is no basis for such action, thus regions such as Southern and East Africa where legislation is lacking have less convictions to report. At the same time, 30 countries among those with legislation specifically criminalizing trafficking in persons recorded no convictions during the reporting period.

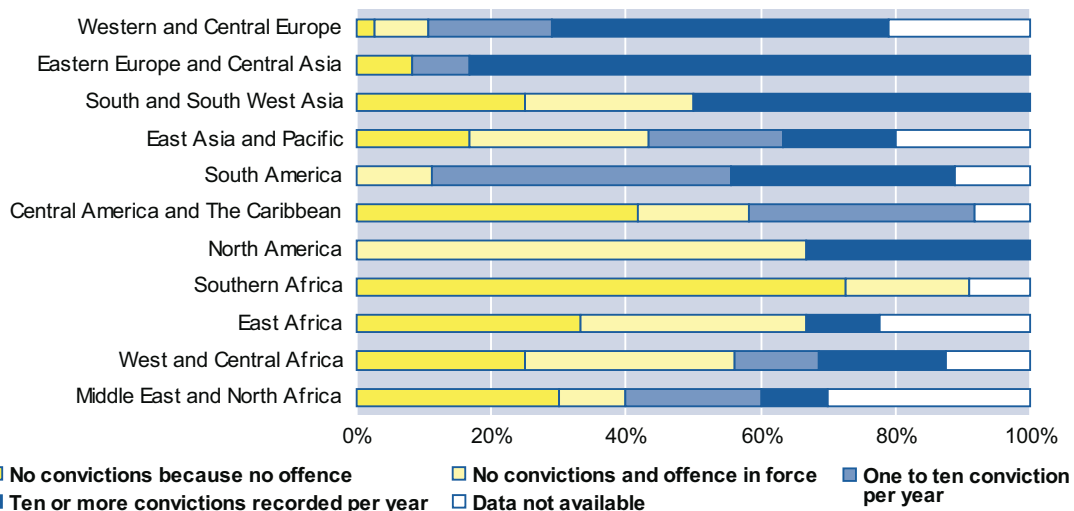
Fig. 8: Distribution of all countries according to the number of convictions recorded for the specific offence of trafficking in persons during the reporting period



Source: UNODC/UN.GIFT

The situation does not improve when the absolute number of convictions is examined in countries where there was at least one conviction recorded during the reported period. About 30% of the countries considered in this study recorded 10 or more convictions per year (for at least one year). Overall, about 58% of the countries covered by this report recorded between zero and 10 convictions per year. In the entire African continent, only a couple of countries exceeded 10 convictions in at least one of the years of the reporting period.

Fig. 9: Distribution of all countries according to the number of convictions recorded for the specific offence of trafficking in persons during the reporting period, by region



Source: UNODC/UN.GIFT

<sup>7</sup> About 10 out of 61 of these countries and territories are in the small Pacific Islands and the East Caribbean. The percentage of countries where no convictions were recorded would be 33% if these countries and territories were not taken into consideration.

## b. Regional overviews

### Middle East and North Africa

There is a scarcity of criminal justice statistics in this region. Only Israel and Morocco have had the specific offence of trafficking in persons in their criminal codes long enough to analyse trends in their criminal justice responses. Trafficking trends were fairly stable in both countries during the reporting period.

Egypt and Oman, as well as other countries in the region, adopted offences related to trafficking to prosecute some forms of trafficking in persons. The number of persons investigated in these countries decreased during the reporting period. The United Arab Emirates and Bahrain adopted comprehensive legislation on trafficking in persons after 2006, and convictions were recorded in both countries, but criminal justice trends could not be identified at the time of the publication of this report.

### West and Central Africa

Criminal justice statistics are generally scarce in this region mainly due to the recent nature of legislation. No clear regional trends emerge from the available data, although some countries have seen an increase in investigations, and others have observed stable or decreasing trends.

Countries where information on investigations, prosecutions and convictions was available indicate that convictions were low compared to the number of persons investigated. During the period under consideration, Nigeria and Ghana were the only countries to record convictions among those criminalizing all forms of trafficking in persons. Of the countries that only criminalize child trafficking, Benin, Burkina Faso and Togo reported convictions. Available criminal justice statistics on the number of traffickers and victims are generally low compared to the numbers identified by national authorities or sheltered by NGOs.

### East Africa

The combined absence of a specific trafficking in persons offence and the low criminal justice

response in the region do not allow for the identification of specific regional trafficking patterns or trends during the reporting period.

Ethiopia is the only East African country covered in this report that recorded trafficking in persons convictions between 2003 and 2007. These statistics do not improve even when related offences are considered, because few convictions were recorded for offences such as “child stealing” or “child labour” that could be used to prosecute child traffickers.

### Southern Africa

As with East Africa, the combined absence of a specific trafficking in persons offence, the lack of credible data and the low criminal justice response do not allow for the identification of specific regional trends.

The only statistic that can be highlighted is that not a single conviction was recorded for trafficking in persons in the entire Southern Africa region, and very few cases involving traffickers have been prosecuted to date. In the exceptional cases where traffickers were caught and prosecuted, they were usually charged with kidnapping, abduction, immigration or sexual offences or were deported rather than prosecuted. As a result, very few convictions were recorded even when trafficking-related offences were considered.

### North America

Canada, Mexico and the USA recorded different patterns in terms of criminal justice responses to trafficking in persons.

The available information concerning Canada reflects only the minimum number of trafficking cases charged and prosecuted during the reporting period, because many court decisions went unreported. Official criminal justice data for March 2007 through February 2008 from the police and the courts was unavailable at the time of preparation of this report.

In Mexico, the number of investigations and prosecutions rose following the adoption of legislation on trafficking in persons in 2007.

Data for the USA shows a rising trend in investigations, prosecutions, convictions and in the absolute number of criminal justice proceedings.

### Central America and the Caribbean

Criminal justice statistics for this region are scarce, but the absolute number of investigations and prosecutions generally rose during the period under consideration. This was the case for Costa Rica, the Dominican Republic, Guatemala, Nicaragua, Panama and El Salvador up to 2007.

Out of these investigations, a few dozen prosecutions resulted in convictions. The first convictions for trafficking in persons offences in the region were registered only from 2005 onwards, with the Dominican Republic accounting for the largest number.

### South America

Given the multitude of legal codes that can be applied in cases of exploitation and human trafficking, statistical information on the specific criminal justice responses to trafficking in persons is scarce and hard to put into context. Data on investigations, prosecutions and convictions refer mostly to trafficking for the purpose of sexual exploitation. This may be due to the fact

that the domestic legislation of some countries only defines trafficking in terms of sexual exploitation.

Where data on suspected trafficking cases and investigations was available, numbers rose (Bolivia, Brazil and Peru) or remained stable (Colombia) for the 2003-2007 period. Venezuela recorded a decreasing trend in convictions during the considered period. Over the same timeframe, however, only a few dozen cases of trafficking in persons were prosecuted in the entire South American region resulting in even fewer convictions in the region, although with a rising trend after 2005.

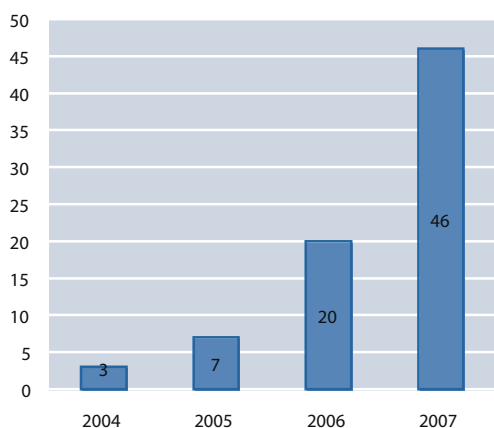
### East Asia and the Pacific

East Asia was rich in criminal justice statistics for the reporting period. By contrast, a very limited number of cases of trafficking in persons and related offences were detected in the Pacific area.

Trends indicating an increase in the number of cases of trafficking and related offences were detected in Cambodia, Indonesia, Mongolia, Timor-Leste, Thailand and Viet Nam. Somewhat stable to decreasing trends in human trafficking cases were recorded in other countries in the region during 2003-2007.

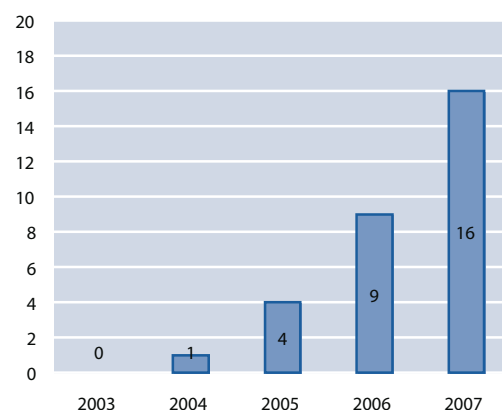
Overall, some countries of the Mekong sub-region reported numbers of criminal proceedings that were higher than the regional average.

Fig. 10: Cases of trafficking in persons investigated in Peru (2004-2007)



Source: Capital Humano y Social Alternativo, Perú

Fig. 11: Persons investigated for the offence of "sale or acquisition of humans" in Mongolia (2003-2007)

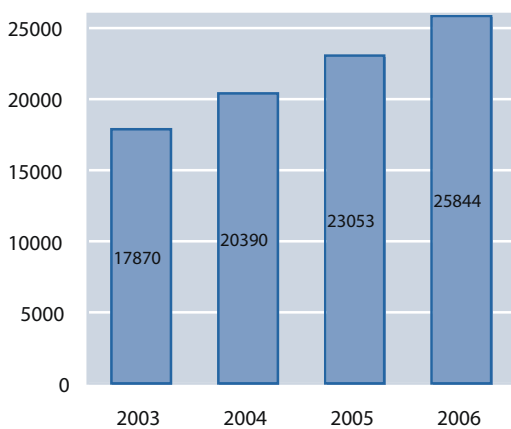


Source: State Investigation Department, Mongolia

## South and South-West Asia

The level of criminal proceedings recorded during the reporting period in the South Asian region was very high. India, especially, recorded a large number of investigations, though proportionate to the population of the country. Similarly, Nepal and Pakistan recorded very high numbers of prosecutions and convictions.

Fig. 12: Number of prosecutions for trafficking in persons in India (2003-2006)



Source: National Crime Records Bureau, India

Where information is available for 2003-2005, trends show a general increase in prosecutions for trafficking in persons. These trends apply to India, Nepal, Pakistan and Sri Lanka, but there are no human trafficking prosecutions recorded for the Maldives and Bhutan.

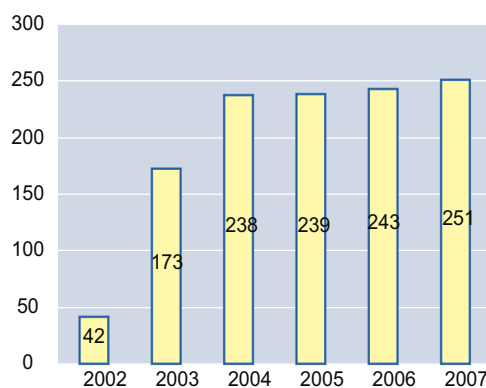
## Eastern Europe and Central Asia

Statistics on the criminal justice responses were relatively abundant for most of the countries in Eastern Europe and Central Asia during the reporting period. The only exception was Turkmenistan where the absence of legislation is the clear cause of the lack of related statistics.

The number of investigations, prosecutions and convictions indicated no unique trends. However, many countries experienced a rise in prosecutions and convictions immediately after the adoption of relevant legislation, which was then followed by a slight reduction in later years. For instance, some countries in the western part of the region (Belarus, Ukraine and Georgia) saw

moderately growing trends in prosecutions and convictions in the first half of this decade followed by a decrease in prosecutions and convictions after 2005, and Kyrgyzstan and Tajikistan in Central Asia experienced similar trends. In Moldova and the Russian Federation, increasing investigations and prosecutions indicate a consistent rise in the detection of traffickers. Uzbekistan showed the same pattern based on prosecutions recorded under the offence of "recruitment for exploitation".

Fig. 13: Cases of trafficking in persons investigated in Moldova (2002-2007)



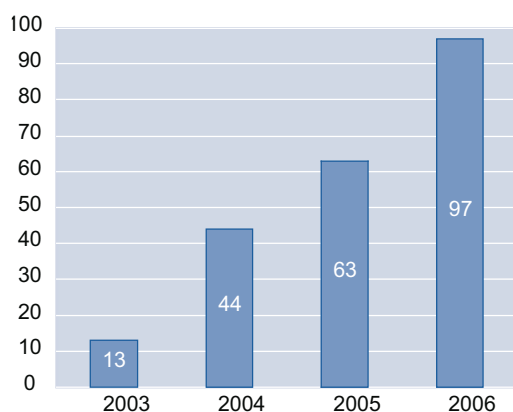
Source: Office of the Prosecutor-General, Republic of Moldova

At the regional level during the period under consideration, joint operations were frequently conducted by law enforcement agencies of the CIS countries to suppress the activities of criminal syndicates engaged in trafficking in persons.

## Western and Central Europe

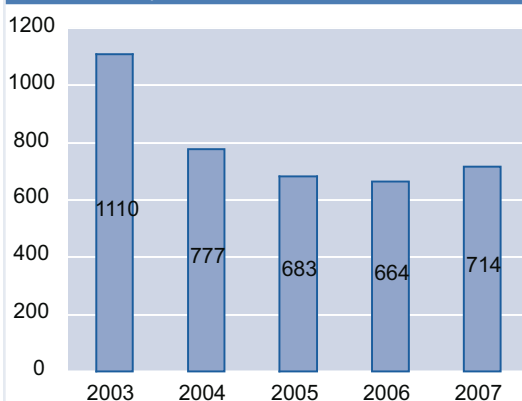
There is an abundance of criminal justice information on trafficking in persons for the countries in this region. However, as can be seen in other regions, the statistics for some countries do not clearly reference the specific offence of trafficking in persons, because national authorities aggregate the figures for trafficking in persons together with those for other offences. An additional complication is that some countries have more than one authority or institution providing official data on different aspects of trafficking.

Fig. 14: Persons indicted for trafficking in persons in Bulgaria (2003-2006)



Source: The Supreme Cassation Prosecutor Office in Bulgaria

Fig. 15: Persons suspected of trafficking for the purpose of sexual exploitation in Germany (2003-2007)



Source: Bundeskriminalamt Trafficking in Human Beings, Germany

Some sub-regional trends can be clearly identified. With the exception of Albania and Montenegro, all the South-East European countries<sup>8</sup> recorded a rise in the number of persons investigated, prosecuted or convicted for human trafficking during the reporting period. Conversely, Albania, Montenegro and almost all the Central European countries<sup>9</sup> showed a decreasing trend

|||||||

8 The FYR Macedonia has recorded a decreasing trend in the number of prosecutions for trafficking in persons but an increasing trend in the number of persons prosecuted under the offence of organization of a group and urging for committing trafficking in persons.

9 During the reporting period, Estonia, Latvia and Lithuania recorded a mixed trend in the number of criminal proceedings underway for trafficking in persons.

in the number of persons investigated or prosecuted for human trafficking between 2003 and 2007. Germany, Greece and Italy also recorded a decrease in investigations and prosecutions over the last two to three years, whereas Denmark, France and the United Kingdom showed a general increase in the number of criminal proceedings underway involving suspected cases of trafficking.

### Comparing the conviction rate for trafficking in persons with other offences

As of 2007, about 40% of the world had not recorded a single conviction for trafficking in persons. Not only are traffickers not convicted in many countries, but when convictions are recorded, the numbers seem low compared to the estimated number of victims. The bulk of convictions were recorded in a few regions, mainly Western and Central Europe, Eastern Europe and Central Asia, and South Asia. A relatively large number of convictions were also recorded in East Asia. Nevertheless, the conviction rate recorded in these areas was rarely above 1.5 per 100,000 people. Most countries' conviction rates have remained far below this rate. In comparison, 1.5 convictions per 100,000 people is the level normally recorded for rare crimes, such as kidnapping in Western European countries.

### Core results – Global baseline data on criminal justice responses

- 32% of the countries recorded no prosecutions from 2003 to 2007.
- 40% of the countries recorded no convictions from 2003 to 2007.
- 19% of the countries that had a specific offence on trafficking in persons recorded no convictions from 2003 to 2007.

### 3. Trafficking in persons patterns

#### a. Offenders: A new gender perspective

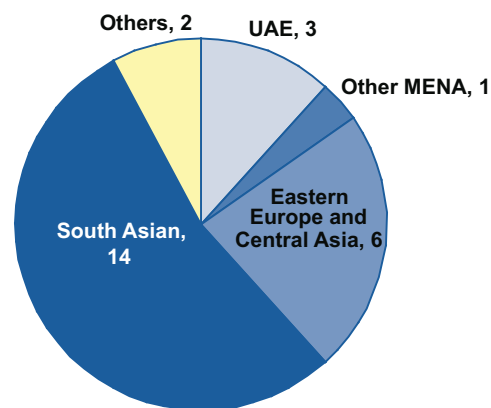
Based on the data collected, it is possible to identify the major patterns of trafficking in persons. This data only reflects some of the reported cases of trafficking in persons (and related offences) and thus represents only a part of the total number of trafficking cases that actually occur.

Enough data was provided during the reporting period to analyse the profile of trafficking offenders. For each country included in the report, UNODC inquired about the gender, age and citizenship of the persons investigated, prosecuted and convicted. When information on the nationalities of those convicted was available, it overwhelmingly showed that offenders were nationals of the countries where the trafficking took place.

A slightly different pattern emerges from the data recorded in Western and Central Europe and the Middle East, where the role of foreign offenders appeared to be more significant than in other regions of the world.

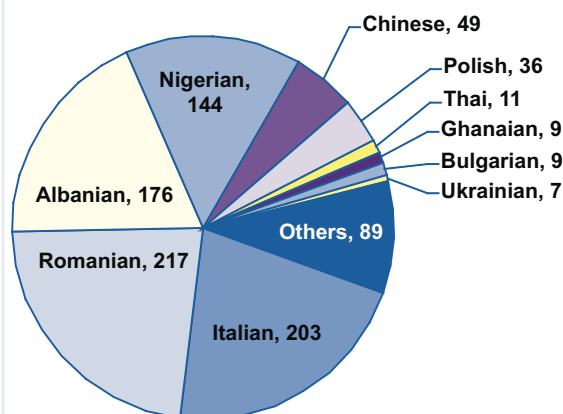
Interesting results concerning the gender of offenders emerged from the data collected for this report. Males represent the great majority of offenders for many crimes, but females appear to play a prominent role in trafficking in persons cases. Table 5 (next page) provides a global overview of the percentage of women involved in committing trafficking in persons crimes relative to the total number of offenders (prosecuted or investigated when conviction rates are not available) on a regional basis.

Fig. 16: Persons convicted of trafficking in persons related offences in the UAE, by region of nationality (2005-2006)



Source: Office of the Public Prosecution, Dubai (UAE)

Fig. 17: Persons under prosecution for trafficking in persons offences in Italy, by citizenship (2003-2007)



Source: National Anti-Mafia Bureau, Italy



**Table 5: Distribution of countries according to the percentage of females among offenders convicted for trafficking in persons, by region (2003-2007)**

	<b>Middle East and North Africa (total: 10)</b>	<b>West and Central Africa (total: 16)</b>	<b>East Africa (total: 9)</b>	<b>Southern Africa (total: 11)</b>
Below 10%		2 countries		
10%-35%	1 country	2 countries		
35%-50%	1 country			
Above 50%		2 countries		
No or little information available	8 countries	10 countries	9 countries	11 countries

	<b>North America (total: 3)</b>	<b>Central America and the Caribbean (total: 12)</b>	<b>South America (total: 9)</b>	<b>South and South-West Asia (total: 8)</b>	<b>East Asia and the Pacific (total: 27)</b>
Below 10%					
10%-35%		1 country			
35%-50%		1 country	1 country		3 countries
Above 50%		2 countries	2 countries		2 countries
No or little information available	3 countries	8 countries	6 countries	8 countries	22 countries

	<b>Western and Central Europe (total: 38)</b>	<b>Eastern Europe and Central Asia (total: 12)</b>
Below 10%	2 countries	
10%-35%	16 countries	
35%-50%		2 countries
Above 50%	1 country	5 countries
No or little information available	19 countries	5 countries

Table 5 shows the lack of general information on the profile of offenders. For about 109 of the countries and specially administered territories among the 155 covered in this report, information was either not available or the number of proceedings were too few to conduct an adequate analysis.

In 30% (N:14) of the countries where the gender of the offender was known, more women were convicted (or investigated/prosecuted). In 28

countries, the percentage of women convicted ranged from 10 to 50%. The number of women convicted was under 10% of convictions in four countries.

The role of female offenders appears to be predominant in the Eastern Europe and Central Asia region and very significant in other regions of the world, such as East Asia and the Pacific, and Central America and the Caribbean. Most of the countries in Western and Central Europe



reported female offenders making up between 10 and 35% of the total number of persons convicted (or investigated/prosecuted).

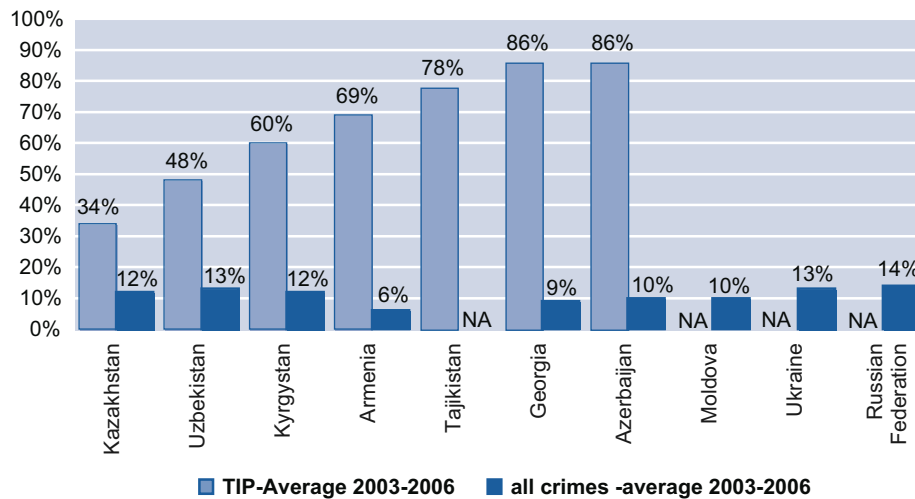
These figures are even more impressive when they are compared to the overall conviction rate of females for other crimes.

Figure 18 shows the ratio of convictions for females compared to that for both sexes for all crimes in Eastern Europe and Central Asia. The

data shows that the percentage of women convicted for all crimes did not rise above 15% during the reporting period, whereas the percentage of women convicted for the crime of trafficking in persons is often above 50% in the same region.

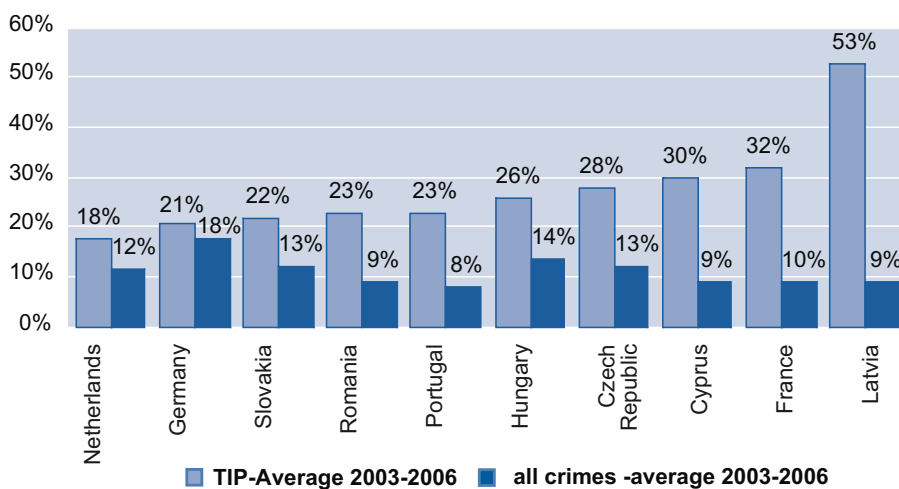
Similar patterns, but with a lesser divergence, were found for Western and Central Europe during the reporting period, as shown in Figure 19.

**Fig. 18: Proportion of females in convictions for trafficking in persons and for all crimes combined in Eastern Europe and Central Asia**



Source: UNECE/UNODC-UN.GIFT

**Fig. 19: Proportion of females in convictions for trafficking in persons and for all crimes combined in Europe**



Source: UNECE/UNODC-UN.GIFT

**b. The victims: "...trafficking in persons, especially women and children..."**

The introduction of specific trafficking in persons offences in countries where they did not exist previously and the increased commitment of the international community to combat trafficking in persons likely explains the overall increase in the number of victims identified by State authorities. Although the number of victims identified decreased in some regions, the overall global trend increased during the reporting period.

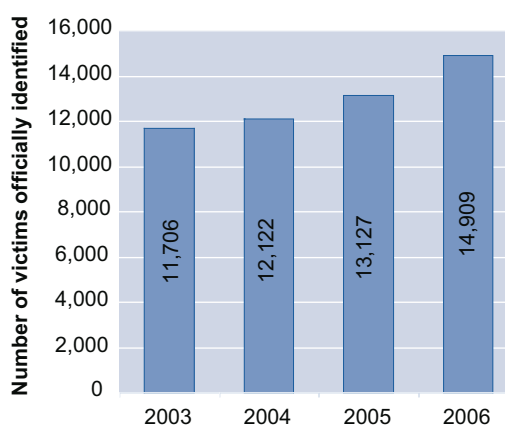
Identifying global trends in the number of victims detected is a hard task. Countries have different legislations and different definitions of trafficking in persons, and few were able to supply UNODC with the sort of statistics that would allow for the identification of clear trends for the entire reporting period from 2003 to 2007.

About 111 countries provided data on the number of victims officially identified in 2006<sup>10</sup>, which totalled about 21,400. A complete time series analysis on the number of victims identified for the period 2003-2006 could be conducted on a smaller sample of 71 countries.

The aggregate number of victims identified in these 71 selected countries grew from about 11,700 in 2003 to about 14,900 in 2006, indicating an increase of 27% during the reporting period, although it must be made clear that these figures conceal wide variations among national and regional trends. In fact, many of these 71 countries actually experienced a reduced number of identified victims. Further details can be found in the regional sections and in the country profiles of this report.

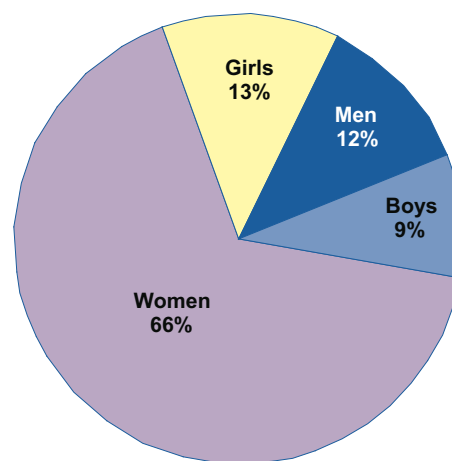
Even fewer countries were able to provide a profile of the victims. When available, the collected data indicates that women and children are the most frequently detected victims of trafficking in persons. In particular, most of the countries

**Fig. 20: Total number of victims identified by State authorities in the 71 countries where information was available for the entire reporting period**



Source: UNODC/UN.GIFT

**Fig. 21: Profile of victims identified by State authorities in 61 countries where information was collected, aggregated for 2006**



Source: UNODC/UN.GIFT

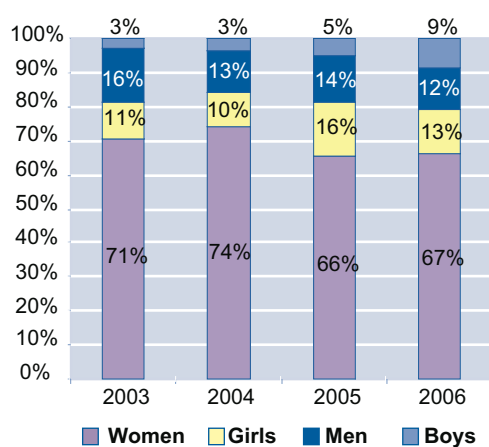
identified females (either adults or minors) as the main victims of trafficking.

<sup>10</sup> Fewer countries provided statistics concerning identified victims for 2007.

Trafficking in males – adult men and boys – is rarely represented in official national statistics<sup>11</sup>.

The chart in Figure 22 shows the profile of victims officially identified by State authorities during the reporting period. Variations recorded during these years could be attributed to the different number of countries reporting each year<sup>12</sup>, however, the overall profile of the victims does not seem to change greatly. Notably, the proportion of minors relative to the total number of victims increased from about 15% to about 22% during the reporting period.

**Fig. 22: Profile of victims identified by State authorities where information was collected, aggregated for the years under analysis**



Source: UNODC/UN.GIFT

Although adult women are the most frequent victims of trafficking as reported by State authorities, child victims – or victims under 18 years old – also are often identified. Child trafficking has been detected in all regions of the world.

The aggregated numbers reported in Figures 21 and 22 hide great differences concerning the dimensions of child trafficking found around the world. In some regions, child trafficking is the only form of trafficking detected.

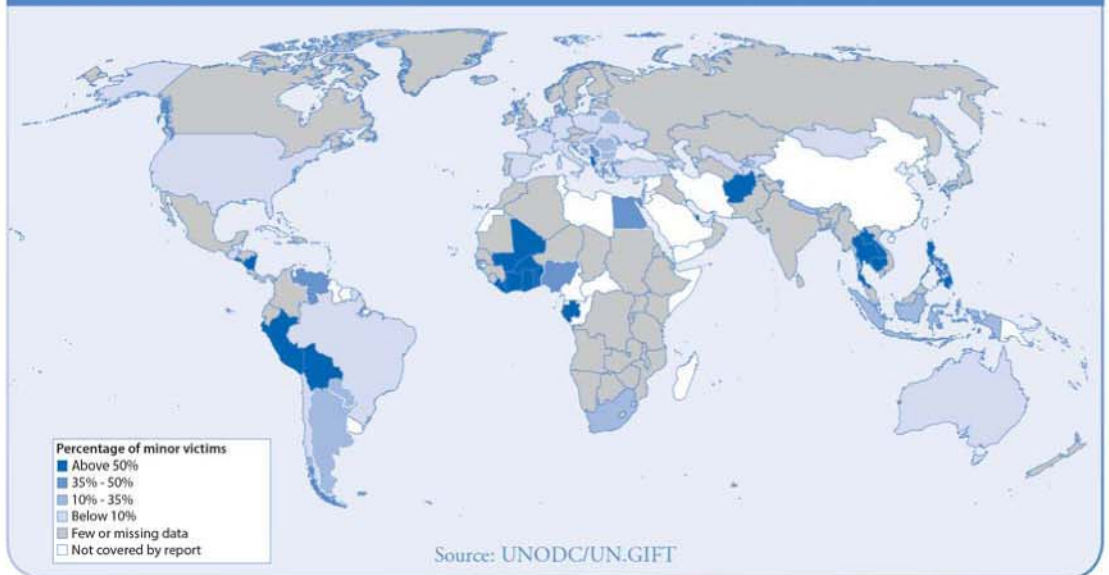
The map (Map 13 next page) shows the percentage of victims below 18 years old compared to the total number of victims of trafficking in persons officially identified by State authorities<sup>13</sup>. For 92 of the countries covered in this report, data concerning the age of victims was either unavailable or the number of identified victims were too few to draw solid conclusions. In 30% (N: 19) of the countries with available information, more child victims were detected than adults. For 42% (N: 26) of the countries where information was available, children made up less than 10% of the total population of victims, whereas for the remaining 28% of countries, children ranged between 10 and 50% of the total identified victims. In regional terms, child trafficking was more prevalent during the reporting period in West and Central Africa, the Mekong sub-region and some countries in Central and South America.

11 The issue of trafficking in adult males is related to the issue of trafficking for labour exploitation, which appears to be the major form of exploitation of adult men (although not the only form). Many experts argue that trafficking in adult men and trafficking for forced labour are extremely underreported.

12 The number of countries reporting the profile of the victims according to age and gender increased (44 in 2003; 56 in 2004; 76 in 2005; and 61 in 2006)

13 In the case of South Africa, the data concerned victims identified by IOM. In Togo, the victims were those sheltered by two NGOs.

Map 11: Percentage of minors in the total number of victims identified (2003-2007)

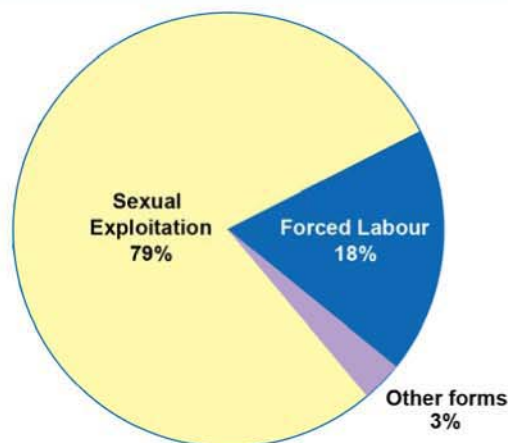


### c. The exploitation patterns: Old and new forms of trafficking

Sexual exploitation was the most commonly identified form of human trafficking, but as the data shows, it is not the only type. Forced labour and other forms of exploitation were also detected by State authorities, NGOs and international organizations.

The aggregate figures hide great regional and national differences. Trafficking for forced labour accounts for a significant portion of the reported cases in West Africa where, in some countries, this is the only form of trafficking identified by authorities.

Fig. 23: Distribution of victims identified by State authorities according to the form of exploitation for 52 countries where this information was collected (2006)



Source: UNODC/UN.GIFT

In some countries in Western and Central Europe and in Eastern and Central Asia, trafficking for forced labour accounted for about 35% of the total number of victims identified during the reporting period. Some South American countries recorded more victims of trafficking for labour exploitation than for sexual exploitation, and in India, some states reported forced labour as a major form of trafficking.

The very scarce data collected in East Asia and Central America and the Caribbean indicates that trafficking for purposes other than sexual exploitation was relatively rarely recorded by authorities, which could be a result of the focus of the legislation in these countries on this form of trafficking.

Some new forms of trafficking were also detected.

Detailed accounts of trafficking for domestic servitude, child begging, forced marriage, organ removal and ritual killings were reported by different State authorities. These types of cases were only recorded episodically, but they remain alarming since they only represent reported cases and actual numbers could be higher.

Trafficking for begging was recorded in Western and Central Europe, and countries in West and Southern Africa identified cases of trafficking for ritual killings or mystic practices. Episodes of trafficking for organ removal were detected in Europe, the Middle East and South Asia, and trafficking for forced marriage was another form of trafficking reported in quite a few Asian countries. More detailed information can be found in the regional and country sections of this report.

### Why trafficking for forced labour is less easily detected than trafficking for sexual exploitation

There is a general concern that trafficking for forced labour is less frequently detected and reported than trafficking for sexual exploitation, and at least three considerations support this concern. The first regards legislation. In 2008, most of the countries considered by this report had a trafficking in persons offence in place that included the criminalization of trafficking for forced labour, but this is a recent development. For instance, about 10 European countries expanded their definition of trafficking to include forced labour during the years 2005-2008. For many years, a large number of East Asian countries only considered trafficking for sexual exploitation, which remains the case in many countries in the region. A similar situation exists in Latin America.

The second issue relates to the first in that law enforcement agencies, as well as the general public, often view trafficking in persons only in the context of sexual exploitation. For many years and in many countries, the two concepts have been almost concomitant. Hence, an episode of trafficking for forced labour, when detected, could still be treated and recorded under another charge even when a specific offence of trafficking for forced labour exists in a country's criminal code.

Finally, the 'visibility bias' is the idea that trafficking for forced prostitution is more likely to be detected than trafficking for forced labour. Prostitution (whether forced or voluntary) involves the general public because it must be visible – taking place in streets, bars or public spaces in urban areas – to attract potential clients. Conversely, most of the victims of forced labour often work in hidden locations, such as agricultural fields in rural areas, mining camps and garment factories or within the closed environment of a house in the case of domestic servitude. As a consequence, the detection of victims of trafficking for forced labour is less probable than the identification of victims of trafficking for forced prostitution.

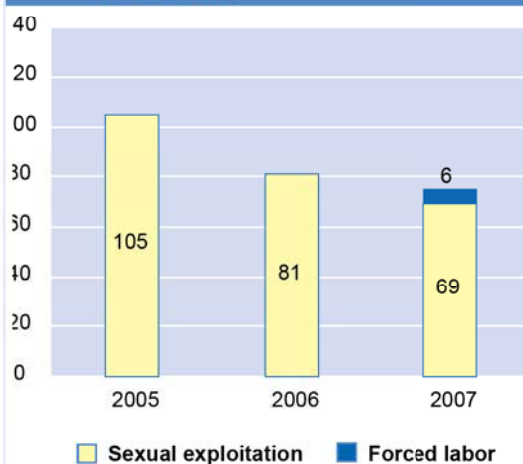


d. Regional overviews

Middle East and North Africa

A large proportion of traffickers detected in the region during the reporting period were males, and a significant number of persons convicted of trafficking or trafficking-related offences were nationals of the countries where the trafficking took place. However, offenders from South and East Asia also were investigated, prosecuted or convicted in Middle Eastern destination countries.

Fig. 24: Victims of trafficking in persons sheltered in Israel, by type of exploitation (2005-2007)



Source: Maagan Shelter, Israel

Information concerning victims of trafficking in persons and related crimes was scarce, making it impossible to identify patterns and trends. Based on available data, the number of victims identified or sheltered decreased in some countries in the region, while it remained stable in others.

Most of the identified victims were adult females, with adult men and child victims identified or assisted in just a few countries. Information on the type of exploitation showed victims trafficked for forced labour in Israel and Qatar, while victims of sexual exploitation were reported throughout the region. Victims of trafficking for organ removal were recorded in Israel and Egypt.

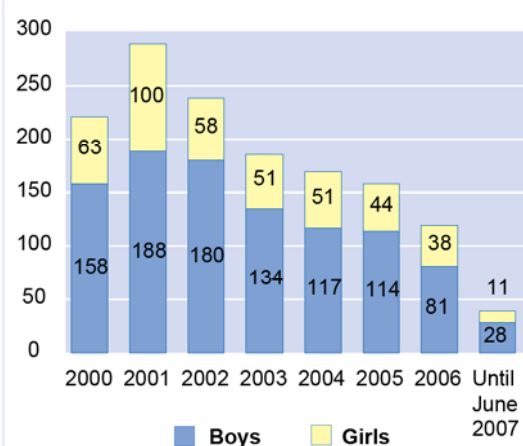
West and Central Africa

Perpetrators of trafficking were frequently men, but women also were often the focus of investigations for trafficking in persons or child trafficking. Women investigated for trafficking outnumbered men in Liberia and Nigeria. Traffickers were usually nationals or from other countries in the region.

Many of the countries in the region reported hundreds or even thousands of victims of trafficking per year during the reporting period. The great difference between the number of victims and the low number of traffickers is a specific pattern in this region.

Available information on victim profiles indicates that most are children. To a great degree, this can be explained by the fact that the legislative provisions in many countries only cover child trafficking, but child victims are still predominant even in countries where the law addresses forms of trafficking that target adults. In Nigeria, the incidence of adult women identified as trafficking victims is slightly higher compared to child victims. Although both boys and girls are frequent victims, boys are identified more often in some countries, such as Mali and Mauritania, while girls are detected more frequently in other countries.

Fig. 25: Victims of trafficking identified by State authorities in Mali, (January 2000-June 2007)



Source: Direction Nationale de la Promotion de l'Enfant et de la Famille, Mali

Information about the type of exploitation suffered by victims was not always reported. When information was available, forced labour emerged as a prominent form of trafficking in a large part of the region. Victims – mostly children – trafficked for forced labour might have been involved in activities such as slavery, domestic servitude, begging and camel jockeying (often Mauritanian victims trafficked to the Middle East). Sexual exploitation also was detected in many countries of the region, and trafficking for organ removal, ritual killings and mystic practices was detected in Chad and Liberia.

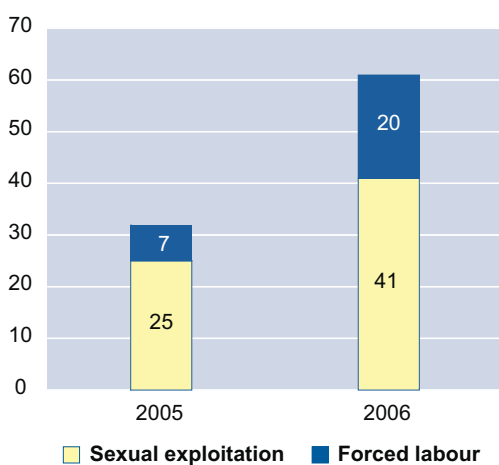
### East Africa

No information was collected during the reporting period on the profile of offenders, and data about victims was also scarce. In most of the countries of the region, the number of victims identified by authorities was zero or unknown during the reporting period. Where the numbers were unknown, victims of trafficking could not be distinguished from other persons in need of assistance or of victims of related forms of crime. Between 2003 and 2007, women and children were generally the victims of trafficking and related crimes.

### Southern Africa

No information was collected concerning the profile of offenders during the reporting period.

Fig. 26: Victims of trafficking in persons sheltered by IOM in South Africa, by form of exploitation (2005-2006)



Source: IOM's Counter Trafficking Programme – SACTAP

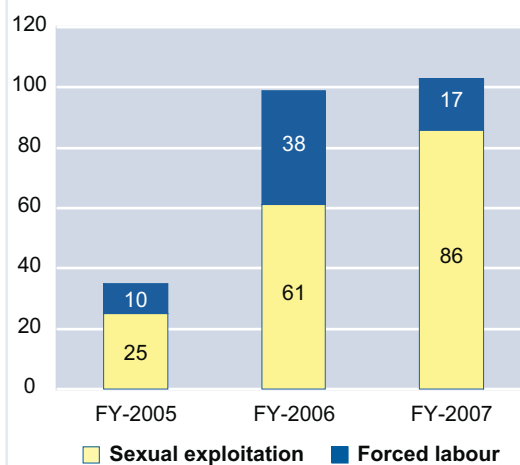
As a result of the lack of legislation, no countries have established policies or mechanisms to identify, refer or assist victims of trafficking, and very few victims were identified by State authorities in the entire region. Data retrieved from information collected by shelters and by the International Organization for Migration (IOM) were the only reliable numbers regarding victims of trafficking in persons. However, very few shelters exist that deal exclusively with trafficked persons. Trafficking victims, when identified, are dealt with on an ad hoc basis and are generally not recorded as a separate group.

The limited information available concerning victims receiving shelter indicates that most are adult women and children of both sexes. Sexual exploitation, forced labour, slavery and servitude were the main forms of exploitation experienced by sheltered victims. The recruitment of children as soldiers was identified in the Democratic Republic of the Congo, while cases of organ removal for rituals were detected and prosecuted in Malawi.

### North America

Information on the profile of trafficking offenders and victims was very limited for North America. In Canada and Mexico, a small number of criminal proceedings were carried out during the reported period, involving both adult and child victims.

Fig. 27: Persons convicted under all trafficking offences in the USA, by form of exploitation (FY-2005 to FY-2007)



Source: Assessment of US Government Efforts to Combat Trafficking in Persons in Fiscal Year 2007

Authorities in the USA report that men, women and children are trafficked into the country largely from East Asia, Mexico and Central America for purposes of sexual exploitation and forced labour. The responsibility for identifying and providing services to victims is spread among multiple agencies. Both adult and under age victims were identified, with the number of minors increasing during the reporting period. However, the proportion of victims who were minors is unknown. Cases of trafficking for forced labour accounted for at least 63% of the victims detected in 2007.

### Central America and the Caribbean

The limited data collected on the profile of offenders in this region indicates that females play a prominent role. In Costa Rica and Nicaragua, female offenders outnumbered males, while female and male offenders were equal in El Salvador.

Data on victims identified by State authorities between 2003 and 2007 clearly indicates a rising trend in trafficking in all countries of the region – this includes El Salvador even though identified victims began decreasing in 2007. Honduras and Panama only reported victims for 2007.

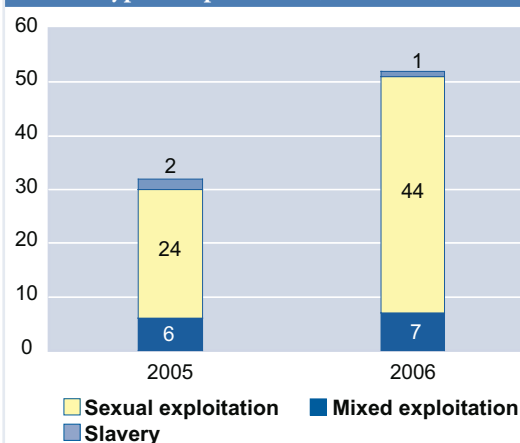
During the reporting period, trafficking victims in the region were frequently children, predominantly girls. Adult women were the main victims identified in Guatemala, and they were also a significant group in the Dominican Republic. An increasing number of boys were detected as victims in Nicaragua over the past two years, and a number of adult male victims were identified in El Salvador and Guatemala, but both boys and men were less frequently reported as victims in other countries of the region.

Most of the identified or assisted victims were trafficked for the purpose of sexual exploitation, but victims of trafficking for forced labour were also detected in the Dominican Republic, the East Caribbean, Nicaragua and El Salvador. In these cases, forced labour took the form of domestic servitude.

### South America

Convicted offenders were mostly domestic traffickers and were citizens of the countries that sentenced them. However, some offenders engaged in cross-border trafficking and were from other countries in the region. Also, Southern European traffickers were found in Brazil and Chile. In countries where information on the gender of offenders was available to UNODC, data shows that women were just as involved as men.

Fig. 28: Victims of trafficking in persons identified by State authorities in Bolivia, by type of exploitation (2005-2006)



Source: SEDEGES (Servicio Departamental de Gestión Social), Bolivia

Adult women made up the largest group of trafficking victims recorded in Argentina, Brazil, Chile and Paraguay, while under age girls were the main victims in Bolivia and Peru. Adult men made up a significant number of victims in Venezuela, boys were frequently detected in Colombia, and almost all of the victims of slave labour reported in Brazil were men. In Argentina, as well, increasing numbers of men and boys were recorded as victims.

Trafficking for the purpose of sexual exploitation was the primary form of trafficking in many countries (Bolivia, Brazil, Chile, Paraguay and Peru). This finding, however, may be a reflection of the fact that anti-trafficking laws in the region are primarily limited to human trafficking for sexual exploitation. Forced labour was a major



form of trafficking in Argentina and Colombia, and extremely large numbers of victims of trafficking for forced and slave labour were identified in Brazil and, episodically, in Bolivia.

### East Asia and the Pacific

The profile of offenders was rarely available in this region during the reporting period. When information was known, detected offenders were more frequently men, although the number of female offenders was not far behind. Additionally, most offenders were nationals of the country where the case was reported.

Based on profiles of victims identified by State authorities or who were assisted by other institutions, women and girls were the primary victims of trafficking in the region. It must be stressed, however, that during 2003-2007, most countries only had legislation criminalizing trafficking for sexual exploitation or trafficking in women. As a consequence, trafficking in men and boys might have gone largely undetected and unreported.

In the Pacific sub-region, Japan, Mongolia, Indonesia and Myanmar, adult women were more commonly reported as victims than were minors. However, trafficking in minors was a more significant issue in the other Mekong countries (Cambodia, Lao PDR and Thailand) and in the Philippines. With the exception of the Pacific sub-region where no cases of child trafficking were reported, the proportion of minors trafficked relative to the total number of trafficking victims rose in 2003-2007 in all countries of the region. Trafficking in men and boys was reported in the Mekong countries (Cambodia, Lao PDR, Myanmar and Thailand), Indonesia and Mongolia.

Victims were predominantly trafficked for the purpose of sexual exploitation throughout the region. Again, however, it must be stressed that until very recently the legislation in many of these countries only included provisions criminalizing trafficking for sexual exploitation.

Victims of trafficking for forced labour were identified among those returned to Indonesia, Mongolia, the Mekong sub-region (Cambodia,

Lao PDR and Thailand – no information was available for Myanmar) and, episodically, in the Pacific sub-region. Forced labour in the form of domestic servitude and, to a lesser extent, forced begging, was detected among victims trafficked to Thailand from other countries and in victims assisted by IOM in Indonesia.

### South and South-West Asia

No information was collected on the profile of trafficking offenders. Additionally, data on age and gender was rarely collected for victims identified or sheltered, making it very difficult to create or analyse victim profiles. In countries where information was available (Bangladesh, Nepal and Pakistan) during the reporting period, adult women and children of both sexes were more frequently identified as victims. Adult male trafficking victims were reported in Bangladesh.

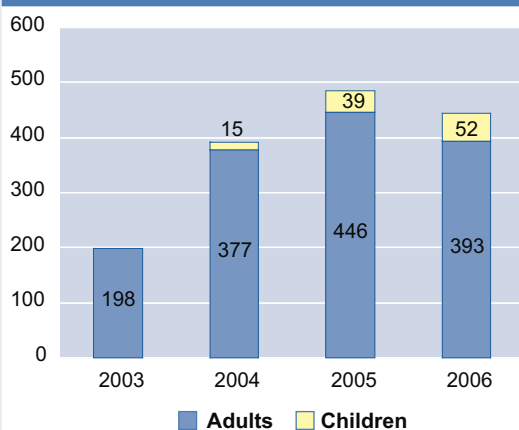
Among countries that collected information, sexual exploitation was frequently reported. It was the main form of trafficking detected in Nepal, with large numbers also reported in India and other countries. Trafficking for forced labour appears to be equally prominent in the region. From 2003 to 2006, a significant number of forced labour cases were reported in India, where it was more frequently detected than sexual exploitation. In Nepal and Pakistan, some child victims were returned from the Middle East where they were trafficked into forced labour as camel jockeys. A few Indian states reported victims of trafficking in persons for the purposes of organ removal and forced marriage.

In Afghanistan, the number of children (of both sexes, equally) and adult males identified or sheltered as victims of trafficking-related offences was higher than the number of adult females.

### Eastern Europe and Central Asia

The clear pattern that emerges from criminal justice data from this region is that females not only make up a large proportion of the traffickers that are investigated, prosecuted and convicted, but outnumber males in most of the countries of Eastern Europe and Central Asia.

Fig. 29: Victims of trafficking in persons identified by State authorities in Ukraine, (2003-2006)



Source: Department for Combating Human Trafficking Offences, Ministry of the Interior, Ukraine

The vast majority of convicted offenders are nationals of the country in which they were detected. When foreigners were convicted or prosecuted, they most often came from another country in the region.

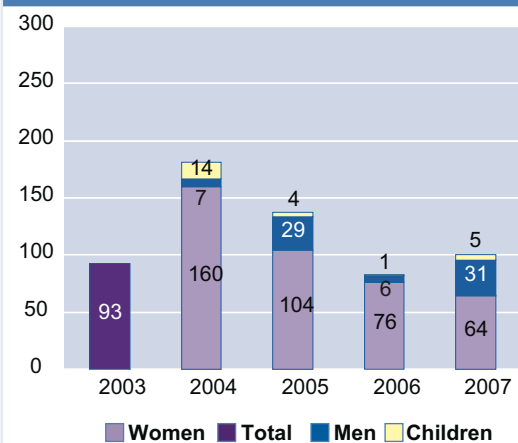
Information available on victim profiles indicates that the majority were adult women. Only a limited number of child victims were reported, but their numbers were increasing throughout the region during the reporting period.

Trafficking for forced labour was a frequently reported form of exploitation in countries where information was available. However, the great majority of victims identified by State authorities were trafficked for sexual exploitation. A few cases of trafficking for the purpose of forced marriage were detected by authorities in Central Asia, and cases of trafficking for organ removal were identified and prosecuted in Moldova.

### Western and Central Europe

Male traffickers were clearly more numerous than females, according to available information on the profile of offenders. The number of women investigated, prosecuted or convicted was, proportionally, rarely more than one third of the total number of suspected offenders. Although infrequently recorded, alarmingly, minors also were detected as suspected offenders in some Western European countries.

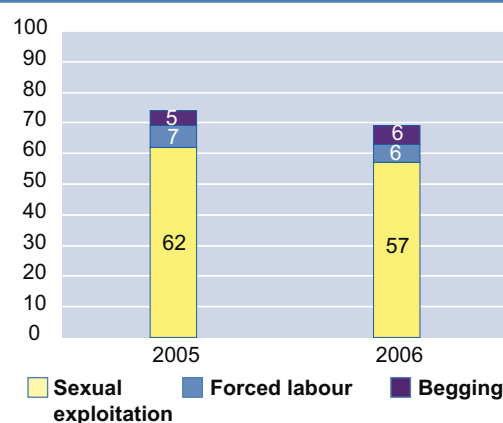
Fig. 30: Victims of trafficking in persons identified by State authorities in Greece, (2003-2007)



Source: Hellenic Police Headquarters

Globally, nationals trafficking within their own countries tended to represent the majority of the offenders suspected or convicted. However, in some countries of this region, the registration of foreign traffickers (suspected or convicted) was substantially higher than in other regions.

Fig. 31: Victims of trafficking in persons identified by State authorities in Albania, by type of exploitation (2005-2006)



Source: National Reception Center for Victims of Trafficking, Albania

When information was available on victim profiles, females were clearly the majority of victims detected throughout the region, and adult women were more frequently reported as victims than were girls. Overall, child victims were less common than adults in most countries. However, in South-East Europe the number of child

victims identified or sheltered was generally higher when compared to the rest of Europe, and in some countries of this sub-region, children were the largest category of identified victims.

Male victims were episodically reported in many countries in the region. Adult male victims were detected in Southern and Western Europe, and both men and boys were reported as trafficking victims in South-East Europe.

Available information identified trafficking for the purpose of sexual exploitation as the most common type of exploitation, but there were also a significant number of cases of trafficking for forced labour. Victims of trafficking for forced labour were identified in Belgium, France, Romania and Spain, and forced labour was episodically detected in the Czech Republic, Croatia, Finland, the United Kingdom and other countries. This suggests that trafficking for forced labour likely exists in other countries of the region as well, but goes undetected. Trafficking for begging is less frequently reported and was found mainly in South-East Europe and in some Western European countries.

Croatia, Finland, the United Kingdom and other countries. This suggests that trafficking for forced labour likely exists in other countries of the region as well, but goes undetected. Trafficking for begging is less frequently reported and was found mainly in South-East Europe and in some Western European countries.

### Core results – Global baseline data on trafficking patterns

- Female offenders have a more prominent role in trafficking in persons than in other crimes.
- The capacity to detect trafficking victims increased during the reporting period – the number of victims detected increased by 27% between 2003 and 2006 (in 71 selected countries).
- Female victims represented, on average, between 65 and 75% of all victims detected between 2003 and 2006; child victims between 15 and 25%; and male victims around 15%.

- Victims of trafficking for sexual exploitation accounted for about 79% of the victims detected in 2006, and victims of forced labour for about 18% (in 52 selected countries).

## 4. Trafficking in persons flows

The data collected allows for the identification of three dimensions of the flow of trafficking in persons: trans-regional trafficking, intra-regional trafficking and domestic trafficking.

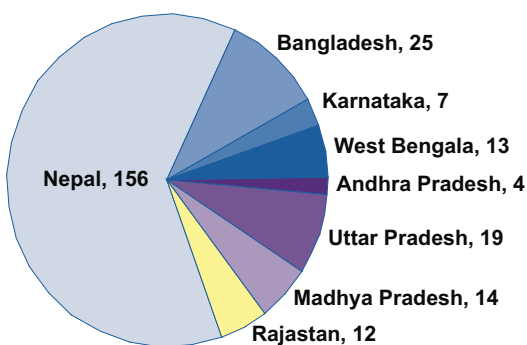
Domestic trafficking affects victims who are citizens of the country in which they are exploited. Intra-regional trafficking occurs between different countries within the same region. This includes cross-border trafficking and trafficking between countries geographically close to one another. In trans-regional trafficking, victims are trafficked from one of the regions considered in this report to another region. This could be trans-continental trafficking, but it also involves trafficking flows to neighbouring regions on the same continent, such as between Eastern Europe and Western and Central Europe, or between Central and North America.

### a. Domestic trafficking – greatly undetected?

The data collected show that domestic trafficking was detected in at least 32 countries among those where information was available, and in some countries, it is a major issue. For instance, the charts in Figures 32 to 35 show the main origin of victims of trafficking detected in four major Indian states. Most of the victims identified during the reporting period were trafficked from other Indian states or from neighbouring countries.

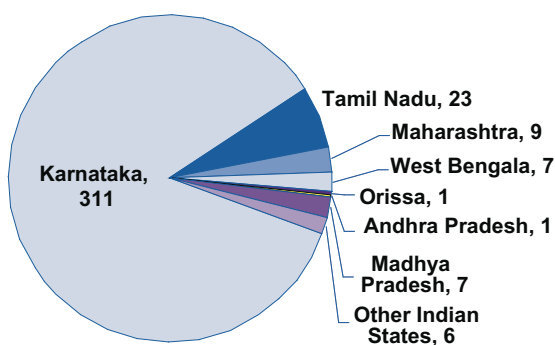
Interestingly, evidence indicates that domestic trafficking does not occur only in large transitional countries, such as India and Brazil, where the dimensions of the country can explain the existence of trafficking internally between poor and rich areas. Domestic trafficking also exists in relatively small and wealthy countries, such as those in Europe.

Fig. 32: Victims of trafficking in persons identified by authorities in Maharashtra, India, by area of origin (2005-2007)



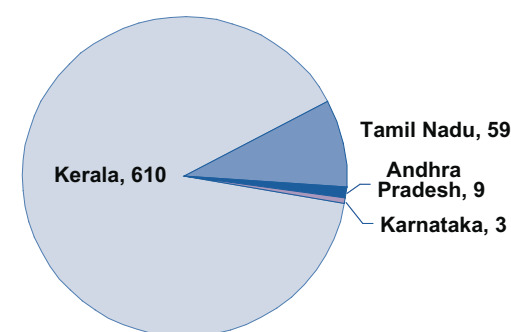
Source: Commission of Women and Child Development, Pune, Maharashtra

Fig. 34: Victims of trafficking in persons identified by authorities in Karnataka, India, by area of origin (2005-2006)



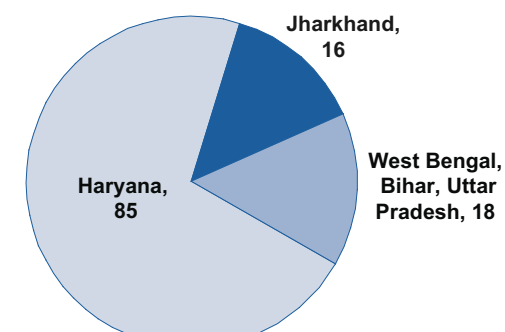
Source: Karnataka Women and Child Development Department

Fig. 33: Victims of trafficking in persons identified by authorities in Kerala, India, by area of origin (2005-2006)



Source: Directorate of Social Welfare, Government of Kerala

Fig. 35: Victims of trafficking in persons identified by authorities in Haryana, India, by area of origin (2005-2006)



Source: Social Justice and Empowerment Department, Haryana

Table 6: Number of countries where at least one victim of internal trafficking was detected, by region (2005-2007)

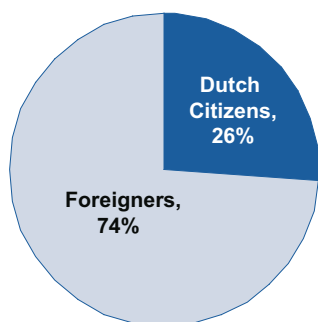
	Middle East and North Africa (total: 10)	West and Central Africa (total: 16)	East Africa (total: 9)	Southern Africa (total: 11)
At least one victim of domestic trafficking	1 country	4 countries		
International trafficking only	3 countries	1 country		2 countries
Little, missing or unclear data	6 countries	11 countries	9 countries	9 countries

	North America (total: 3)	Central America and the Caribbean (total: 12)	South America (total: 9)	South and South-West Asia (total: 8)	East Asia and the Pacific (total: 27)
At least one victim of domestic trafficking	1 country	1 country	3 countries	2 countries	5 countries
International trafficking only			2 countries		2 countries
Little, missing or unclear data	2 countries	11 countries	4 countries	6 countries	20 countries

	Western and Central Europe (total: 38)	Eastern Europe and Central Asia (total: 12)
At least one victim of domestic trafficking	11 countries	4 countries
International trafficking only	8 countries	3 countries
Little, missing or unclear data	19 countries	5 countries

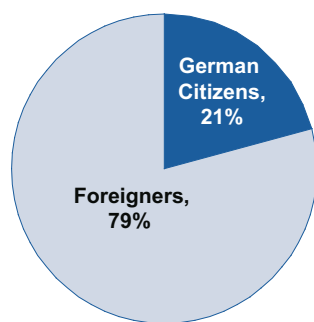
Fig. 36: Respective shares of foreigners and nationals among victims detected in three selected European countries

Respective shares of foreigners and nationals among (possible) victims registered with the Foundation against THB (STV) in the Netherlands (2005-2006)



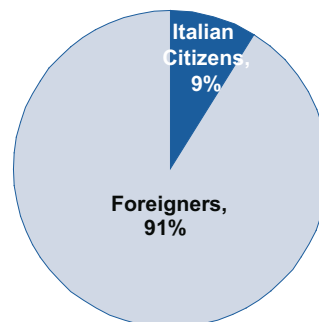
Source: STV reports/The Bureau Nationaal Rapporteur Mensenhandel

Respective share of foreigners and nationals among victims of trafficking in persons identified by State authorities in Germany (2005-2006)



Source: Bundeskriminalamt Trafficking in Human Beings

Respective share of foreigners and nationals among victims of trafficking in persons identified by law enforcement authorities in Italy (2003-2007)



Source: Italian National Anti-Mafia Bureau

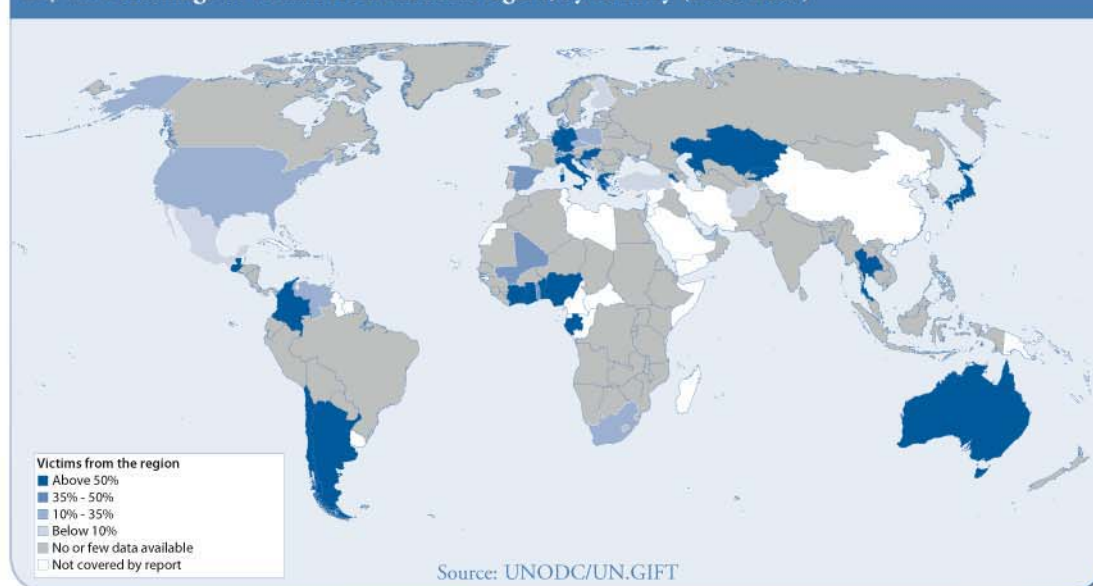
In the Netherlands and Germany, domestic trafficking accounts for about one fourth of the total number of victims, and when victims are ranked by citizenship, citizens of these countries are the most trafficked within their own countries. In Italy, the number of Italian victims identified ranks second among trafficking victims.

The number of victims of domestic trafficking is not always clear, so it is not always possible to estimate the proportion of domestic victims. While domestic trafficking appears to be more limited than international trafficking, it is likely that this form of trafficking is reported most of the time under other offences, such as pandering or slavery. The concept of domestic trafficking is often not clear for the criminal justice system or





Map 15: Percentage of victims from the same region, by country (2005-2007)



### c. Long distance trafficking flows – East Asia<sup>14</sup> and the other regions

Although the reported data shows that the incidence of trans-regional trafficking was relatively lower than intra-regional trafficking, trans-regional trafficking was still very significant.

In 2005-2006, the Western and Central Europe region recorded victims of trafficking from the widest range of origins, and East Asia was the region of origin of victims trafficked to the widest range of destinations. But the range of origins or destinations does not necessarily correlate with the intensity of trafficking flows. For instance, victims from West Africa may frequently be detected in a few specific countries but are not found elsewhere, as opposed to East Asian victims that may be detected less frequently but are found in more countries.

The trafficking flows out of East Asia appear particularly complex. During the reporting period, East Asian victims were detected in many regions, including Western and Central Europe,

North America, the Middle East, Afghanistan, Southern Africa and, of course, East Asia and the Pacific. Episodically, East Asian victims were also detected in Central America (El Salvador), South America (Venezuela) and Central Africa (Gabon).

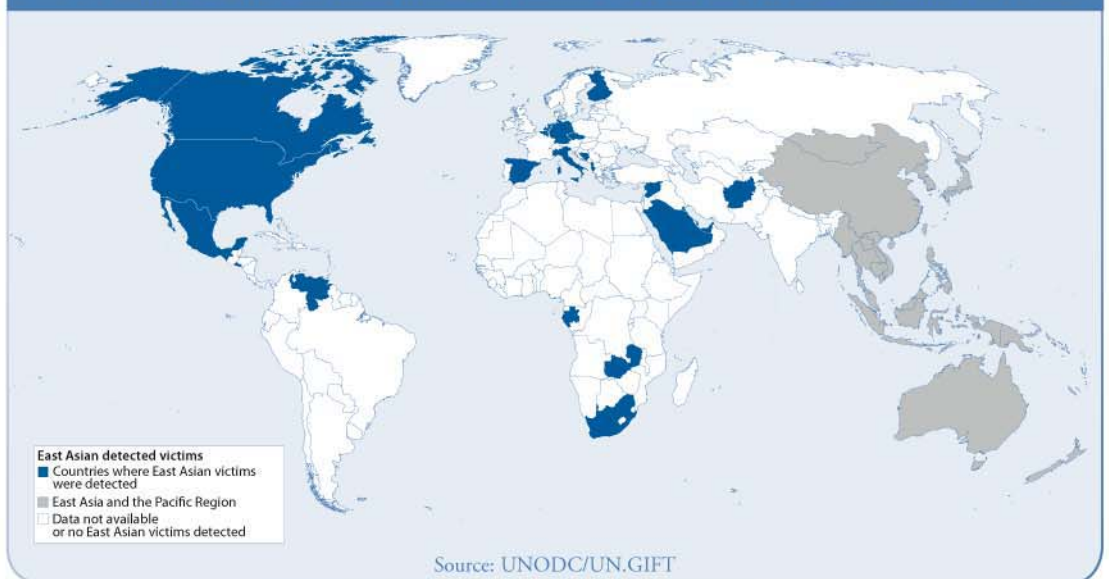
In this context, the number of East Asian victims found in these regions was not as relevant as the breadth of regions in which they were identified. Outside of Asia, East Asians represented a significant proportion of the victims detected in South Africa (Thai victims), the USA (41% of the victims detected in 2007 were East Asians) and in a few European countries (i.e., Chinese victims in Belgium). The trafficking routes coming out of East Asia appeared to be the most diverse.

The map (Map 16 next page) shows the countries in which East Asian victims were detected outside of the East Asia and the Pacific region.

<sup>14</sup> In this part of the analysis, the sub-group East Asia also includes China. This country was not covered by the UNODC/UN.GIFT data collection, but Chinese victims have been identified in other countries.



Map 16: Countries where East Asian victims were detected outside East Asia and the Pacific (2005-2007)

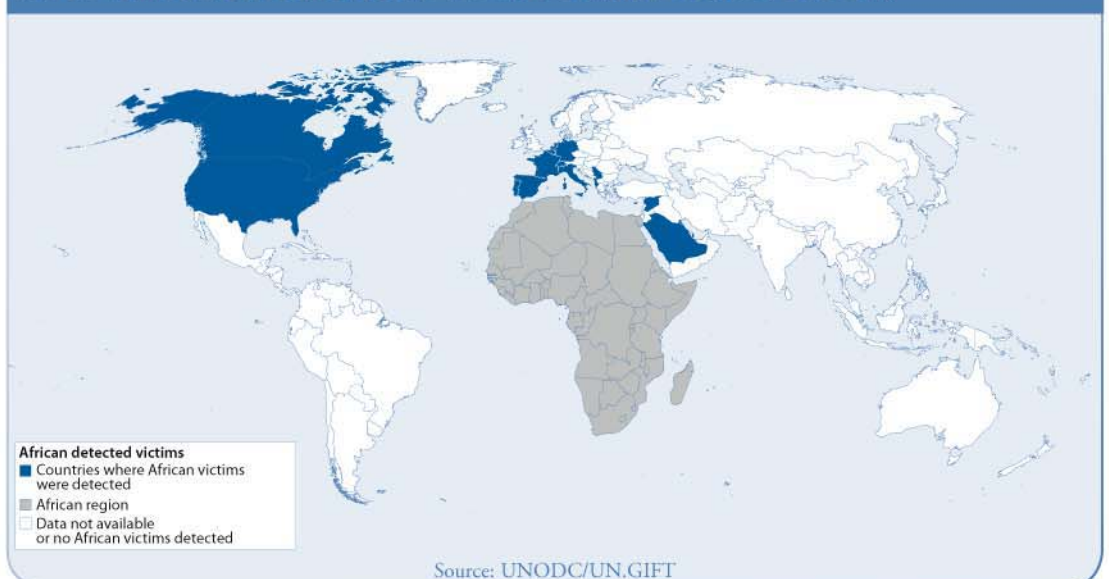


The map is not exhaustive. In some countries, the nationality of the victims identified may not be reported, and often nationalities less frequently recorded may be aggregated into an 'other nationalities' category. As a consequence, this map should be considered in terms of the minimum scope of countries where East Asian victims have been detected outside East Asia and the Pacific during the reporting period.

East Asia is not the only region affected by trans-regional trafficking. Victims from all the other regions also were identified in far away destinations. For instance, West African victims were detected in Europe and in Southern Africa. However, compared to East Asians, West African

victims were found in a more limited number of countries, although victims from Africa were also identified in North America. Map 17 shows the countries where African victims were detected outside of Africa.

Map 17: Countries where African victims were detected outside of Africa (2005-2007)



The map is not exhaustive. In some countries, the nationality of the victims identified may not be reported, and often nationalities less frequently recorded may be aggregated into an 'other nationalities' category. As a consequence, this map should be considered in terms of the minimum scope of countries where African victims have been detected outside of Africa during the reporting period.



Three other trans-regional trafficking flows also appeared significant in the data collected:

- From Latin America (South America, Central America and the Caribbean) mainly to North America, Europe and, episodically, the Middle East.
- From South Asia to the Middle East and, episodically, to Europe and Southern Africa.
- From Europe and Central Asia to Western and Central Europe, the Middle East and North America. Episodically, victims from South-East Europe also were detected in Australia, Japan and Central America.

#### d. Regional overviews

##### Middle East and North Africa

Information on the nationalities of identified victims or the countries from which victims were repatriated was collected from just four countries during 2003-2007: Israel, Morocco, Qatar and the United Arab Emirates.

Moroccan authorities detected internal as well as intra-regional trafficking, and some Moroccan victims were identified in, or returned from, the

Middle East. Unfortunately, the absence of this sort of information for the other North African countries leaves questions open as to whether this is a common pattern for all of North Africa.

The data for the reporting period indicates that Israel, Qatar and the United Arab Emirates were mainly destination countries. Victims from the Eastern Europe and Central Asia region were found in Israel and the United Arab Emirates, and this pattern was clearly mirrored by information included in this report from the countries of Eastern Europe and Central Asia. Victims from South and East Asia as well as from Africa were also detected in the Middle East.

##### West and Central Africa

Information gathered on the nationality of victims suggests that significant intra-regional trafficking took place during the reporting period. Most of the victims originating from West African countries were repatriated from other countries in West and Central Africa. Most of the foreign victims detected in West African countries were nationals from other countries in the region.

A number of countries – Benin, Cote d'Ivoire, Ghana, Nigeria, Liberia and Togo – were both

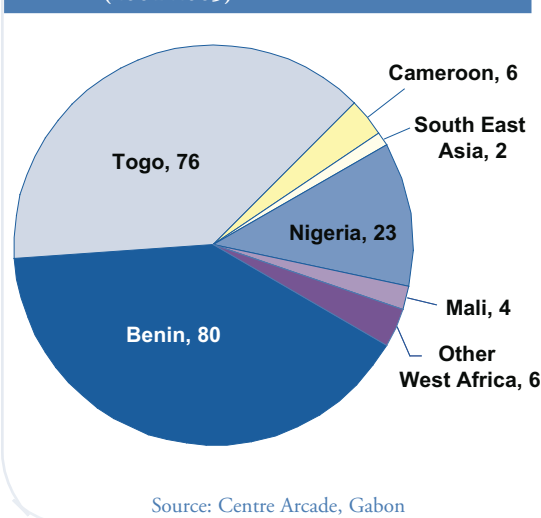
Map 18: Country of citizenship of detected victims trafficked to the Middle East (2005-2007)



The map is not exhaustive. In some countries, the nationality of the victims identified may not be reported, and often nationalities less frequently recorded may be aggregated into an 'other nationalities' category. As a consequence, this map should be considered in terms of the minimum scope of nationalities detected in the Middle East.

origin and destination countries for trafficking victims. Others, such as Burkina Faso, Mali, Mauritania and Sierra Leone, appeared to be only countries of origin, while Gabon was only a destination country. No information was available concerning the other countries, thus it was not possible to reliably identify trafficking flows.

Fig. 37: Victims of trafficking in persons sheltered by the NGO Centre Arcade in Gabon, by country of citizenship (2004-2005)



During the period 2003-2007, victims from West Africa were identified in other regions of the world, especially Europe. West African victims were also detected in, or repatriated from, North Africa and the Middle East, Southern Africa and, episodically, Eastern Europe.

The data available also indicated the existence of domestic trafficking in many countries, especially Cote d'Ivoire, Ghana, Mali, Nigeria and Togo. Too little data was available from other countries to verify if they were similarly affected by this form of trafficking.

### East Africa

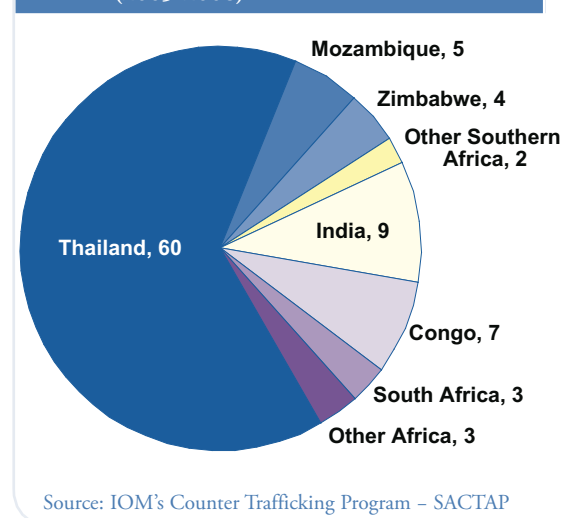
The general lack of information did not allow for an analysis of trafficking patterns, flows or trends. However, the small amount of available information suggests that countries were affected by domestic as well as intra-regional trafficking. A few victims were recorded as repatriated from

Europe and the Middle East between 2003 and 2007.

### Southern Africa

The general lack of information does not allow for an analysis of trafficking patterns, flows or trends. For most countries in this region, it is more appropriate to refer to trafficking episodes.

Fig. 38: Victims of trafficking in persons sheltered by IOM in South Africa, by country of citizenship (2005-2006)



Recorded episodes suggest that intra-regional trafficking is common. Some countries, such as Zambia and Zimbabwe, are countries of origin and destination, while Mozambique, Malawi, and the Democratic Republic of the Congo appear to be primarily origin countries. South Africa is mainly a trafficking destination for victims from countries within and outside the region.

Victims that were detected were mostly trafficked from or to neighbouring countries. Trans-regional trafficking appears to involve mainly neighbouring regions, based on the records of East and West African victims that were sheltered in some countries of the region. Asian victims (East Asia, South-East Asia and South Asia), however, were also identified in a few Southern African countries.

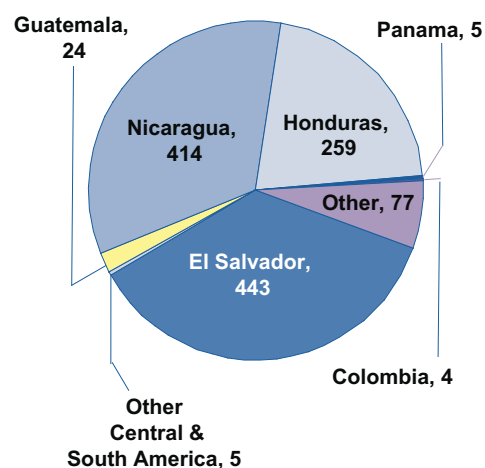
## North America

Of the victims that were detected, many were nationals from Latin American countries and the Caribbean (41% of the victims detected in the USA during the fiscal year 2007), especially from Central America. African, Asian and European victims also were found in the USA and Canada. A limited number of South and Central American victims were identified or sheltered in Mexico.

## Central America and the Caribbean

It is possible to draw some generic conclusions on the main geographical flows of human trafficking affecting countries in the region based on an overview of the nationalities of victims identified by State authorities and other institutions, as well as from an analysis of the countries from which victims were repatriated.

Fig. 39: Victims of trafficking identified by State authorities in Guatemala, by country of citizenship (January 2006-March 2008)



Source: National Civil Police, Guatemala

Almost all the countries from which information on the nationalities of victims was available appeared to be both countries of origin and destination. However, the Dominican Republic and Nicaragua were mainly countries of origin, while Guatemala was primarily a destination for trafficking victims. Additionally, in the countries of the East Caribbean, the few cases of trafficking or trafficking-like offences recorded suggested

that, for the most part, these were countries of destination.

The trafficking flows detected during the reporting period were mainly intra-regional. This is clearly the case for Nicaragua, El Salvador and Guatemala. When trans-regional cases of trafficking were detected, they mostly involved countries close to South America and, in only a few instances, more distant regions.

A limited number of South American victims were identified or sheltered in a few Central American countries. Dominican victims also were detected and repatriated from South America and Europe. Similarly, victims from other Central American and Caribbean countries were identified in South America, and there were incidences of victims from South Asia and Eastern Europe detected in the East Caribbean.

## South America

Domestic trafficking, intra-regional trafficking and trans-regional trafficking flows were identified in the region.

The available data point to the existence of domestic trafficking in Argentina, Brazil, Colombia, Peru and Venezuela. The numbers of registered victims of domestic trafficking are relatively low, but this is likely due to the fact that many countries in the region only recently adopted related legislation.

Data on the citizenship of identified victims indicate a relative preponderance of intra-regional trafficking. Bolivia, Ecuador and Paraguay appear to be primarily countries of origin for victims of trafficking at the regional level. Bolivian and Paraguayan victims were detected in Argentina, with Bolivians usually trafficked for the purpose of labour exploitation and Paraguayans trafficked for sexual exploitation. Victims from Ecuador were found in Colombia and Peru.

Argentina, Brazil and Peru are countries of origin and destination for trafficking victims. Argentinean and Peruvian victims were found in Chile, and Brazilian and Peruvian victims were identified in Argentina. Victims from Bolivia, Peru,

Paraguay and Ecuador were found in Brazil, although comprehensive statistics were not available on these victims. Chile is mainly a destination country, while Colombian victims were detected in other regions and in Venezuela. The available information indicates that intra-regional trafficking often occurs between neighbouring countries in the region.

Trans-regional trafficking from Central America and the Caribbean was identified, with Dominican

victims detected in Argentina and Honduran victims found in Colombia. South American victims were also detected in Europe and North America and, to a lesser extent, in East Asia and the Middle East. Chinese victims were identified in Venezuela.

### East Asia and the Pacific

It is possible to draw some generic conclusions on the main geographical flows of human trafficking affecting countries in the region based on an overview of the nationalities of victims identified by State authorities and other institutions, as well as from an analysis of the countries from which victims were repatriated.

The data collected indicates that East Asian countries are affected by complex trafficking flows. During the reporting period, many East Asian countries were countries of origin for trafficking in persons within and outside the region.

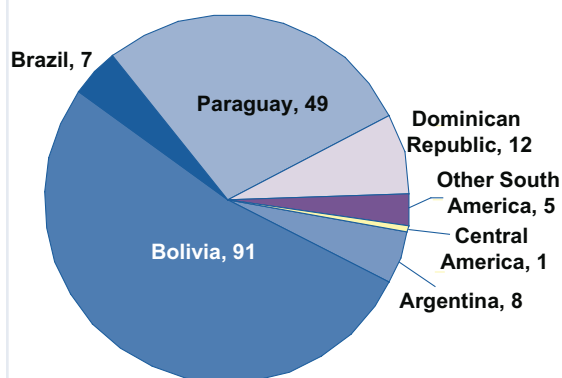
Some areas, such as the Mekong countries, were destinations for cross-border trafficking within the Mekong sub-region and, at the same time, origin countries for trans-regional trafficking. Thai victims, for instance, were identified and repatriated from countries within the region and from at least three other regions, including Southern Africa, Europe and the Middle East. Similarly, Vietnamese and nationals from other countries of the Mekong sub-region were detected in different regions of the world, as well as within East Asia and the Pacific.

The Middle East was also a destination for Indonesian victims assisted by IOM, while Central Asian countries were destinations for Mongolian victims assisted by local NGOs.

Additionally, it should be noted that victims from East Asian countries not covered by this report have been found in destination countries in other regions of the world. For instance, Chinese victims were detected in more than four regions (Europe, the Middle East, the Americas, in parts of the African continent and Asia).

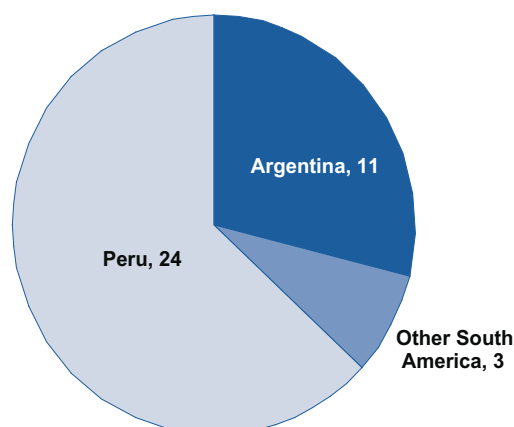
This region recorded the widest trans-regional trafficking scope for countries of origin for traf-

Fig. 40: Victims of trafficking in persons identified by various institutions and assisted by IOM-Programme AVOT in Argentina, by country of citizenship (November 2005-2007)



Source: Programa AVOT (Asistencia a Víctimas de la Trata de Personas) IOM, Buenos Aires

Fig. 41: Victims identified by the public prosecutor's office in Chile, by country of citizenship (2006-2007)



Source: Fiscalía Nacional, Chile



ficking victims. However, East Asia and the Pacific were mainly subject to intra-regional trafficking related to destination countries for victims. For example, mainly East Asian victims and, episodically, victims from other regions were detected in Australia, Japan and Malaysia.

Domestic trafficking was clearly evident in three countries of the Mekong sub-region (Cambodia, Lao PDR and Myanmar) and in Indonesia and Mongolia. Information on internal trafficking was unavailable for the other countries of the Mekong sub-region, but this does not necessarily mean that internal trafficking does not occur in these countries as well.

### South and South-West Asia

The lack of detailed information available limited the possibility of analysing trafficking flows into and out of the region. Domestic trafficking appears to be a problem, with victims identified in Bangladesh, India and, episodically, in Pakistan.

Intra-regional trafficking was also an issue appearing to affect Nepal and Bangladesh as countries of origin and India as a destination country, especially in the rich area of the Maharashtra.

Trans-regional trafficking in persons affects the region as well, and South Asian victims were identified in Europe and the Middle East. On the contrary, victims trafficked from other regions of the world were not found in South Asia.

Afghanistan appeared as a destination for victims trafficked from neighbouring countries. Over the last few years, IOM has identified and sheltered Chinese and Pakistani victims. The scarcity of information does not allow for a more detailed analysis of trafficking flows out of the country.

### Eastern Europe and Central Asia

It is possible to draw some generic conclusions on the main geographical flows of human trafficking affecting countries in the region based on an overview of the nationalities of the victims

identified by State authorities and other institutions, as well as from an analysis of the countries from which victims were repatriated.

Victims of domestic trafficking were recorded in Azerbaijan, Georgia, Kazakhstan and Moldova. Limited data does not allow for conclusions as to whether domestic trafficking occurred in other countries in the region as well.

During the reporting period, intra-regional trafficking in persons was a major issue within Eastern Europe and Central Asia. A significant number of the victims identified in the region were nationals of countries within the region. Data show that almost all the countries were both origins and destinations for intra-regional trafficking. However, available information from Tajikistan and Turkmenistan suggests that they were exclusively countries of origin for trafficking within Eastern Europe and Central Asia.

The data also suggests that the Eastern Europe and Central Asia region was a source of trans-regional trafficking. Nationals from throughout the region were repatriated from, or identified in, a few specific hot spots, particularly in Southern Europe and the Middle East. Geographical proximity also seems to play an important role in determining destination countries. Victims originating from Eastern Europe were detected in Western and Central Europe, and victims from the region were identified in neighbouring Asian countries. Eastern Europe and Central Asia is not a major trans-regional destination, with very few victims trafficked from other regions detected within the region.

## Western and Central Europe

Although geographically small, Europe appears to be a diverse region in terms of trafficking flows.

During the reporting period, some sub-regions were mainly destinations for trafficking victims. Western, Southern and Northern Europe appeared mostly as trafficking destinations, while Central and South-East Europe were both origins and destinations for trafficking. Information on Romania and Bulgaria is not complete, but indications are that these were mainly countries of origin.

In terms of trafficking flows, it appears that geographical proximity and language linkages play a key role in the relation between countries of origin and destination of trafficking victims.

Intra-regional trafficking flows were relatively intense within Europe during the reporting period. Countries in Central and South-East Europe were destinations for victims trafficked from other South-East European countries and from Eastern Europe. Western and Southern Europe were destinations for victims trafficked from Central Europe, South-East and Eastern Europe.

As regards trans-regional trafficking, aside from the reported role played by Eastern Europe and Central Asia as a region of origin, the data collected showed Europe as a trafficking destination for a broad and diverse list of countries. The number of victims trafficked from East Asia was substantial, as was the number of recorded victims from West Africa, South America and, to a lesser extent, North Africa.

East Asian victims (in particular Chinese, but also Filipinos, Thais and Vietnamese) were detected in all the European sub-regions. West African, South American and North African victims were found in some countries in Western and Southern Europe.

Domestic trafficking was detected frequently in many European countries. Surprisingly, some of the wealthiest countries were also affected by internal trafficking. France, Germany, Italy, the Netherlands, Portugal and Spain have all detected domestic trafficking. This type of trafficking was also found in many South-East European countries and in a few countries in Central Europe. This suggests that domestic trafficking likely occurred in other countries in the region as well, but was either undetected or registered under other offences.

Map 19: Country of citizenship of victims trafficked to Western and Central Europe (2005-2007)



The map is not exhaustive. In some countries, the nationality of the victims identified may not be reported, and often nationalities less frequently recorded may be aggregated into an 'other nationalities' category. As a consequence, this map should be considered in terms of the minimum scope of nationalities detected in the Western and Central Europe.

## Core results – Global baseline data on trafficking flows

- Intra-regional trafficking (origin and destination in the same region) was detected more frequently than trans-regional trafficking during the period 2003-2007.
- Domestic trafficking represented a significant share of recorded trafficking cases during the reporting period, though it still appears to go greatly undetected.
- Victims from East Asia were found in the widest range of destinations, including Asia, Africa, the Americas, Europe and the Middle East.
- Victims detected in Western and Central Europe came from the widest range of origins, including Europe, as well as Africa, East Asia, Eastern Europe and Central Asia, Latin America and South Asia.

## 5. The way forward in international monitoring of trafficking trends, patterns and flows

The statistics collected and presented in this report show that countries responded positively to the comprehensive data collection effort undertaken under the UN.GIFT initiative. The quantity of information collected under this research activity is the largest ever. This includes information concerning more than 50,000 offenders and victims of trafficking in persons officially identified by the State authorities of 155 countries and territories. It is necessary that this momentum not be lost and that measures be taken to improve information sharing on human trafficking. Without this effort, the international community will be fighting the problem blindfolded.

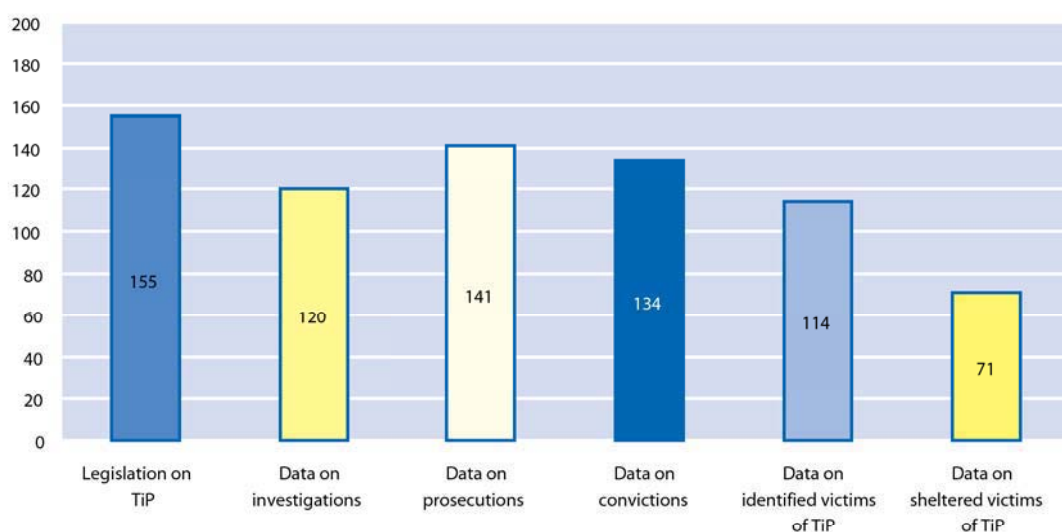
The first step in tackling a transnational issue must be information sharing. Today, the Member States lack the ability to say with any precision how many victims of human trafficking there are, where they come from or where they are going. The various estimates that have been made have been highly controversial. Since the magnitude of the problem or where it is most acute cannot be stated, changes cannot be tracked over time, and interventions cannot be evaluated for their impact. Tackling transnational trafficking in human beings requires an ongoing exchange of data. The States Parties recognized this need when they agreed upon the

language in Article 28 of the United Nations Convention against Transnational Organized Crime, which states:

*States Parties shall consider developing and sharing analytical expertise concerning organized criminal activities with each other and through international and regional organizations. For that purpose, common definitions, standards and methodologies should be developed and applied as appropriate.*

The present survey represents a significant step in this direction, and the data collected so far are impressive. A good deal can be learned from this collective experience, as this report has shown. But far more could be done with a system of sustained information gathering. In many countries, it appears that very few data are collected, and no comprehensive analysis of this data is conducted. All Member States would benefit if more were approaching the knowledge problem systematically, and the insights to be gained in pooling experience and sharing information would be invaluable in designing targeted interventions to this international problem.

Fig. 42: Number of countries making data available to UNODC, by topic



Source: UNODC-UN.GIFT

Creating the mechanisms for capturing these data need not be sophisticated and expensive, and, at its root, is largely a matter of political will and cooperation. As this report has shown, some very poor countries are at the vanguard of criminal justice action against human trafficking, and wealth is no guarantor that the issue has been approached systematically. As recently as 2005, a UNHCR report noted, “Presently, there are no reliable and conclusive statistics on the number of trafficking victims in the European region...Regrettably, available data do not record key indicators, including information on age, gender, number of victims as well [as] country of origin”.<sup>15</sup> Data have improved since that time, fortunately, largely as a result of regional cooperation. Though capacity to produce the needed information may already have been available domestically, international coordination provided the necessary impetus to start a more efficient system for data collection.

While not necessarily expensive, the task of generating data is not easy, even on a national level. In some countries, the data will need to be collected across governmental sectors or from a large number of sub-national entities, so the

administrative workload involved should not be underestimated. Furthermore, the mechanism of international reporting may add an extra burden on individual countries. However, the mere presence of such reporting may prompt more countries to collect relevant information, thus promoting strategic thinking on a national level as well. Working on the problem collectively will support countries working on the problem individually.

In the context of the United Nations Global Initiative to Fight Human Trafficking (UN.GIFT) – within which the research presented in this report was prepared, the Commission on Crime Prevention and Criminal Justice has stressed the utmost importance of international cooperation against trafficking in persons.<sup>16</sup>

The fact that 155 countries and territories were covered by this proactive data collection exercise demonstrates the interest of Member States in cooperating to tackle this issue. It now remains for the United Nations to provide the support needed to help Member States monitor trafficking in human beings.

<sup>15</sup> United Nations High Commissioner for Refugees (2005), Combating Human Trafficking. Overview of UNHCR Anti-Trafficking Activities in Europe, Bureau for Europe Policy Unit, 2005, p.6

<sup>16</sup> United Nations Commission on Crime Prevention and Criminal Justice. Decision 16/1. Global Initiative to Fight Human Trafficking. UN Doc. E/2007/30/Rev.1.



Developing this monitoring capacity could draw on the experience UNODC has gathered in researching this report. Based on this experience, it would be important to determine which types of information could be collected at the international level for statistical purposes. In principle, four headings are relevant for gathering information on trafficking in persons:

- The legislative and administrative framework
- The criminal justice response
- The victim services
- Data on the markets that absorb human trafficking victims and data on the populations at risk in the origin countries

Each of these is discussed in turn below.

### a. The legislative and administrative framework

Detailed information on the laws and institutions established to address human trafficking is needed to interpret the criminal justice data. Countries without legislation criminalizing trafficking in persons cannot be expected to return any convictions in this area. Where other laws are used to deal with trafficking-related matters, the degree of overlap between these offences and those covered under the Protocol needs to be assessed. Small variations in statutory language and legal traditions make it very difficult to compare offences across countries, and while these problems can never completely be eliminated, they can be ameliorated considerably by understanding the legal context. Changes in the legal regime or the resources dedicated to combating trafficking also can aid in interpreting trends within countries.

Towards this end, successful monitoring and information exchange at the international level would have to include consideration of the following questions:

1. Does the specific offence of “trafficking in persons” exist in the legislation of the country?

2. If so, is the definition of “trafficking in persons” consistent with Article 3 of the UN Protocol? If not, how does it differ?
3. If no specific offence of “trafficking in persons” exists in the legislation of the country or if this legislation is not consistent with the Protocol, what other offences exist that can be used to investigate human trafficking (i.e., sexual exploitation, forced labour, slavery, servitude, removal of organs)?

The third question is important and is one that many countries may not have previously considered. Analysis based on the data collected for this report found that many judicial systems do actually prefer to prosecute episodes under the offence of “pandering” that actually fit the definition of trafficking in persons under the Protocol. The question of “related offences” is discussed further below.

### b. Criminal justice response

Once it is clear how a given country understands human trafficking, its criminal justice statistics can be more safely analysed. This information remains subject to misinterpretation, of course, and any accounting must be qualified with strong warnings about their basic cross-national incomparability. These are not figures that can be taken at face value but require careful analysis and expert interpretation.

For instance, some of the authorities contacted for this global data collection had the tendency to provide criminal justice statistics concerning trafficking in persons aggregated with figures concerning other offences, such as sexual exploitation. In the context of criminal justice statistics, this practice is quite unique to trafficking in persons.

The data provided, in the case of this report, have been cross-checked and questioned by local experts in a constant interaction with the authorities providing the information. The goal of this exercise was to provide the reader with information that is as clear as possible.

As noted above, one key side effect of international data collection is to prompt national actors to re-think the way they collect information. Many will find that the information they need is generated by multiple agencies, is segmented and scattered, and that even actors within the country may apply different methods, counting rules and processes. For example, in most States, units of accounting vary across the criminal justice sectors. While the police often count the number of investigations into human trafficking, the prosecutor's offices and the court systems are more likely to report on the number of persons prosecuted and convicted. Harmonizing these differences for the purposes of national statistics may be a useful exercise in domestic stock taking and may contribute to international understanding.

The following criminal justice indicators may be particularly relevant for cross-national data collection and exchange:

4. Number of offences of "trafficking in persons" recorded by the police or the criminal justice system by year.
5. Number of persons arrested or identified as suspects of "trafficking in persons" by the police or the criminal justice system by gender and year.
6. Number of persons against whom prosecution was commenced for "trafficking in persons" by gender and year.
7. Number of persons convicted at first instance for "trafficking in persons" by gender, citizenship, type of exploitation committed and year.

### c. Victim services

Some States keep track of the number of suspected victims of trafficking, whether or not the victims decide to cooperate with the criminal investigation. In addition, however, those organizations – often State or donor sponsored – that provide services to victims of trafficking can prove a rich source of information. These may be specialized organizations or they may be multi-purpose social service providers, but their contact with victims is far greater and less adver-

sarial than that of the criminal justice system. In some countries, these service providers are the only source of indicators on human trafficking available for the country.

Even in countries where criminal justice and social service agencies cooperate closely on the issue of trafficking, they may have different accounting rules, and so it is important to include both perspectives. For example, as regards counting victims of trafficking, NGOs in Austria record child victims of forced begging as trafficking victims, while the police do not. Definitions differ because the goals of these two systems are different. Not all service providers distinguish clearly between possible and confirmed victims,<sup>17</sup> as the primary criterion for assistance they provide is the need, not the legal category, of the victim.

With due respect for the privacy interests of the individuals involved, standard intake questionnaires for residential care facilities could capture a wealth of information, which could be standardized for national and international use. The qualitative insights of counsellors and other experts who work with victims also could be garnered and coded. This need not require any actor to become more intrusive. Rather, there simply needs to be a system for collecting and recording information already gathered in the process of assisting victims so that more people can be helped. Such studies in many countries have documented the phenomenon of "re-trafficking", where the same victim receives services on multiple occasions over the years. The rate at which this phenomenon occurs could provide valuable insights into the state of trafficking markets in any given country.

In addition, many foreign victims of trafficking will eventually be repatriated in a civil process that is not necessarily captured by criminal justice statistics. Some countries keep records of the number of their own nationals returned in this way. The information gathered in this process also could be captured and standardized.

■■■■■

17 Cf. United Nations Office on Drugs and Crime (2007), *An Assessment of Referral Practices to Assist and Protect the Rights of Trafficked Persons in Moldova*, UNODC, Chisinau, Moldova, February 2007.

The following indicators related to trafficking victims may be particularly relevant for cross-national data collection and exchange:

8. Number of persons identified by State authorities as *Victims of Trafficking in Persons* by age, gender, citizenship, type of exploitation suffered and year.
9. Number of persons identified by State authorities as *Victims of Trafficking in Persons* who were officially returned from other countries, by returning countries and year.
10. Number of *Victims of Trafficking in Persons* sheltered by all relevant facilities over the course of the year by age, gender, citizenship, type of exploitation suffered and year.
11. Number of *Victims of Trafficking in Persons* sheltered by all relevant facilities over the course of the year who were returned from other countries, by returning country and year.

Such data could also assist in linking information on victims and perpetrators. At present, for example, many countries can list the top ranking countries of origin of both victims and perpetrators in their country. However, without linkages, it is difficult to generate a picture of who is trafficking whom and for what purpose.

Another way of addressing this deficiency would be to request a case-by-case accounting of certain key indicators, which could be supplied from the side of either the victim or the perpetrator. In other words, each incident in which a victim or offender is detected could be recorded with details of all parties concerned, the location where the detection was made and related matters. Data on the location of the detection could be plotted using geographic information systems, which have proven useful in describing other forms of transnational trafficking. This “incident-based” accounting may sound burdensome, but given that few countries return more than 100 convictions in any one year, it need not be.

#### d. Data on the illegal market and on vulnerable populations

Data of the type described above has been successfully collected in the present report. The report gives a good sense of the state of the world’s response to human trafficking, but, by its nature, the information collected is less informative about the crime itself. The next steps in our understanding of the phenomenon may involve moving beyond response into information on the illegal market for trafficking in human beings.

In the end, the data described above are limited to the number of incidents brought to the attention of the authorities. To understand the “dark figure” – the proportion of victims and perpetrators who go undetected – more data on the economics of the crime are needed. Trafficking victims are typically funnelled into one of several forms of forced labour, especially forced prostitution, work in certain labour intensive sectors (agricultural, factory or service sectors), begging, and domestic work. More information can be gathered about these sectors as a whole, and more research can be conducted to determine what share of this labour is coerced.

For example, it is known that those who traffic women for the purposes of sexual exploitation often make use of exotic dancer visas or similar fraudulent claims to bring women into the countries of destination. Keeping track of applications and permits issued in the adult entertainment industry could provide important indicators for understanding the darker side of this market. The Protocol also criminalizes trafficking for removal of organs. This practice, too, represents a subset of an otherwise licit market whose legitimate side can be quantified with precision.

More generally, the demand side of the market for human beings is little understood, and this gap undermines attempts to put numbers to trafficking flows. Traffickers will sell persons only when certain market conditions make it profitable. Understanding more about how and why this occurs would require price data. This

information is regularly gathered for the illegal drug market and for trafficking in firearms. A similar process could be encouraged for human trafficking.

At the same time, the supply side of the market for human beings should be better investigated by collecting data among the population at risk of trafficking. Awareness of the phenomenon, specific knowledge of the risks related to the migratory process and the propensity to take risks to overcome a situation of need are few examples of indicators of vulnerability to trafficking in persons. A regular assessment on these very basic indicators could provide a better understanding of the supply side of human trafficking.

This category of questions has not yet been piloted, so it would be premature to suggest a detailed list of indicators. But this sort of information could be introduced incrementally as monitoring efforts grow and evolve. Questions that produce useful and robust responses could be retained, while those that prove too sensitive or incomparable could be discarded in an evolutionary process over time.

#### e. International monitoring of patterns and trends in trafficking in persons

In creating and signing the Protocol, the States Parties committed themselves to cooperate in the global struggle against trafficking in human beings. This cooperation requires information sharing on patterns and trends in transnational organized crime, as stated in Articles 28 and 32 of the United Nations Convention against Transnational Organized Crime. Engaging in multi-lateral collaboration to ensure more intensive gathering and analysis of primary data is an important step in full implementation of the Protocol.

Such collaboration may benefit from the wealth of national and regional models. One long-standing coordinating mechanism that is accepted as a good practice model for centralized

data collection is the Dutch National Rapporteur, which issues a regular report with comprehensive official data on the national response to trafficking in persons in the Netherlands.<sup>18</sup> Another example is provided by the German Federal Criminal Office, which collects and publishes annual statistics on the criminal justice response to trafficking in persons. These reports focus on identified cases of human trafficking, criminal intelligence information, the profiles of offenders and victims, and resulting recommendations for law enforcement and policy makers.<sup>19</sup>

Following these examples, data availability on human trafficking has improved significantly in many countries and regions of the world. A growing number of States have established national focal points that coordinate data gathering and maintain a central database. The establishment of such focal points and national rapporteurs has been promoted by regional organizations such as the European Union<sup>20</sup>, the Organization for Security and Cooperation in Europe (OSCE) and many others.

In many States, the availability of data on trafficking in persons has been linked to the establishment of special criminal justice structures to fight human trafficking. In Peru, for example, an electronic on-line registration system was established at the end of 2005 that allows the police to enter data on trafficking in persons into a web-based platform run from a central server. This RETA (Registro y Estadística del Delito de Trata de Personas y Afines) system is used to classify investigations on human trafficking and follows the case through the criminal justice process.

18 Bureau NRM (2007), Trafficking in human beings, Fifth report of the Dutch National Rapporteur, Den Haag 2007.

19 Bundeskriminalamt der Bundesrepublik Deutschland (2007), 2006 Federal Situation Report on Trafficking in Human Beings. Press Release Summary, Serious and Organised Crime Division, Wiesbaden, June 2007.

20 For example, a 2005 resolution by the European Parliament calls for Member States to appoint national rapporteurs on Anti-Human Trafficking Activities, and stresses the importance of gathering gender-based and comparable data. European Parliament, Committee on Women's Rights and Gender Equality, Draft report on strategies to prevent the trafficking of women and children who are vulnerable to sexual exploitation. PR\580691EN.doc, 19/9/2005.

Similarly, a regional initiative for data collection on trafficking in persons is currently in place within the Economic Community of West African States (ECOWAS). An Anti-Trafficking Unit with a mandate for policy development, coordination and monitoring was established within the ECOWAS Commission with technical assistance by UNODC. This Unit also collects and disseminates data on anti-trafficking activities to national governments and international organizations.

Unfortunately, the countries and regions instituting these remarkable efforts are not in the majority. Of the 155 countries covered by this report, there were less than three dozen with a central database on national responses to trafficking in persons, and most of these were in Europe and Central Asia. This underscores all the more the need for a comprehensive data collection approach at the international level.







## Country profiles

For the most part, the information used to compile this report was collected by national institutions, mostly for their administrative purposes and not originally for this research. The data are affected by a number of factors, which renders it partial and incomparable between countries.

The first of these factors is differences in national legislation. Because the basis for the official registration of trafficking in persons is national legislation, the data are clearly affected by the existence, scope and moment of entry into force of this legislation. In addition, each national criminal justice system is different, follows different procedures and implements legislation within the context of different legal systems. The terms investigation, prosecution and conviction involve distinct procedural steps from one country to another according to their individual criminal procedural laws and legal systems. As a consequence, the volume of investigations, prosecutions or convictions will necessarily reflect these variations between countries.

The second factor affecting the data is the “dark number”. For a number of reasons, not all human trafficking activities are detected by national authorities or other institutions. Thus, comparing the criminal justice statistics across countries is not possible, since it would result in comparing a mix of different phenomena such as the extent of the crime and the ability of the law enforcement of detecting it, and many others.

The third factor is the nature and functioning of data recording systems for human trafficking cases. The efficiency of existing systems has a clear impact on the statistics available for this report. Thus, the volume of victims and offenders that are officially registered could be heavily influenced by better recording mechanisms.

Because of these factors, interpreting the data used as the basis for this report to signify the extent or magnitude of human trafficking would be inaccurate. The information used in this report cannot be compared across countries, either to represent the severity of human trafficking or to measure the different levels of performance of countries responding to the phenomenon.

The information collected and presented in the following country profiles was provided to UNODC by authoritative sources, including governmental institutions, law enforcement agencies and the judiciary. The sources are clearly referenced in the text, and the validity of the information depends on the validity of the information provided by these sources.



*The following countries are covered in this section: Algeria, Bahrain, Egypt, Iraq, Israel, Morocco, Oman, Qatar, Sudan, and the United Arab Emirates.*

*Any missing information concerning the region was either unavailable or not accessed by UNODC.*

## Algeria

### Institutional framework

The specific offence of trafficking in persons does not exist in the legislation of Algeria. According to Algerian authorities, the offences of “hiding and exchange of children”, “abuse of job authority to sexually exploit others”, “forced prostitution” and others are used to prosecute some forms trafficking in persons. A national action plan on trafficking in persons was adopted in 2006 and renewed in 2007.



## Bahrain

### Institutional framework

The specific offence of trafficking in persons was established in the Kingdom of Bahrain in January 2008. A national action plan on trafficking in persons was adopted in 2004.

### Criminal justice response

A specialized Anti-Human Trafficking Police unit under the jurisdiction of the Ministry of the Interior was established after the adoption of the legislation on trafficking in persons.

Because the legislation was only adopted in 2008, the statistics used in this report refer to cases of human trafficking prosecuted under other offences, such as sexual assault, sequestration and sexual exploitation. Twelve persons were prosecuted and seven persons were convicted in 2007. Those convicted were citizens of Bahrain, of other MENA countries and South Asians.

### Services provided to victims

State authorities provide legal assistance, medical and psychosocial support, housing and shelter, and temporary stay permits for victims.

Four men and four women were identified as victims of trafficking in 2007 by State authorities.

### Additional information

Two residential facilities, with a capacity of 120 beds, were available to victims of human trafficking in 2007. In that same year, four women trafficked for sexual exploitation were sheltered in these facilities.

## Egypt

### Institutional framework

The specific offence of child trafficking was established in Egypt in June 2008. The amendments to the 1996 Child Protection Law approved by parliaments recognize trafficking in children, distinctly and exclusively, as a crime. Authorities report that other offences in the criminal code, as well as Child Protection Law of 1996, the anti-prostitution law of 1960, the labour law, and the anti-money laundering law of 2002, are used to criminalize forms of trafficking in persons. Furthermore, draft legislation on the transfer of human organs is in its final stage.

In July 2007, the Prime Minister issued a decree to form the National Coordinating Committee on Combating Human Trafficking within the Ministry of Foreign Affairs. The members of this committee include representatives of all relevant government authorities. One of the responsibilities of the committee is to formulate a national action plan on combating human trafficking taking into account Egypt's international obligations. A drafting committee was created, within the National Committee on Combating Human Trafficking to draft a comprehensive anti-trafficking legislation in line with the UN Trafficking Protocol.

### Criminal justice response

A special unit for combating trafficking in children was established within the National Council on Motherhood and Childhood in December 2007.

Because of the absence of a specific provision on human trafficking, no prosecutions or convictions were recorded for trafficking in persons during the reporting period.

The statistics reported in the charts below refer to the following offences: prostitution and exploitation of women, forced labour, removal of organs, deception/employment abroad, exposing a child to delinquency, and exploitation of children. The Egyptian authorities emphasize that these statistics do not represent the full scope of trafficking in persons in Egypt. In this regard, a survey-study to accurately identify the scope, magnitude and root causes of the problem in Egypt is being undertaken by the National Centre for Social and Criminological Research in full cooperation with the national coordinating committee to combat and prevent trafficking in persons.

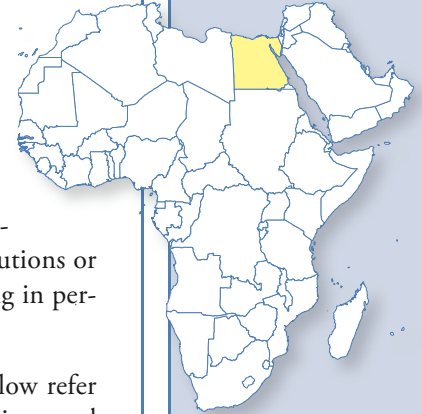
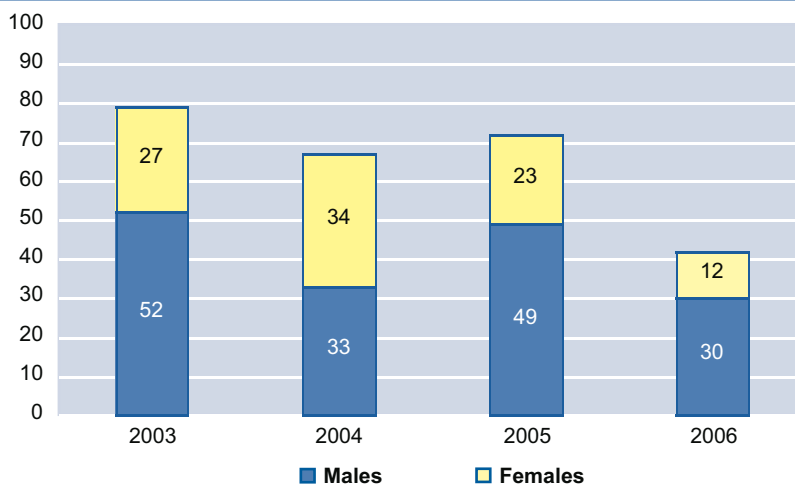
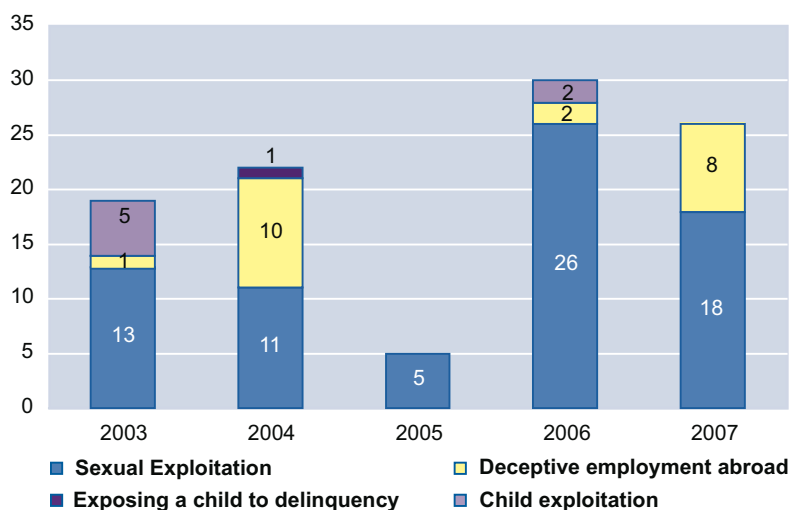


Fig. 1: Persons investigated for offences used to prosecute trafficking in persons in Egypt, by gender (2003-2006)



Source: Public Prosecution, Ministry of the Interior

Fig. 2: Cases investigated for offences used to prosecute trafficking in persons in Egypt, by offence (2003-2007)



Source: Public Prosecution, Ministry of the Interior

### Services provided to the victims

State authorities provide legal protection, medical and psychosocial support, and housing and shelter for victims. Assistance is provided through social welfare institutions that are either affiliated with the Ministry of Social Solidarity or are certified at the ministry in accordance with the Law on Child Protection and its executive statute. Local NGOs provide legal protection, and medical and psychosocial support.

The national Council for Childhood and Motherhood announced plans to launch a rehabilitation centre in the district of El-Salam that will act as a shelter for child victims of trafficking.

### Additional information

In 2005 and 2006, seven persons were convicted for removal of organs.

Fig. 3: Victims of trafficking in persons identified by State authorities in Egypt, by age and gender (2003-2006)



Source: Public Prosecution, Ministry of Interior

## Iraq

### Institutional framework

There is no specific law in the Iraqi national legislation that criminalizes trafficking in persons, establishes it as a separate offence or defines it in line with the UN Trafficking Protocol. The Iraqi constitution criminalizes trafficking in women and children, as well as forced labour, slavery and slave trade (Article 35, Ch. II Liberties). These offences were introduced between 2003 and 2007.

### Criminal justice response

There are no criminal justice statistics available on trafficking in persons in Iraq, primarily due to the absence of specific anti-trafficking legislation on which to base the collection of this type of information.





# Israel

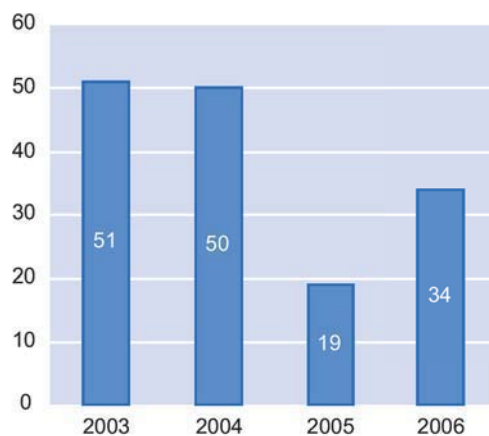
## Institutional framework

The specific offence of trafficking in persons was established in Israel in 2000. The criminal code was amended in October 2006 to include labour exploitation within the existing definition of human trafficking. This legislation has a wider application because it does not require the identification of the means of trafficking as is called for in the UN Trafficking Protocol. A national action plan was approved by the government in December 2007.

## Criminal justice response

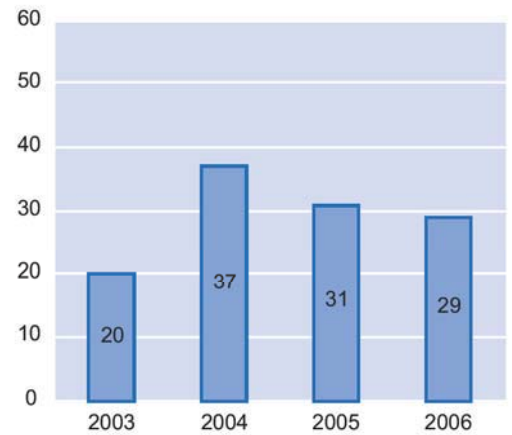
The Crime Unit in the Immigration Administration is a specialized police agency targeting the exploitation of foreign workers, including trafficking victims. According to authorities, trafficking in persons is often investigated under other offences, such as pandering, causing a person to engage in prostitution, soliciting prostitution and kidnapping. Statistics on these cases are reported separately, and the extent of trafficking cases investigated under these other offences is not known.

Fig. 4: Cases of trafficking in persons investigated in Israel (2003-2006)



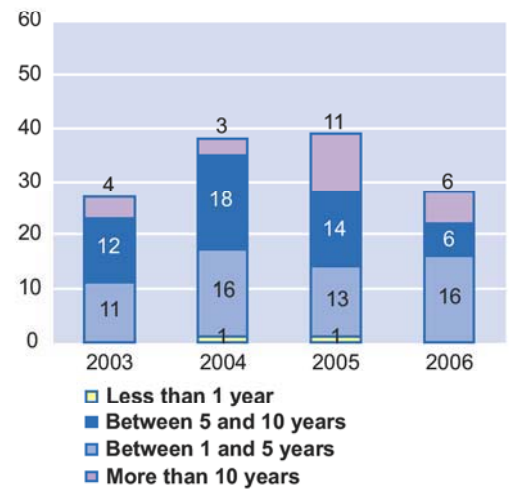
Source: National Coordinator on Human Trafficking, Police

Fig. 5: Persons convicted of trafficking in persons in Israel (2003-2006)



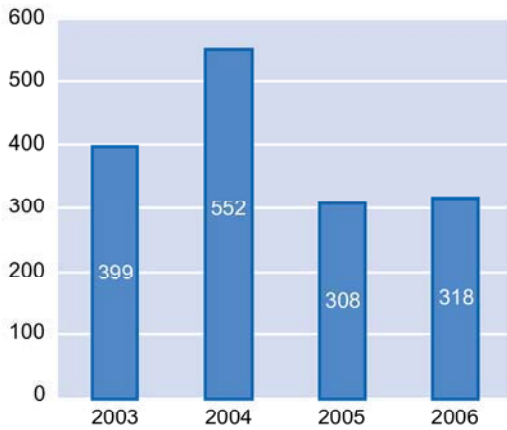
Source: National Coordinator on Human Trafficking, Police

Fig. 6: Sanctions for trafficking in persons in Israel (2003-2006)



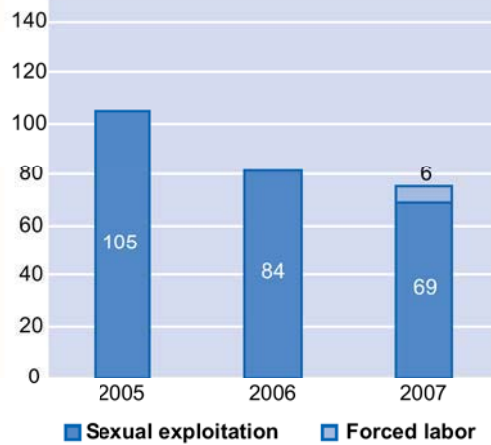
Source: National Coordinator on Human Trafficking, State Attorney's Office

Fig. 7: Trafficking-related cases investigated in Israel (2003-2006)



Source: National Coordinator on Human Trafficking, Police

Fig. 9: Victims of trafficking in persons sheltered in Israel, by type of exploitation (2005-2007)

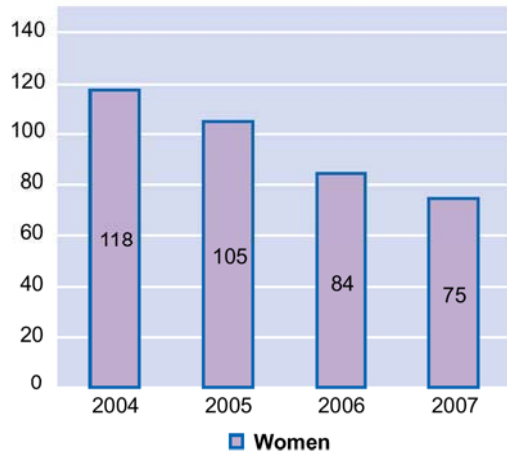


Source: Maagan Shelter

### Services provided to victims

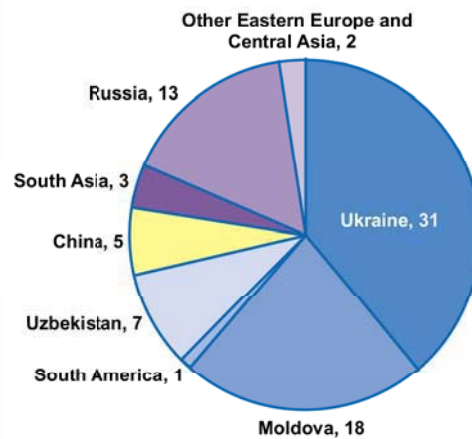
State authorities and local NGOs provide legal protection, temporary visas, medical and psychosocial support, housing and shelter, empowering programmes and job training for victims.

Fig. 8: Victims of trafficking in persons sheltered in Israel, by gender (2004-2007)



Source: Maagan Shelter

Fig. 10: Victims of trafficking in persons sheltered in Israel, by country of citizenship (2005-2006)



Source: Maagan Shelter

### Additional information

All offenders convicted in 2005 and 2006 were involved in trafficking for sexual exploitation. In 2007, five victims of trafficking for the purpose of organ removal were identified by police, and two offenders were convicted of the same charge. Also in 2007, six victims of trafficking for forced labour or slavery were sheltered. These victims were all adult women from Sri Lanka, China, Nepal and Ukraine.

## Morocco

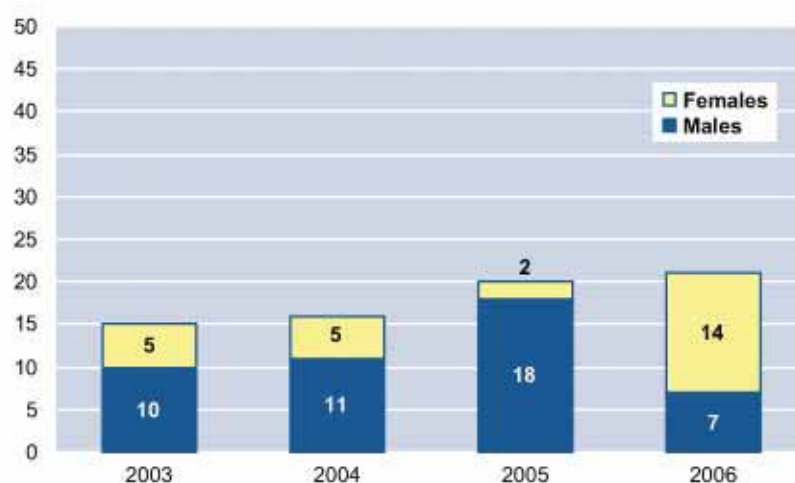
### Institutional framework

Trafficking in persons is criminalized in Morocco through Article 2-274 of the criminal code, but there is no clear definition of the crime. Sexual exploitation and forced labour are criminalized through other offences included in the criminal code. A national action plan was adopted in 2007.

### Criminal justice response

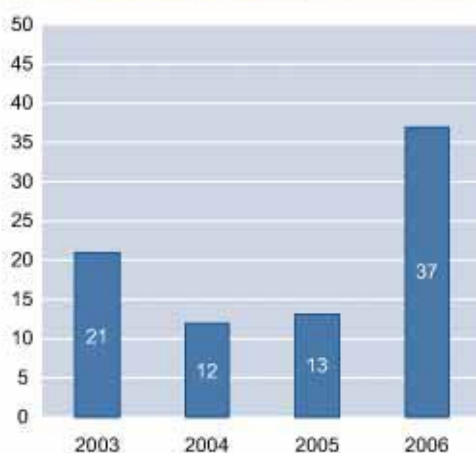
The Division to Combat Family and Public Norms-related Crimes and the Public Morals Group within the Judicial Police Department have jurisdiction over cases of trafficking in persons, sexual exploitation and forced labour.

Fig. 11: Persons suspected of trafficking in persons in Morocco, by gender (2003-2006)



Source: Division to Combat Family and Public Norms-related Crimes

Fig. 12: Victims of trafficking in persons identified by State authorities in Morocco (2003-2006)



Source: Judicial Police Department

### Services provided to victims

State authorities provide legal protections, temporary visas, medical and psychosocial support, and housing and shelter.

### Additional information

All identified victims were Moroccan. Just five victims a year were repatriated in 2005 and 2006, indicating that the rest were internally trafficked. These 10 victims were repatriated from the Middle East.



# Oman

## Institutional framework

The specific offence of trafficking in persons has been introduced in Oman in November 2008. According to competent authorities, the offences of exploiting prostitution or debauchery and sequestration have been used to criminalize some forms of trafficking in persons during the reporting period.

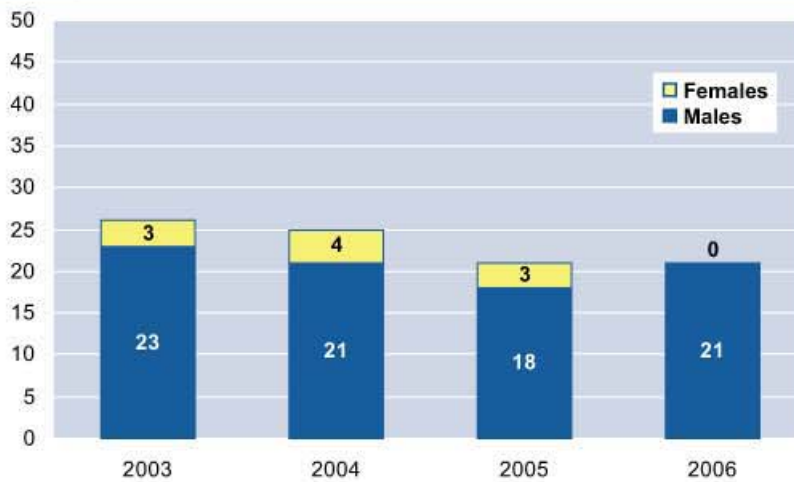
## Criminal justice response

Because of the absence of a specific provision on human trafficking, no prosecutions or convictions were recorded for trafficking in persons during the reporting period.

The statistics reported in the following charts refer to the offences of sequestration and sexual exploitation.

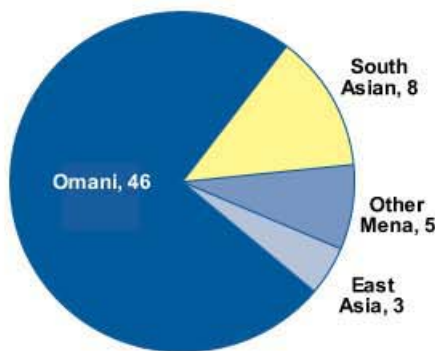


Fig. 13: Persons prosecuted for “sequestration” and “sexual exploitation” in Oman, by gender (2003-2006)



Source: Office of the Public Prosecutor of Oman

Fig. 14: Persons prosecuted for “sequestration and “sexual exploitation” in Oman, by citizenship (2005-2006)



Source: Office of the Public Prosecutor of Oman

## Services provided to victims

State authorities provide repatriation of victims.

## Qatar

### Institutional framework

The specific offence of trafficking in persons does not exist in the legislation of Qatar. According to the authorities, other offences in the criminal code are used to prosecute some forms of trafficking in persons. A law on combating human trafficking has been drafted and is being debated by relevant authorities. A national action plan was last updated in 2007.

### Criminal justice response

Because of the absence of a specific provision on human trafficking, no prosecutions or convictions were recorded for trafficking in persons during the reporting period.

About 25 men were arrested and 14 were convicted of trafficking in persons-related offences in the period 2005-2006. These offenders were mostly Qatari but some were from South Asia and other regions.

### Services provided to victims

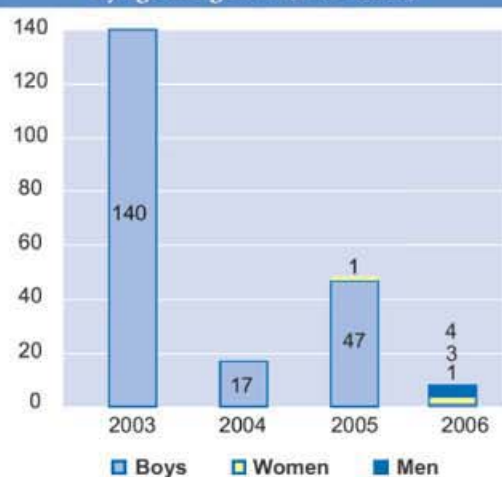
State authorities and local NGOs provide legal protection, medical and psychosocial support, housing and shelter, and temporary stay permits. Several entities are entitled to refer victims of human trafficking to institutions that offer protection. The Qatari House, established in 2005, has become the specialized institution to shelter and protect victims of human trafficking.

### Additional information

All the boys identified as victims of trafficking during the reporting period were Sudanese and exploited as camel jockeys. They are being rehabilitated in Sudan by the Qatar Charity Association in cooperation with the Sudanese Childhood Council.

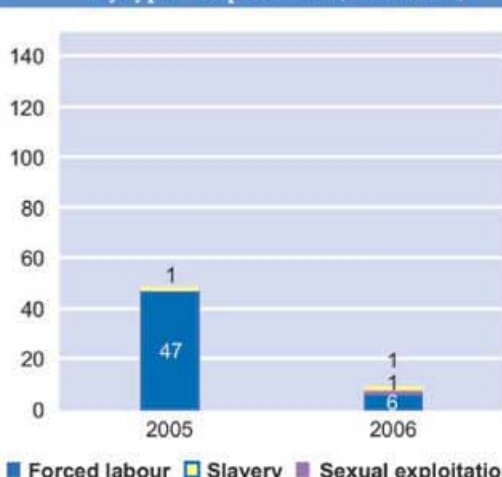
Five of the women and men identified as victims were Vietnamese and others were from other countries.

Fig. 15: Victims of trafficking in persons identified by State authorities in Qatar, by age and gender (2003-2006)



Source: National Office of Combating Trafficking in Humans

Fig. 16: Victims of trafficking in persons identified by State authorities in Qatar, by type of exploitation (2005-2006)



Source: National Office of Combating Trafficking in Humans

## Sudan

### Institutional framework

Sudan introduced the concept of trafficking in persons into the framework of its cyber crime legislation in 2007.

### Criminal justice response

A new department for combating human trafficking was established in 2007; it is part of the Cyber Crime Department, which is affiliated with the General Department of Criminal Intelligence and Investigation. The new department's responsibilities are to combat prostitution and sexual exploitation networks, to fight human trafficking and to halt the trafficking of body organs. Fifty officers are assigned to this department.

### Services provided to victims

State authorities provide legal protection, housing and shelter, and medical and psychosocial support.

### Additional information

The National Council for Child Care in cooperation with the Ministry of the Interior, the Ministry of Social Welfare for Women and Children and the Ministry of Foreign Affairs collects data on cases of Sudanese nationals trafficked outside of Sudan. Other formal procedures and legal support are carried out by relevant ministries, enhancing cooperation with international organizations and NGOs and providing them with the necessary support.

The National Council for Child Care also is working in cooperation with UNICEF to establish a central database of children who were trafficked to serve as camel jockeys. Data has been collected and work on the design of the system for the database is underway. Additionally, a study was conducted to analyze and survey the situation and needs of children participating in camel races who were deported back to Sudan from Gulf countries. This study was based on a sample of 629 Sudanese boys identified as victims of trafficking for use as camel jockeys.



## United Arab Emirates

### Institutional framework

The specific offence of trafficking in persons was established in the United Arab Emirates in 2006. A national action plan was adopted in 2006 and renewed in 2008.

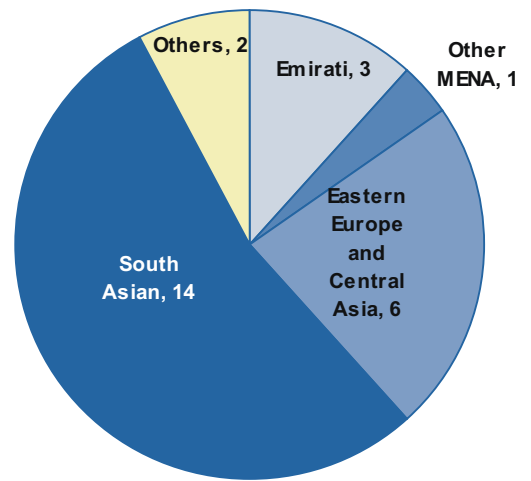
### Criminal justice response

A specialized division on combating human trafficking was established in 1995 as part of the Human Rights Care Department of the Dubai Police General Headquarters. Trafficking in persons also falls under the competence of the General Department for Criminal Security of the Ministry of the Interior and the Division on Combating Organized Crime of the Criminal Investigation Department, which was established in 2006. About 150 officers are assigned to trafficking in persons and related crimes.

In 2007, at least 10 human trafficking cases were registered, and four men and two women were arrested for trafficking in persons. There have been convictions in five cases, with those convicted receiving jail terms ranging from three to 10 years.

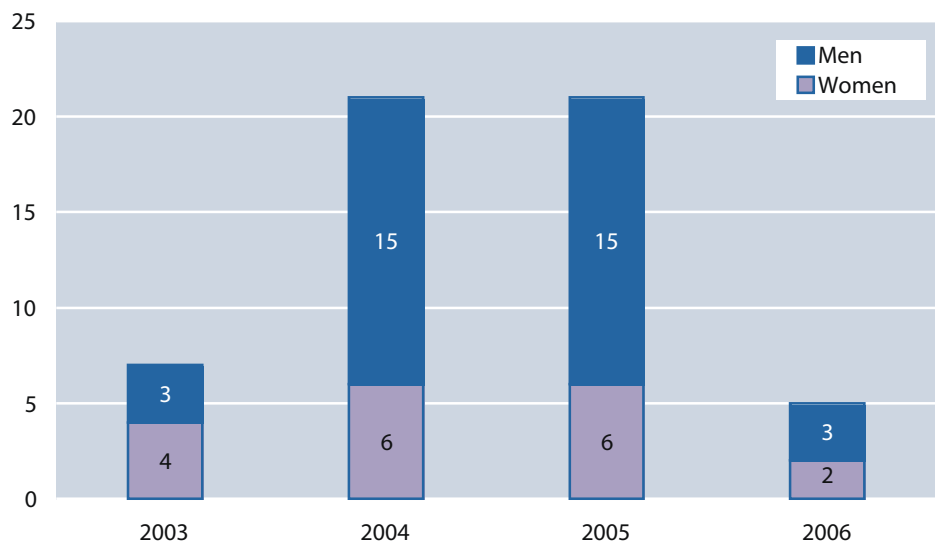
Other offences in the criminal code (sequestration, debauchery, exploitation of prostitution, slavery and others) were used to prosecute some forms of trafficking prior to 2006. The following statistics refer to these related offences.

Fig. 17: Persons convicted of trafficking in persons-related offences in the UAE, by citizenship (2005-2006)



Source: Office of the Public Prosecutor, Dubai

Fig. 18: Persons convicted of trafficking in persons-related offences in the UAE, by gender (2003-2006)

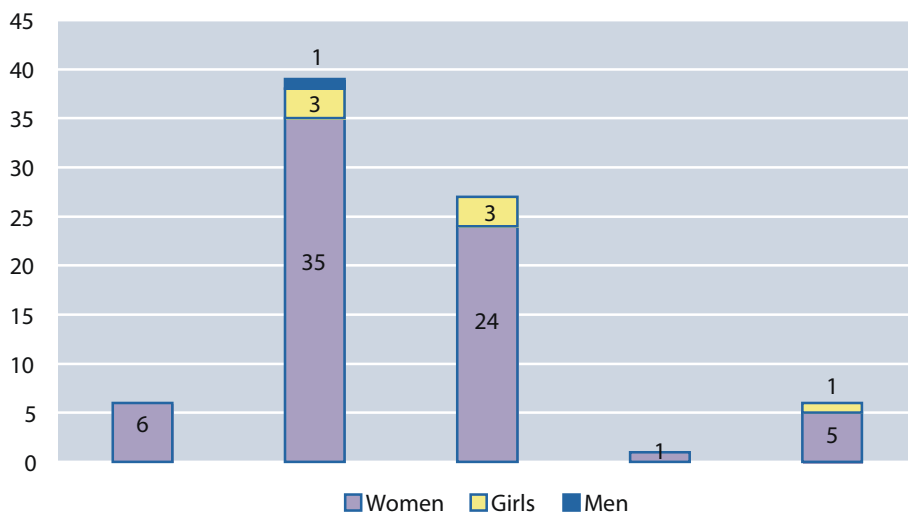


Source: Office of the Public Prosecutor, Dubai

### Services provided to victims

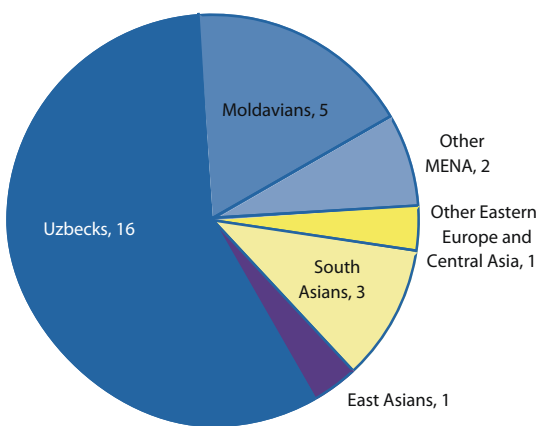
State authorities and local NGOs provide victims legal assistance, medical and psychosocial support, housing and shelter, and assistance for reintegration into the labour force.

**Fig. 19: Victims of trafficking in persons identified by State authorities in the UAE, by age and gender (2003-2007)**



Source: Office of the Public Prosecutor, Dubai and Ministry of the Interior

**Fig. 20: Victims of trafficking in persons identified in the UAE, by citizenship (2005-2006)**



Source: Office of the Public Prosecutor, Dubai and Ministry of the Interior

### Additional information

All of the victims identified in the years 2005 and 2006 were trafficked for sexual exploitation.

Three residential facilities were available in 2007 for victims of human trafficking, with a total capacity of more than 150 beds. Four women trafficked for sexual exploitation were sheltered in that year. These facilities have sheltered 21 victims – 20 women and one child – from 2007 through February 2008.

The UAE National Committee to Combat Trafficking in Persons was created in April 2007 as the coordinating body for anti-trafficking efforts at all levels in the seven emirates of the federation.



The following countries are covered in this section: Benin, Burkina Faso, Chad, Cote d'Ivoire, Gabon, Ghana, Guinea, Liberia, Mali, Mauritania, Niger, Nigeria, Senegal, Sierra Leone, Gambia and Togo.

Any missing information concerning the region was either unavailable or not accessed by UNODC.

## Benin

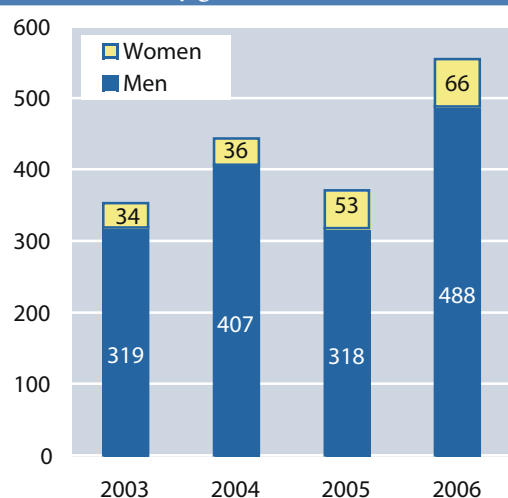
### Institutional framework

The specific offence of child trafficking was established in Benin in 2006. The law does not cover trafficking in persons above the age of 18. Prior to 2006, the law on the prohibition of taking children out of the country could have been used to prosecute some forms of trafficking in children. The law also includes the specific criminalization of "using children in armed conflicts".

### Criminal justice response

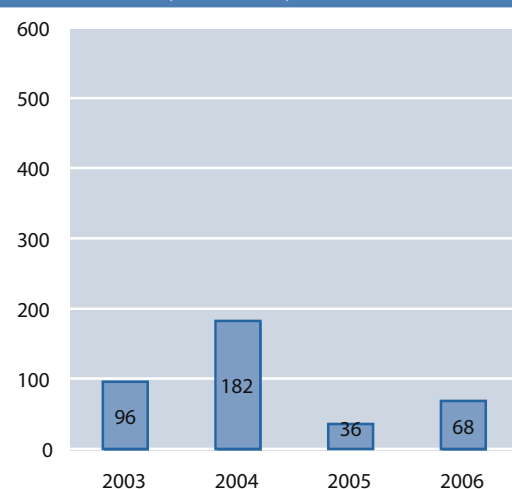
Benin has a specific law enforcement unit for the protection of minors, which also deals with trafficking in persons cases. The Brigade de Protection des Mineurs has been active since 1991. In 2004, the Brigade had about 10 officers devoted full time to the protection of minors.

Fig. 21: Persons investigated for trafficking in children and for related offences in Benin, by gender (2003-2006)



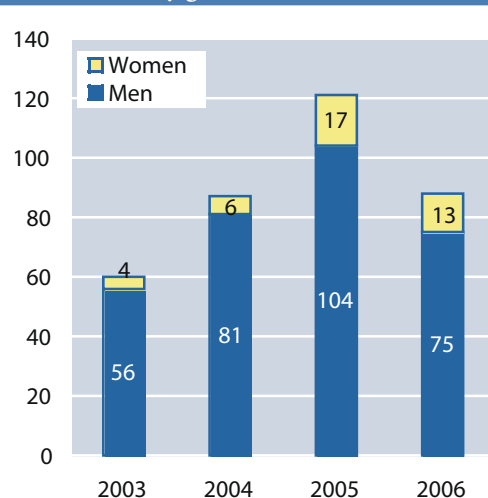
Source: Ministère de la Justice de la Législation Sociale et des Droits de l'homme

Fig. 22: Persons prosecuted for trafficking in children and for related offences in Benin (2003-2006)



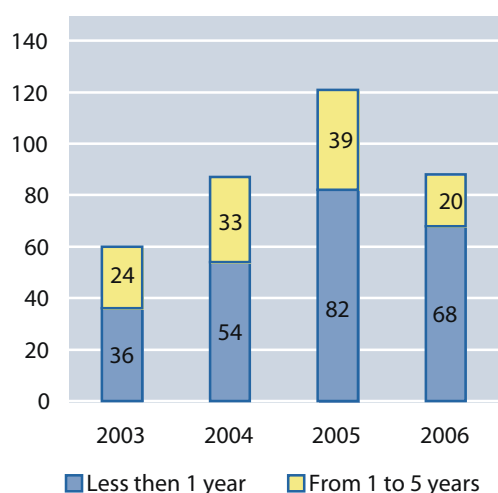
Source: Ministère de la Justice de la Législation Sociale et des Droits de l'homme

Fig. 23: Persons convicted of trafficking in children and for related offences in Benin, by gender (2003-2006)



Source: Ministère de la Justice de la Législation Sociale et des Droits de l'homme

Fig. 24: Sanctions for trafficking in children and for related offences (2003-2006)



Source: Ministère de la Justice de la Législation Sociale et des Droits de l'homme

## Services provided to victims

State authorities provide legal protection, temporary stay permits, medical and psychosocial support, and repatriation of victims to their origin countries. Local NGOs provide legal protection, medical and psychosocial support, housing and shelter, and victim repatriation.

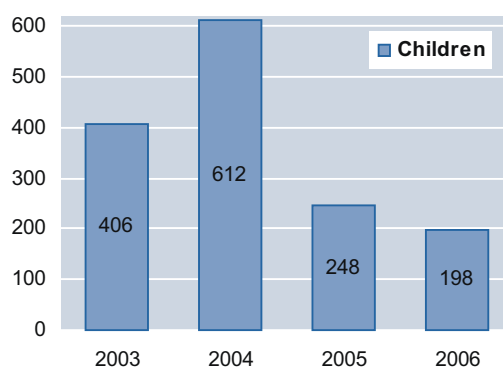
## Additional information

Those convicted in 2005 and 2006 of trafficking in persons were mainly nationals from Benin, but they also included offenders from Ghana, Liberia, Mali, Niger and Togo.

In addition to victims of trafficking in persons national authorities identified about 47 victims of sexual exploitation in 2005 and 123 in 2006. In 2005, 324 victims of forced labour were recorded and 431 were recorded in 2006.

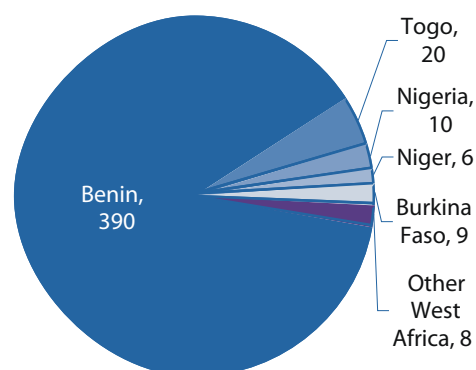
Benin has an official referral system or mechanism for victims of trafficking in persons and a central database where information concerning identified victims is registered. These services are operated by the Observatory for Family, Women and Child Protection.

Fig. 25: Victims of trafficking identified by State authorities in Benin, by age (2003-2006)



Source: Ministère de la Justice de la Législation Sociale et des Droits de l'homme

Fig. 26: Victims of trafficking identified by State authorities in Benin, by country of citizenship (2005-2006)



Source: Ministère de la Justice de la Législation Sociale et des Droits de l'homme

## Burkina Faso

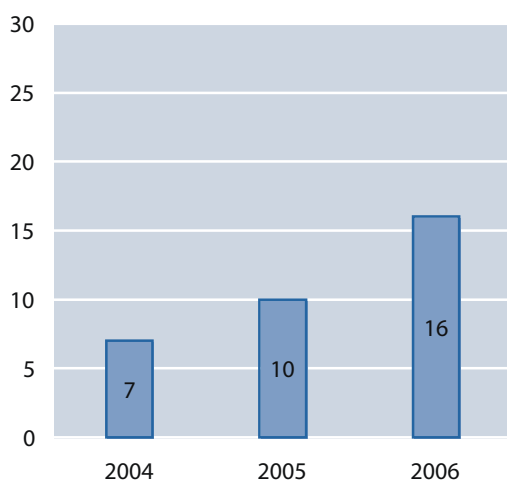
### Institutional framework

The specific offence of child trafficking was established in Burkina Faso in 2003. The law does not cover trafficking in persons above the age of 18. A law covering adult trafficking was drafted in 2007, and a national action plan on child protection was adopted in 2005.

### Criminal justice response

In 2008, the Brigade de Mineurs had about 180 officers dedicated full time to the protection of minors.

Fig. 27: Persons convicted of trafficking in children in Burkina Faso (2004-2006)

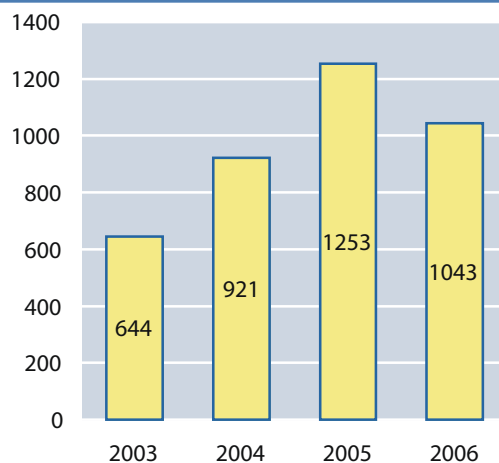


Source: Child Protection Department of the Ministry of Social Affairs and National Solidarity

### Services provided to victims

State authorities provide legal protection, temporary stay permits, medical and psychosocial support, and housing and shelter for victims. Local NGOs and international organizations provide legal protection, medical and psychosocial support, housing and shelter, and repatriation of victims.

Fig. 28: Victims of trafficking in children identified by State authorities in Burkina Faso (2004-2006)



Source: Child Protection Department of the Ministry of Social Affairs and National Solidarity

### Additional information

Those convicted of trafficking in persons in 2005 and 2006 were mainly nationals of Burkina Faso. All the convicted offenders were punished with administrative sanctions.

All of the identified victims were children. Victims receiving shelter were most frequently returned from neighbouring countries, as well as from Europe and North Africa. According to authorities, about 10% of the victims were exploited for prostitution; 40% for forced begging; and 50% for the worst forms of child labour.



## Chad

### Institutional framework

The specific offence of trafficking in persons does not exist in the legislation of Chad. A law on child trafficking was drafted in 2007 and is pending consideration by the competent authorities. A national action plan was adopted in 2006.

### Criminal justice response

Because of the absence of a specific provision on human trafficking, no prosecutions or convictions were recorded for trafficking in persons during the reporting period. Laws criminalizing related forms of trafficking are used to prosecute some types of cases, including illegal adoption, economic exploitation, forced services and abduction (kidnapping and rape).

About 40 prosecutions and 10 convictions were reported in Chad for offences related to trafficking in persons. In addition, about 1,200 convictions for sexual exploitation, 96 for forced labour and 92 for servitude were recorded in Chad in 2007 alone.

### Services provided to victims

State authorities provide legal protection, temporary stay permits, medical and psychosocial support, and housing and shelter for victims. Local NGOs and international organizations provide medical and psychosocial support and housing and shelter.

National authorities in Chad identified about 500 children in 2006 and 113 children (88 boys and 25 girls) in 2007 as victims of trafficking or related crimes.

### Additional information

In addition to the victims of trafficking in persons, more than 3,400 victims of sexual exploitation; about 6,000 victims of forced labour; and more than 7,000 victims of servitude were identified by State authorities in 2007. Many cases of organs removal for mystic practices were also recorded.



## Cote d'Ivoire

### Institutional framework

The specific offence of trafficking in persons does not exist in the legislation of Cote d'Ivoire, but laws criminalizing related forms are used to prosecute some types of trafficking. A specific law criminalizing all forms of trafficking was pending with the competent authorities in 2007. A national action plan on child trafficking and child labour was adopted in 2007.

### Criminal justice response

Because of the absence of a specific provision on human trafficking, no prosecutions or convictions were recorded for trafficking in persons during the reporting period.

About 29 men were investigated for forced labour between 2005 and 2007, with two prosecutions recorded in 2005 and 15 in 2006, resulting in two convictions in 2006.

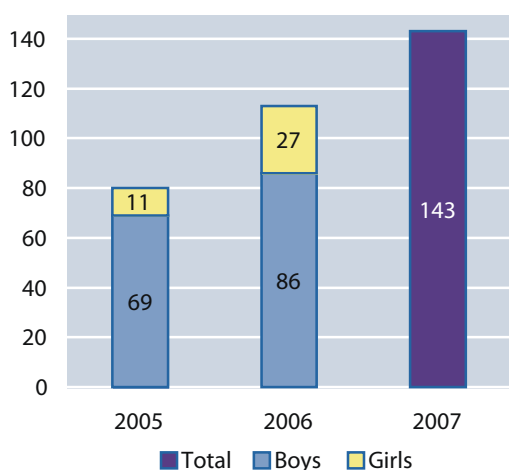
### Services provided to victims

State authorities provide legal protection, temporary stay permits, medical and psychosocial support, and housing and shelter for victims. Local NGOs and international organizations provide medical and psychosocial support and housing and shelter.

### Additional information

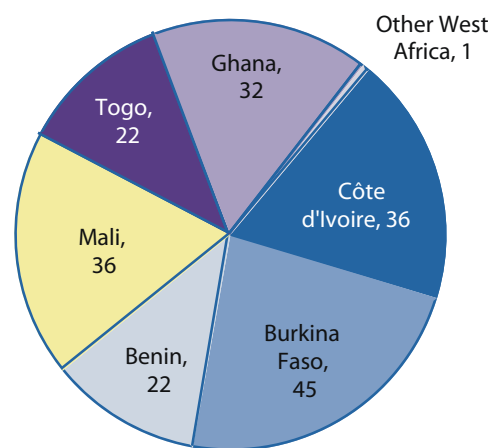
All identified victims were exploited for forced labour with the exception of three in 2005 who were trafficked for sexual exploitation.

Fig. 29: Victims of trafficking in persons identified by State authorities in Cote d'Ivoire, by gender (2005-2007)



Source: Social Protection Department, Cote d'Ivoire

Fig. 30: Victims identified by State authorities in Cote d'Ivoire, by country of citizenship (2005-2006)



Source: Social Protection Department, Cote d'Ivoire

## Gabon

### Institutional framework

The specific offence of child trafficking was established in Gabon in 2004. The law does not cover trafficking in persons above the age of 18. Other provisions of the penal code criminalize sexual exploitation and forced labour.

### Criminal justice response

In 2006, 20 men were investigated for child trafficking, and 11 were prosecuted. Information on previous years as well as information related to convictions was unavailable.

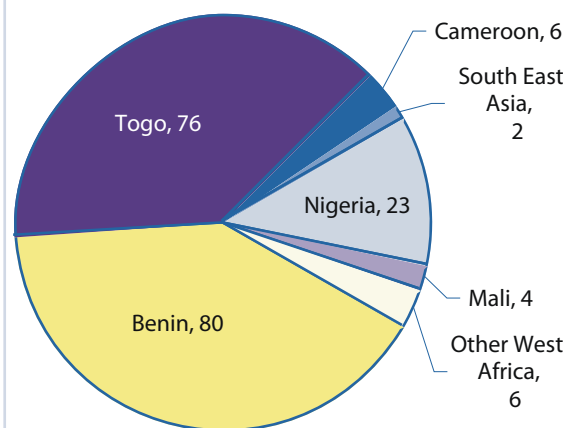
### Services provided to victims

State authorities provide legal protection, temporary stay permits, medical and psychosocial support, and housing and shelter for victims. Local NGOs provide housing and shelter and repatriation services.

During 2004-2005, the Centre Arcade in Gabon sheltered 197 victims of trafficking and related crimes. These victims included 137 children (22 boys and 115 girls) and 60 adults (one man and 59 women), all of whom were victims of forms of forced labour, such as domestic servitude and street selling. About 84 of these victims were repatriated to their own countries in 2005.



Fig. 31: Victims of trafficking in persons sheltered by the NGO Centre Arcade in Gabon, by country of citizenship (2004-2005)



Source: Centre Arcade

## The Gambia

### Institutional framework

The specific offence of trafficking in persons was established in Gambia in 2007. A national action plan on trafficking in persons was adopted in 2007.

### Criminal justice response

The 2007 Trafficking in Persons Act included the establishment of a national agency against trafficking in persons, however, it had yet to be put in place as of 2008. A special enforcement section under the Department of Immigration and Child Protection Unit also deals with some forms of trafficking in persons.

No prosecutions or convictions for trafficking in persons were recorded during the reporting period.

### Services provided to victims

State authorities provide legal protection, temporary stay permits, medical and psychosocial support, and housing and shelter for victims. Local NGOs provide medical and psychosocial support and housing and shelter.



## Ghana

### Institutional framework

The specific offence of trafficking in persons was established in Ghana in 2005.

### Criminal justice response

The Domestic Violence and Sexual Offences Unit of the Ghana Police Service is mandated to investigate trafficking in persons in addition to domestic violence offences.

The first two offenders were prosecuted for trafficking in persons in 2006, with the first conviction in 2007. In 2008 through May, five more persons were prosecuted.

### Services provided to victims

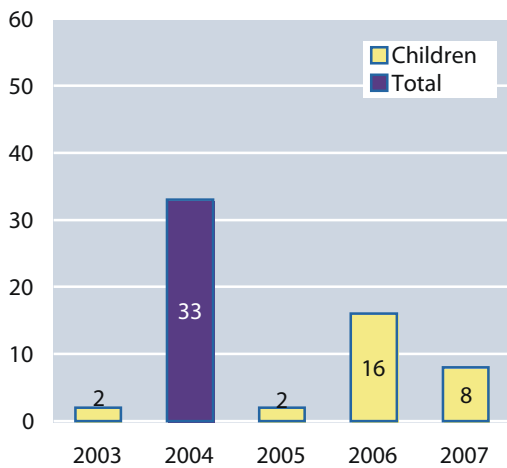
State authorities provide legal protection, temporary stay permits, medical and psychosocial support, housing and shelter, vocational training and microfinance opportunities for victims. Local NGOs and international organizations provide legal protection, medical and psychosocial support, and housing and shelter.

### Additional information

Fifteen of the 20 Ghanaian victims identified between 2005 and 2007 were repatriated from other countries in West Africa and Europe, and the remaining five were trafficked internally.

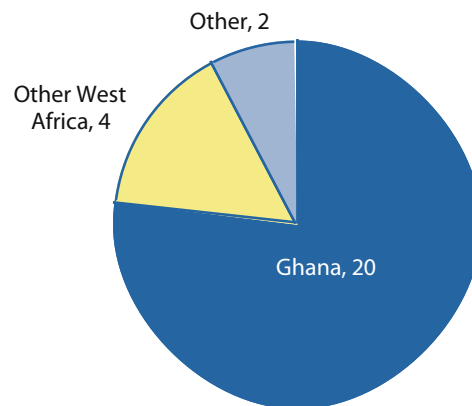


Fig. 32: Victims of trafficking in persons identified by State authorities in Ghana, (2003-2007)



Source: Ghana Human Trafficking Management Board

Fig. 33: Victims of trafficking in persons identified in Ghana, by country of citizenship (2005-2007)



Source: Ghana Human Trafficking Management Board

## Guinea

### Institutional framework

The specific offence of trafficking in persons does not exist in the legislation of Guinea. Some forms of trafficking in persons may be prosecuted through the offences of “pawn of human beings” and “servitude”, which have existed in the criminal code since 1998. A national action plan on trafficking in persons was adopted in 2005.

### Criminal justice response

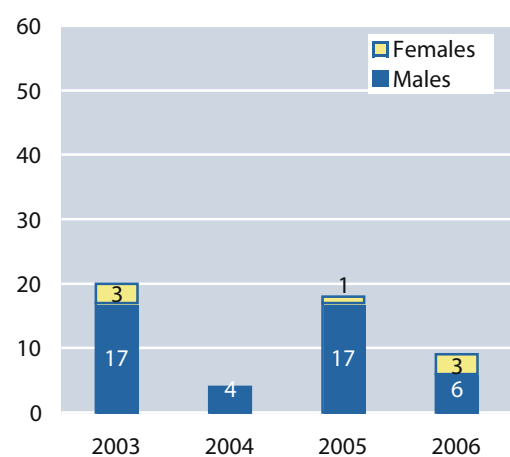
Guinea’s law enforcement has a specialized child protection unit that addresses child trafficking. Due to the absence of a specific provision on human trafficking, no prosecutions or convictions were recorded in Guinea.

The following data refer to the offences of “pawn of human beings” (Article 338 of the penal code) and “servitude” (Article 337 of the penal code).

### Services provided to victims

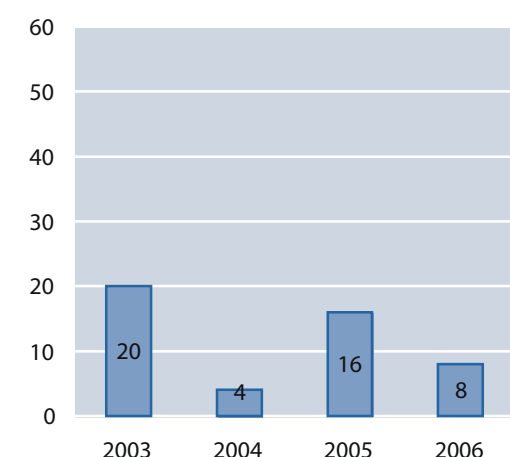
State authorities provide legal protection, temporary stay permits, medical and psychosocial support, and housing and shelter for victims. Local NGOs and international organizations provide legal protection, temporary stay permits, medical and psychosocial support, and housing and shelter.

Fig. 34: Persons investigated for “pawn of human beings” and “servitude” in Guinea, by gender (2003-2006)



Source: Ministry of Social Affairs, Woman Promotion and Childhood

Fig. 35: Persons arrested for “pawn of human beings” and “servitude” in Guinea (2003-2006)



Source: Ministry of Social Affairs, Woman Promotion and Childhood



# Liberia

## Institutional framework

The specific offence of trafficking in persons was established in Liberia in 2005. A national action plan was adopted in 2006.

## Criminal justice response

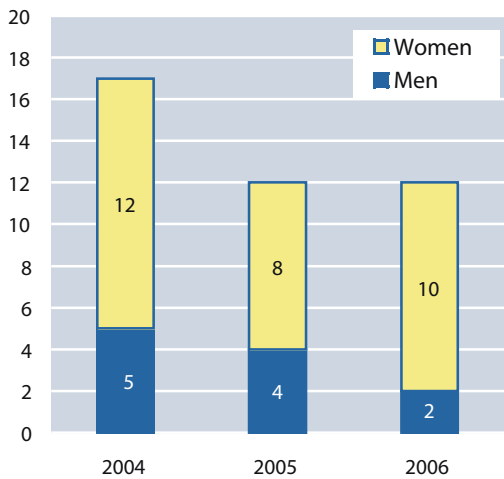
The Women and Children Protection Section was established in 2005 as part of the Liberian National Police. The section is responsible for the protection of women and children and has responsibility for investigating cases of trafficking in persons as well as sexual assault, sexual exploitation, domestic violence, child abuse and other related offences.

No convictions were recorded during the period considered by this report.

## Additional information

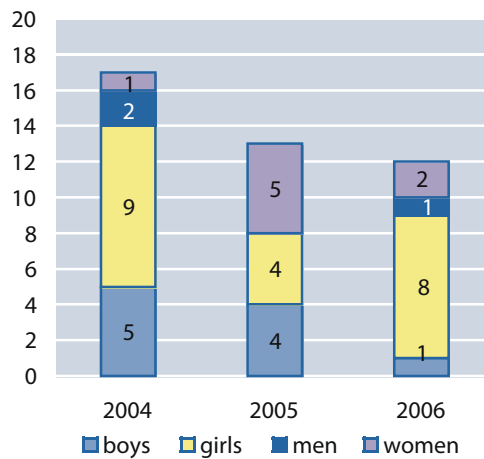
The Faith Consortium of Liberia receives trafficked children, collects related data and transfers the children to a shelter run by the Women and Children Protection Unit. All the victims reported above were Liberians, with the exception of two victims from North Africa and two from other countries in West Africa.

**Fig. 36: Persons investigated for trafficking in persons in Liberia, by gender (2004-2006)**



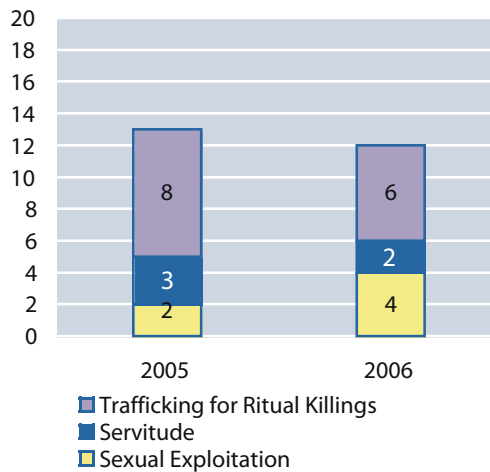
Source: Anti-trafficking in Persons Secretariat, Liberia

**Fig. 37: Victims of trafficking identified by State authorities in Liberia, by age and gender (2004-2006)**



Source: Anti-trafficking in Persons Secretariat, Liberia

**Fig. 38: Victims of trafficking identified by State authorities in Liberia, by exploitation (2005-2006)**



Source: Anti-trafficking in Persons Secretariat, Liberia

## Services provided to victims

State authorities provide legal protection, temporary stay permits, medical and psychosocial support, and housing and shelter for victims. Local NGOs provide legal protection, and international organizations provide housing and shelter.

# Mali

## Institutional framework

The specific offence of child trafficking was established in Mali in 2001. The law does not cover trafficking in persons above the age of 18. Other provisions criminalize the sexual exploitation and the forced labour of adults. A national action plan on child trafficking was adopted in 2002.

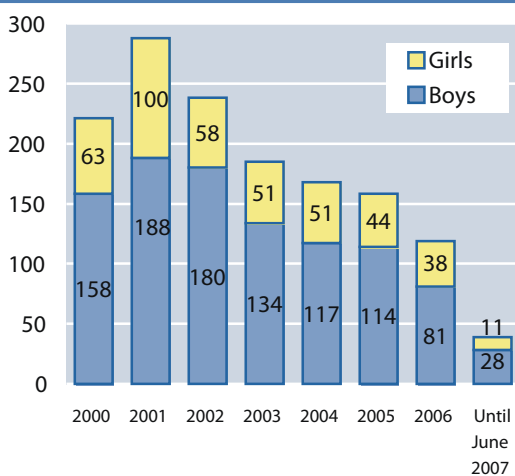
## Criminal justice response

Eight persons – seven men and one woman – were investigated for child trafficking in Mali between 2003 and 2006 (four in 2004, three in 2005 and one in 2006). Three persons were prosecuted during this same period, all of them in 2005, but no convictions were recorded prior to 2006.

## Services provided to victims

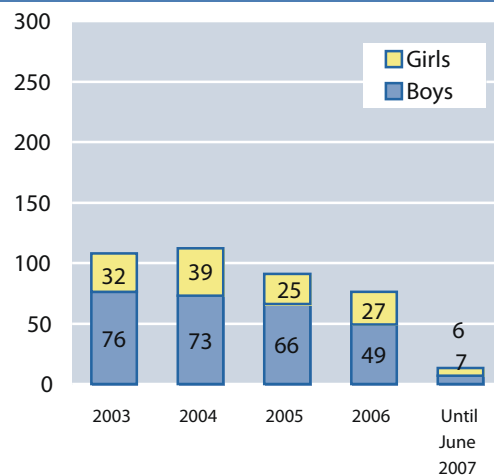
State authorities provide legal protection, temporary stay permits, medical and psychosocial support, and housing and shelter for victims. Local NGOs and international organizations provide medical and psychosocial support and housing and shelter.

**Fig. 39: Victims of trafficking identified by State authorities in Mali, by gender (2000-June 2007)**



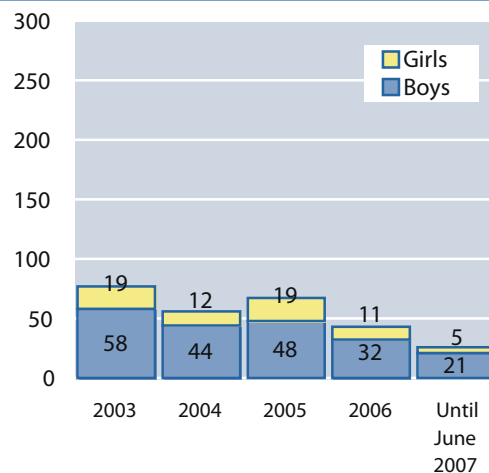
Source: Direction Nationale de la Promotion de l'Enfant et de la Famille

**Fig. 40: Internally trafficked victims identified by State authorities in Mali, by gender (2000-June 2007)**



Source: Direction Nationale de la Promotion de l'Enfant et de la Famille

**Fig. 41: Victims trafficked abroad identified by State authorities in Mali, by gender (2000-June 2007)**



Source: Direction Nationale de la Promotion de l'Enfant et de la Famille

## Additional information

All the victims identified during the reporting period were Malian; some were repatriated, while others were victims of internal trafficking. Victims were mainly repatriated from other countries in West and Central Africa.



## Mauritania

### Institutional framework

The specific offence of trafficking in persons was established in Mauritania in 2003, and new provisions were adopted in the penal code in 2007 criminalizing slavery. A national action plan on child trafficking was adopted in 2005.

### Criminal justice response

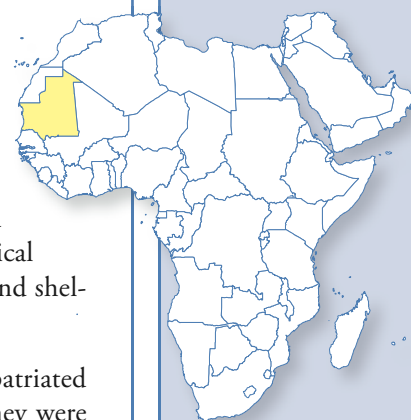
A special Child Police Brigade targeting child forced labour and child prostitution was established in 2006.

Two men were investigated for trafficking in persons between 2003 and 2006. No prosecutions and no convictions were recorded prior to 2006.

### Services provided to victims

State authorities provide legal protection, temporary stay permits, medical and psychosocial support, and housing and shelter for victims. Local NGOs and international organizations provide medical and psychosocial support and housing and shelter.

Twenty-one Mauritanian boys were repatriated from the Middle East in 2006 where they were exploited as camel jockeys. No other information was available concerning victims.



## Niger

### Institutional framework

The specific offence of trafficking in persons does not exist in the legislation of Niger, although some forms of trafficking may be prosecuted through other offences, such as “forced begging” and “panhandling”. In 2007, draft legislation was under consideration by the competent authorities.

### Criminal justice response

Because of the absence of a specific provision on human trafficking, no prosecutions or convictions were recorded during the reporting period. Episodes of trafficking, however, might have been investigated and prosecuted under other offences, with about 150 persons suspected under these related offences since 2003. One conviction was recorded for sexual exploitation in 2006.

### Services provided to victims

State authorities provide legal protection, temporary stay permits, and medical and psychosocial support for victims of trafficking. Local NGOs and international organizations provide legal protection, medical and psychosocial support, and housing and shelter.



## Nigeria

### Institutional framework

The specific offence of trafficking in persons was established in Nigeria in 2003. A national action plan on trafficking in persons was adopted in 2006.

### Criminal justice response

Nigeria has three different specialized police units dealing with trafficking in persons. The first is the National Agency for the Prohibition

of Trafficking in Persons (NAPTIP). NAPTIP is responsible for investigation, enforcement cooperation and coordination, and the legal department of the agency has skills in the prosecution of human trafficking cases. The police force also has a specialized unit to combat trafficking in persons that coordinates its efforts with NAPTIP. The special immigration unit to combat trafficking in persons concentrates most of its work on interception of victims and traffickers at border and exit points. About 100 officers were dedicated full time to combating trafficking in persons in 2007.

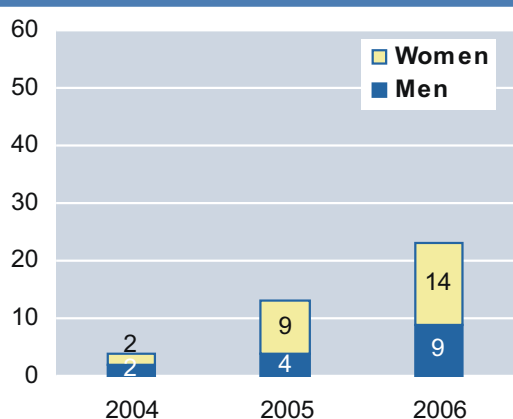
All persons convicted traffickers were Nigerians.

### Services provided to victims

State authorities provide legal protection, temporary stay permits, medical and psychosocial support, housing and shelter, vocational skills training, schooling, job placement and small business start-up support for victims. Local NGOs and international organizations provide housing and shelter.

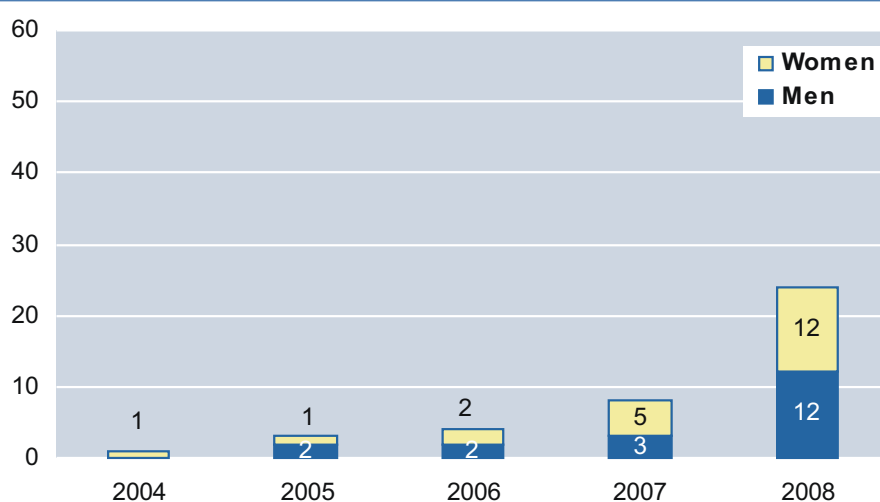


Fig. 42: Persons prosecuted for trafficking in persons in Nigeria, by gender (2004-2006)



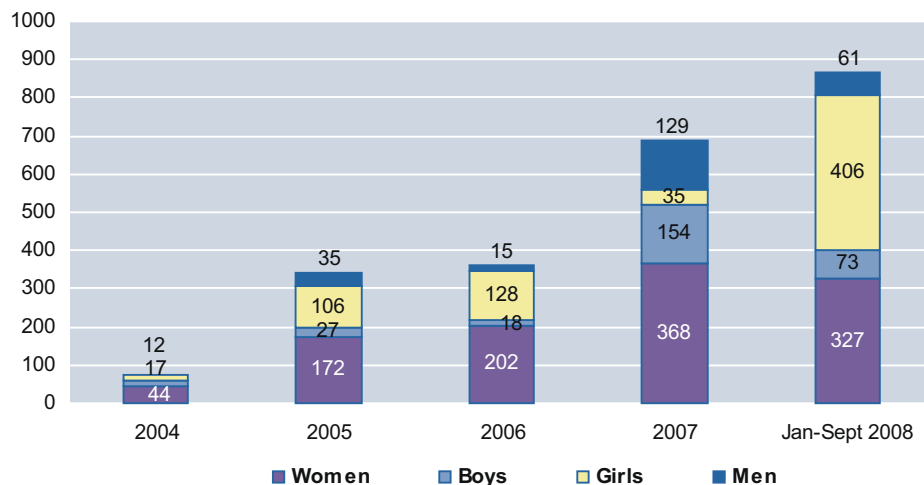
Source: Legal and Prosecution Department, NAPTIP

Fig. 43: Persons convicted for trafficking in persons in Nigeria, by gender (2004-2008)



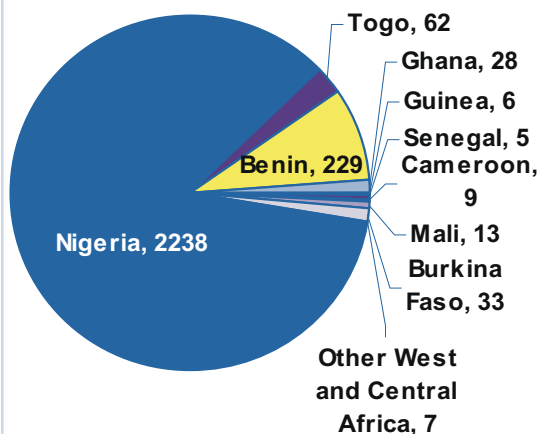
Source: NAPTIP

**Fig. 44: Victims of trafficking identified by State authorities in Nigeria, by age and gender (2004-September 2008)**



Source: NAPTIP

**Fig. 45: Victims of trafficking identified by State authorities in Nigeria, by country of citizenship (2005- September 2008)**

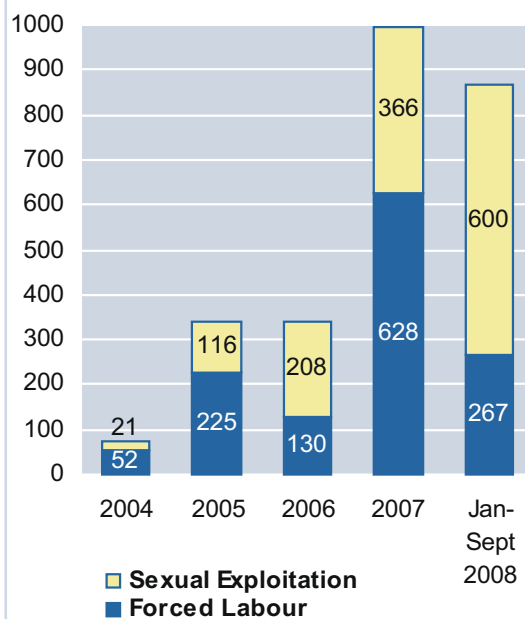


Source: NAPTIP

### Additional information

NAPTIP has a rehabilitation and reintegration department that coordinates all organizations and agencies with respect to support and services for victims. It does this through its headquarters and six zonal offices, each of which has a shelter available to care for victims. NAPTIP supervises other institutions and organizations providing services to victims within its area of jurisdiction. A central database is situated in the NAPTIP Monitoring Centre that stores information on victims and traffickers.

**Fig. 46: Victims of trafficking identified by State authorities in Nigeria, by type of exploitation (2004-September 2008)**



Source: NAPTIP

The chart concerning the type of exploitation presents figures that add up to values that are greater than those concerning the profile of the victims. This is due to the fact that one victim suffering mixed forms of exploitation is counted multiple times in the statistics based on the type of exploitation.

## Senegal

### Institutional framework

The specific offence of trafficking in persons was established in Senegal in 2005. A national action plan on trafficking in persons was adopted in 2004.

### Criminal justice response

Senegalese law enforcement includes two police units that address trafficking in persons. The first unit targets sexual exploitation and the second focuses on illegal migration.

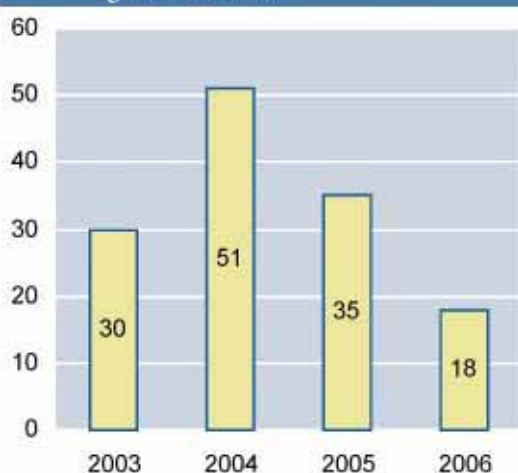
All persons investigated on suspicion of trafficking in 2005 and 2006 were Senegalese with the exception of three citizens from other West African countries.

### Services provided to victims

State authorities provide legal protection, temporary stay permits, and medical and psychosocial support for victims. Local NGOs and international organizations offer legal protection, temporary stay permits, medical and psychosocial support, and housing and shelter. Two residential facilities are available for victims.

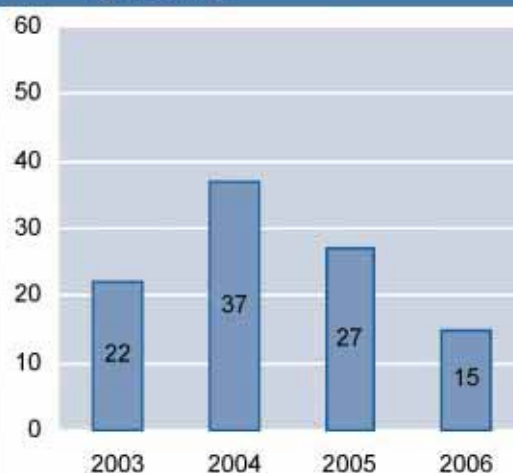


Fig. 47: Persons investigated for trafficking in persons and for related offences in Senegal (2003-2006)



Source: Ministry of Justice, Criminal Affairs and Graoes Department

Fig. 48: Persons arrested for trafficking in persons and for related offences in Senegal (2003-2006)



Source: Ministry of Justice, Criminal Affairs and Graoes Department

## Sierra Leone

### Institutional framework

The specific offence of trafficking in persons was established in Sierra Leone in 2005. A national action plan on trafficking in persons was adopted in 2006.

### Criminal justice response

The Family Support Unit of the Sierra Leone Police along with the Criminal Investigation Division were established in 2005 and have jurisdictional responsibility for trafficking in persons cases.

In 2007, the Sierra Leone Anti-trafficking Task Force reported that nine cases were investigated; three were taken to court; and one was withdrawn or resolved in 2007. No convictions were recorded during the reporting period.

### Services provided to victims

State authorities, in cooperation with IOM, provide housing and shelter for victims. International organizations offer legal protection, medical and psychosocial support, housing and shelter, and vocational training for victims. A residential facility for victims is administrated by IOM.

Information concerning victims sheltered prior to 2007 is unavailable, and the data for 2007 only relates to victims of trafficking in persons assisted between March and November of that year. During this period, 37 minors and eight adults (31 females and 14 males) were assisted by IOM. The data indicates that the most prevalent forms of exploitation were domestic servitude (14 victims) and sexual exploitation (21 victims), with the remaining victims (10) suffering other types of trafficking.

The Ministry of Social Welfare reports the repatriation of six victims trafficked into Sierra Leone back to their countries of origin in other parts of West Africa in 2007.



## Togo

### Institutional framework

The specific offence of child trafficking was established in Togo in 2005, but the law does not cover trafficking in persons for those above the age of 18. Other provisions of the penal code criminalize sexual exploitation, forced labour, child begging and the use of children as soldiers. A national action plan on child trafficking was adopted in 2007.

### Criminal justice response

The Brigade de Protection des Mineurs is responsible for cases of child trafficking.

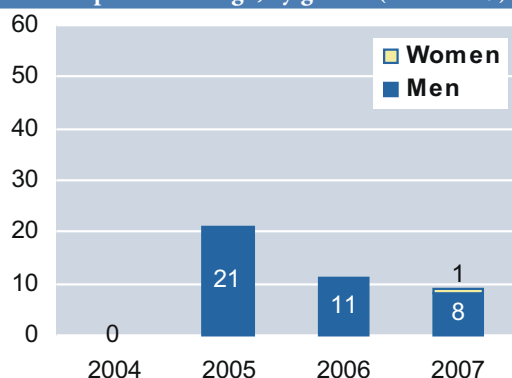
In 2007, six men were convicted of trafficking in persons; one for trafficking for the purpose of sexual exploitation and five for trafficking for the purpose of servitude. The six convicted received a sentence of less than one year in prison. Information concerning previous years was unavailable.

### Services provided to victims

State authorities provide legal protection, temporary stay permits, medical and psychosocial support, and housing and shelter for victims. Local NGOs and international organizations provide medical and psychosocial support and housing and shelter. Two residential facilities administered by NGOs are available for victims.

According to the Ministry of Employment, there were 1,758 victims of trafficking in Togo in 2003 and 1,301 in 2004. Most of the victims were children.

Fig. 49: Persons investigated for trafficking in persons in Togo, by gender (2004-2007)



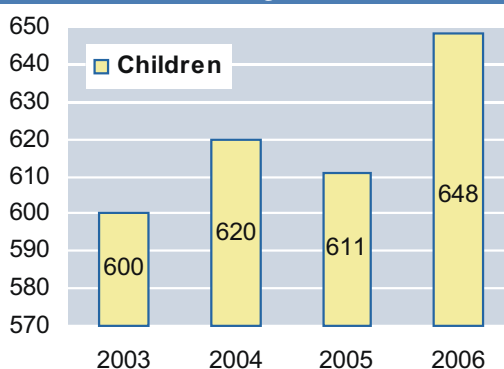
Source: Direction Générale de la Police Judiciaire, Tribunaux du Togo

### Additional information

The citizenship of many of the victims sheltered in 2005 and 2006 remains unknown, but the above chart represents citizenships when the information is available. Seventy-five per cent of victims sheltered by one of the NGOs were girls, and girls accounted for almost all of the victims sheltered by the second NGO. Many Togolese victims sheltered were repatriated from other countries and many were trafficked internally. It is not possible to have an exact measure of internal trafficking or of the countries to which the victims were trafficked.

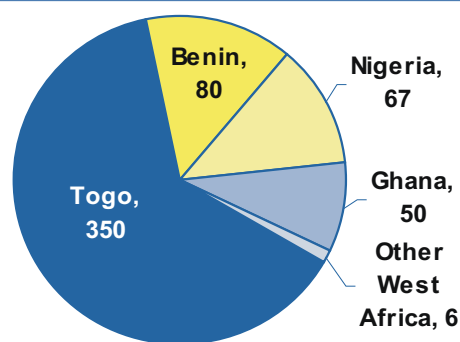


Fig. 50: Victims of child trafficking sheltered by two NGOs in Togo (2003-2006)



Sources: Esperance Centre (WAO-Afrique) and OASIS (Terre des Hommes)

Fig. 51: Victims of child trafficking sheltered by two NGOs in Togo, by country of citizenship (2005-2006)



Sources: Esperance Centre (WAO-Afrique) and OASIS (Terre des Hommes)

*The following countries are covered in this section: Burundi, Djibouti, Eritrea, Ethiopia, Kenya, Mauritius, Rwanda, Tanzania and Uganda.*

*Any missing information concerning the region was either unavailable or not accessed by UNODC.*

## Burundi

### Institutional framework

The specific offence of trafficking in persons does not exist in the legislation of Burundi. However, an amendment to the existing 1981 Penal Code aimed at including human trafficking as an offence was under consideration by the competent authorities in 2008.

### Criminal justice response

A specific Anti-Human Trafficking Unit and a Child Protection Unit within the Criminal Investigation Department were established in 2005.

Because of the absence of a specific provision on human trafficking, no prosecutions or convictions were recorded for trafficking in persons during the reporting period.

### Services provided to victims

NGOs provide legal protection and housing and shelter for persons in need, including trafficking victims. Two residential facilities were available for victims in 2007.

### Additional information

Suspected cases of trafficking-related crimes, particularly child trafficking and forced marriage, were detected during the reporting period. These cases mainly involved nationals trafficked internally.





## Djibouti

### Institutional framework

The specific offence of trafficking in persons was established in Djibouti in 2007.

### Criminal justice response

Because the legislation was adopted only in 2007, there are no statistics on trafficking in persons available before 2008.

Three men were investigated and arrested for trafficking in persons between January and June 2008.

### Services provided to victims

NGOs provide medical services and housing and shelter for persons in need, including trafficking victims.



## Eritrea

### Institutional framework

The specific offence of trafficking in persons was established in Eritrea in 1957. It is framed in the penal code as “offences against morals and the family”. The 1957 legislation does not criminalize acts that facilitate the acquisition of human trafficking victims and their conveyance through transit locations to their destinations.

### Criminal justice response

No cases were investigated or prosecuted in Eritrea for trafficking in persons during the reporting period.

### Services provided to victims

State authorities provide legal protection, medical services, and housing and shelter for trafficking victims. There is no record of any trafficking victims sheltered by these service providers during the reporting period.

### Additional information

In Eritrea, shelter services for persons in need, including victims of trafficking, are all run by State authorities. These services include 22 group homes and other institutions run by the Ministry of Labour and Human Welfare that provide shelter for 450 orphans annually; a Canteen Centre in Senafe catering to 1,710 children living in camps; and a Juvenile Remand Home in Asmara serving children in conflict. The Juvenile Remand Home has the capacity to shelter 28 boys and 10 girls at any one time; it assisted 32 girls and 171 boys in 2007.



## Ethiopia

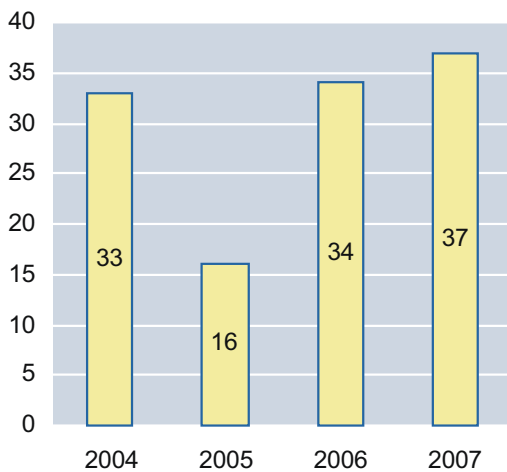
### Institutional framework

The specific offence of trafficking in persons was established in Ethiopia in 2004. A national action plan against trafficking in persons was also adopted.

### Criminal justice response

Eighteen offenders were prosecuted and convicted for trafficking in persons in 2007. Eight of them, all Ethiopian citizens, were sentenced to more than 10 years in prison, and the rest – all Somali citizens – were deported to Somalia. All of these were cases of trafficking in persons for the purpose of slavery.

Fig. 52: Persons investigated for trafficking in persons in Ethiopia (2004-2007)



Source: National Police of the Federal Democratic Republic of Ethiopia

### Services provided to victims

State authorities provide legal protection to victims. NGOs offer medical and psychosocial support and housing and shelter.

### Additional information

Four Ethiopian victims were identified by State authorities between 2003 and 2006. Three of these victims were trafficked for servitude and slavery and one for organ removal, and all were repatriated from the Middle East.

At the end of 2007, about 1,300 persons were sheltered for various reasons in Ethiopia, including as a result of trafficking. The exact number of trafficking victims receiving services is unknown.



## Kenya

### Institutional framework

The specific offence of trafficking in persons does not exist in the legislation of Kenya, but draft legislation was under consideration in the Assembly in May 2008. The offence of “child stealing” has been used to prosecute some forms of child trafficking. A draft trafficking in persons national plan of action was presented for approval to the competent authorities in 2007.

### Criminal justice response

An Anti-Human Trafficking Unit was created within the national police to combat trafficking in persons.

Because of the absence of a specific provision on human trafficking, no prosecutions or convictions were recorded for trafficking in persons during the reporting period. In 2007, three convictions were recorded for child stealing.

### Services provided to victims

State authorities and international organizations provide legal protection, medical and psychosocial support, and housing and shelter to victims.

Between January 2007 and April 2008, 32 victims of child stealing were recorded by Kenyan authorities, and one victim of sexual exploitation was identified in 2007. All victims were Kenyan, and all five were repatriated from Europe.

### Additional information

The Children’s Department has a screening and referral system that brings child victims into contact with institutions such as safe houses and government-run children’s homes.



## Mauritius

### Institutional framework

The specific offence of child trafficking was established in Mauritius in 2004, but the law does not cover trafficking in persons for those above 18 years of age. More comprehensive legislation was drafted and was under consideration by competent authorities in May 2008.

### Criminal justice response

The Police Family Protection Unit (PFPU) and Brigade pour la Protection des Mineurs (BPM) work in close collaboration with the Ministry of Women's Rights, Child Development and Family Welfare and the Ombudsperson for Children's Office in protecting victims of sexual abuse, prostitution and all other forms of exploitation involving child victims.

In 2007, three persons were arrested for child trafficking, and two persons were convicted of child labour.

Episodes of trafficking could be investigated and prosecuted under the following offences: "soliciting for immoral purposes", "brothel keeping", "prostitution" and "debauchery". About 100 cases have been investigated under these offences since 2003.

### Services provided to victims

State authorities and NGOs provide medical and psychosocial support and housing and shelter to victims. There is no information on the number of trafficking victims.

### Additional information

Thirty-three residential facilities are available for persons in need, including victims of trafficking. By the end of 2006, about 450 persons were sheltered in Mauritius for several reasons, including trafficking, but the exact number of trafficking victims taken care of is unknown.



## Rwanda

### Institutional framework

The specific offence of trafficking in persons was established in Rwanda in 2003.

### Criminal justice response

The Criminal Investigations Department (CID) of the Rwanda Police has a Transnational Organized Crime Unit that handles cases of human trafficking. This unit is composed of four officers and works in close cooperation with the INTERPOL National Central Bureau for Rwanda.

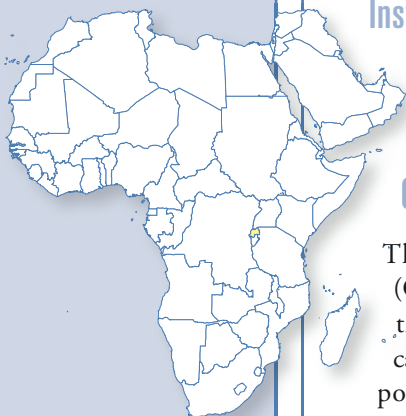
Two men were investigated and prosecuted for trafficking in persons in 2006, but prior to that year, no cases were detected. No convictions for trafficking in persons were recorded during the reporting period up through March 2007.

### Services provided to victims

State authorities provide legal protection to victims of trafficking. NGOs provide medical and psychosocial support and housing and shelter. There is no information on the number of trafficking victims.

### Additional information

Two Rwandan men were charged in 2006 with trafficking in persons for the purpose of forced marriage. These men were accused of taking girls under the age of 18 across the border to neighbouring Uganda.



# Uganda

## Institutional framework

The specific offence of trafficking in persons does not exist in the legislation of Uganda. Draft legislation prepared in 2007 was awaiting presentation to parliament in 2008. During the reporting period, the offences of “child stealing”, “child abduction” and “child kidnapping” were used to prosecute some forms of trafficking in children.

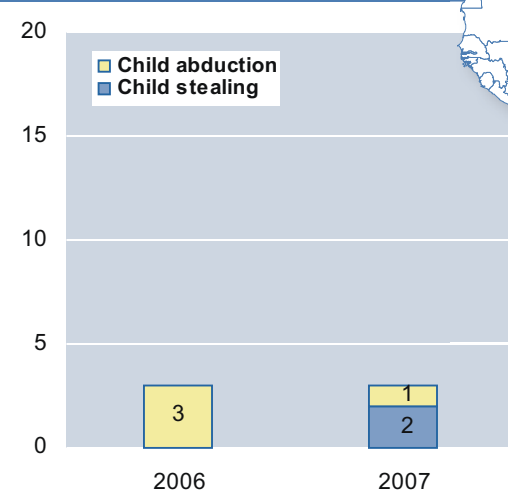
## Criminal justice response

The draft Trafficking in Persons Act contains clauses in Section 23 providing for the creation of a specialized law enforcement agency for the prohibition of trafficking in persons.

Because of the absence of a specific provision on human trafficking, no prosecutions or convictions were recorded for trafficking in persons during the reporting period.

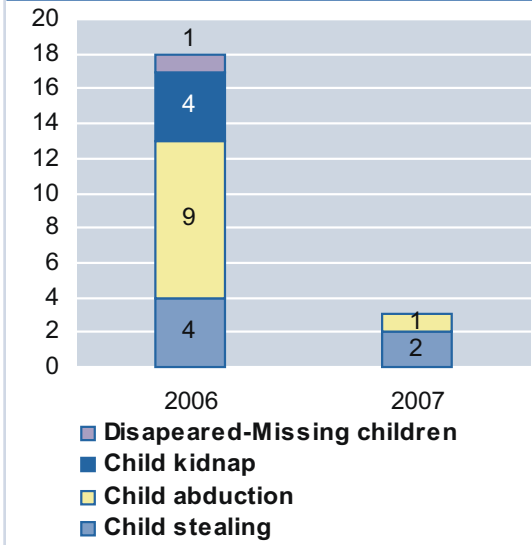


Fig. 54: Persons convicted of “child stealing” and other related offences in Uganda (2006-2007)



Source: Ugandan Police Annual Crime Report

Fig. 53: Cases prosecuted for “child stealing” and other related offences in Uganda (2006-2007)

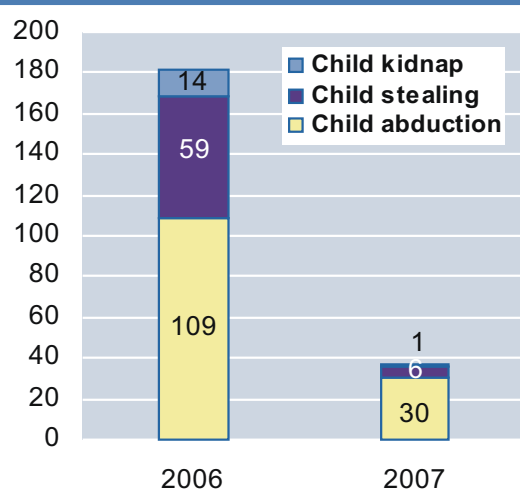


Source: Ugandan Police Annual Crime Report

## Services provided to victims

State authorities provide legal protection to persons in need, including victims of human trafficking. NGOs provide housing and shelter. Victims of child stealing and related offences were identified by the criminal justice system.

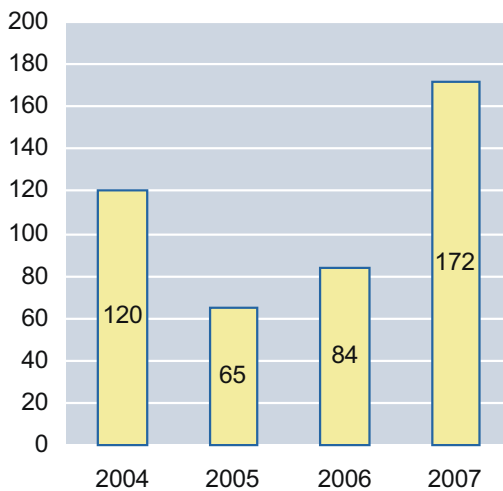
Fig. 55: Identified victims of “child stealing” and other related offences in Uganda (2006-2007)



Source: Ugandan Police Annual Crime Report

The following chart shows victims sheltered by the Women and Youth Services (WAYS), the Slum Aid Project (SAP) and persons assisted by IOM. They include only victims located in the city of Kampala and its urban environs.

Fig. 56: Victims of trafficking in persons and related offences in Kampala (2004-2007)



Sources: Women and Youth Services (WAYS) and the Slum Aid Project (SAP)

### Additional information

The majority of the victims sheltered by both the Women and Youth Services (WAYS) and the Slum Aid Project (SAP) were subject to commercial (and child) sexual exploitation. In addition, victims sheltered by WAYS also were victims of child domestic labour, and some were found to have run away from or were rescued from slave-like working conditions.

During 2006-2007, IOM-Uganda provided voluntary return and reintegration assistance to 115 Congolese victims of trafficking to the Democratic Republic Congo from Northern Uganda where they were stranded. Seventy-nine additional Congolese women and children awaited repatriation before the end of 2007. Four other trafficking victims were assisted by IOM in returning to Uganda from Europe.



## The United Republic of Tanzania

### Institutional framework

The specific offence of trafficking in persons was established in Tanzania in July 2008.

### Criminal justice response

Because of the absence of a specific provision on human trafficking, no prosecutions or convictions were recorded for trafficking in persons during the reporting period.

### Services provided to victims

State authorities, NGOs and international organizations provide legal protection, medical and psychosocial support, and housing and shelter to persons in need, including victims of trafficking.

### Additional information

By the end of 2007, about 250 persons were sheltered in Tanzania for several reasons, including trafficking. The exact number of trafficking victims taken care of is unknown.



*The following countries are covered in this section: Angola, Botswana, the Democratic Republic of the Congo, Lesotho, Malawi, Mozambique, Namibia, South Africa, Swaziland, Zambia and Zimbabwe.*

*Any missing information concerning the region was either unavailable or not accessed by UNODC.*

## Angola

### Institutional framework

Angola does not have a specific provision criminalizing human trafficking. The General Labour Law prohibits compulsory work and includes provisions on the prohibition of forced labour.

### Criminal justice response

The country has an inter-ministerial committee to combat child labour.

Because of the absence of a specific provision on human trafficking, no prosecutions or convictions were recorded for trafficking in persons during the reporting period.

### Services provided to victims

NGOs and international organizations provide legal protections, medical assistance, and housing and shelter for persons in need, including trafficking victims.

One victim trafficked for sexual exploitation was repatriated by IOM from South Africa in 2005.

### Additional information

According to the Southern African Police Chiefs Organization (SARPCCO), no cases of trafficking in persons were detected in Angola in the past few years.



## Botswana

### Institutional framework

Botswana does not have a specific provision criminalizing human trafficking. The Botswana Penal Code of 1964 prohibits abduction, kidnapping, slave trafficking and the buying of women and girls for commercial sex.

### Criminal justice response

Because of the absence of a specific provision on human trafficking, no prosecutions or convictions were recorded for trafficking in persons during the reporting period.

### Services provided to victims

There is no information on services provided to victims of trafficking.

### Additional information

There are two shelters for abused women and children, including trafficking victims.



## Democratic Republic of the Congo

### Institutional framework

The Democratic Republic of the Congo does not have a specific provision criminalizing human trafficking. The sexual violence statute prohibits child and forced prostitution, pimping and sexual exploitation. The new constitution forbids child soldiering.

### Criminal justice response

Because of the absence of a specific provision on human trafficking, no prosecutions or convictions were recorded for trafficking in persons during the reporting period.

Arrests and convictions related to trafficking in persons were recorded for “unlawful recruitment of child soldiers” and for war crimes and crimes against humanity in connection with the recruitment of child soldiers and sexual slavery. In the latter case, these episodes are under the jurisdiction of the International Criminal Court.

### Services provided to victims

NGOs and international organizations provide legal protection and medical assistance for trafficking victims. The Ministry of Social Affairs supports local NGO efforts to combat trafficking in persons.



## Lesotho

### Institutional framework

Lesotho does not have a specific provision criminalizing human trafficking. The provisions of the Child Protection and Welfare Bill of 2004 deal with the protection of children in cases such as abduction, child stealing and sexual abuse. The Sexual Offences Act No. 29 of 2003 and the provisions of the Labour Code Order No. 24 of 1992 might be applied to prosecute some forms of trafficking for sexual exploitation and forced labour.

### Criminal justice response

The Child and Gender Protection Unit (CGPU) was established by the Lesotho Mounted Police in November 2002. Currently, the CGPU has an office in each of the 11 police districts in Lesotho; three officers (male and female) are assigned to each office. Cases of trafficking of women and children fall within the jurisdiction of this unit.

Because of the absence of a specific provision on human trafficking, no prosecutions or convictions were recorded for trafficking in persons during the reporting period. Three convictions were recorded in 2005 for sexual exploitation and one conviction in 2004 for child stealing.

### Services provided to victims

Local NGOs provide medical assistance and housing services for trafficking victims. The Child and Gender Protection Unit (Lesotho Royal Mounted Police) have trained staff providing psycho-social care and support and play therapy for children who have been sexually abused, as well as for other victims of abuse.



## Malawi

### Institutional framework

Malawi does not have a specific provision criminalizing human trafficking. Some provisions of the criminal code, such as abduction, procuring, maintaining a brothel, forced labour and slavery, might be used to prosecute some forms of trafficking for sexual exploitation and forced labour. The Child Care, Protection and Justice Bill, which defines child trafficking and sets a penalty of life imprisonment for traffickers, has been drafted and was awaiting approval in June 2008 by the competent authorities.

### Criminal justice response

Authorities report that about 400 child protection officers have been appointed to monitor trafficking and child labour. A Victim Support Unit established within the police deals with abuse cases in general, including trafficking in persons.

Because of the absence of a specific provision on human trafficking, no prosecutions or convictions were recorded for trafficking in persons. Authorities reported about 10 convictions for forced child labour between 2004 and 2007. In these cases, the convicted offenders were citizens of Malawi and Zambia. Additionally, six Malawian citizens were arrested for organ removal in 2006.

### Services provided to victims

State authorities provide legal protection and medical assistance for abused persons, including trafficking victims. Local NGOs and international organizations provide legal protection, medical assistance, housing, and rehabilitation and reintegration services for abused and exploited children.

For the 10 convictions reported above for forced child labour between 2004 and 2007, the victims were all from Malawi and were exploited in Malawi or in neighbouring Zambia. One case was reported of a Zimbabwean child exploited in Malawi. One Malawian woman, who was a victim of trafficking, was repatriated from Europe in 2006.

Children have been detected as victims of organ removal for the purpose of performing rituals.



## Mozambique

### Institutional framework

Mozambique adopted specific legislation on trafficking in persons in April 2008. Before that, provisions in the criminal code concerning the violation of labour laws, abduction or kidnapping were used to prosecute some forms of trafficking in persons. A National Action Plan for Children, which considers many forms of child abuse, was adopted by the Social Welfare Ministry.

### Criminal justice response

Child Protection Units were established in a few police stations by the Association of Defenders of Child Rights (ADDC). The commonly known 'gabinetes de atendimento' are help desks stationed in most police stations where victims of trafficking and domestic violence can report their cases and get assistance. There are currently 184 gabinetes de atendimento.

According to the Ministry of the Interior and the police, there were no official records of cases of trafficking in persons during the reporting period.

### Services provided to victims

Local NGOs and international organizations provide legal protection, medical and psychosocial assistance, housing services, repatriation and reunification with families.

Four adult women were identified by State authorities as victims of trafficking in 2005, two in 2006 and one in 2007. All were citizens of Mozambique sheltered and repatriated by IOM – six were repatriated from South Africa and one from Zimbabwe – and all were victims of sexual exploitation and forced labour, with three women trafficked for forced labour, two for sexual exploitation, and the other six exposed to a mixed form of sexual and labour exploitation. Two children were repatriated from South Africa to Mozambique as victims of trafficking for forced labour.



## Namibia

### Institutional framework

Namibia does not have a specific provision criminalizing human trafficking. Kidnapping, child labour, enticing a woman to a brothel for the purpose of prostitution and other offences can be used to prosecute some forms of trafficking in persons. The Child Care and Protection Act is awaiting adoption and contains specific references to child trafficking. A draft Action Programme on the Elimination of Child Labour in Namibia, which includes proposed strategies against child trafficking, is expected to be adopted by the Ministry of Labour and Social Welfare in 2008.

### Criminal justice response

The Women and Children Protection Police Unit is trained to assist victims of sexual assault. Fifteen officers are part of this unit, which was established in 2000. Because of the absence of a specific provision on human trafficking, no prosecutions or convictions were recorded for trafficking in persons during the reporting period.

### Services provided to victims

Local NGOs provide legal protection and medical and psychosocial assistance to persons in need and victims of abuses, including victims of trafficking in persons. There have been no (official) reports of people being trafficked to, from or within the country.





## South Africa

### Institutional framework

South Africa established specific offences to criminalize trafficking for sexual exploitation and child trafficking for a wide range of purposes. The Criminal Law (Sexual Offences and Related Matters) Amendment Act 2007 (Act No. 32 of 2007) serves as the basis to fight the trafficking of persons for purposes of sexual exploitation, while the Children's Act 2005 (Act No. 38 of 2005) can be used to prosecute cases of child trafficking. In addition, the South African Constitution of 1996 prohibits slavery, servitude and bonded labour. Comprehensive legislation based on the UN Trafficking Protocol has been drafted and is due to be passed by parliament in 2009.

### Criminal justice response

A Trafficking Desk was established within the Organized Crime Unit of the South African Police Services. The Sexual Offences and Community Affairs Unit belonging to the National Prosecution Service (NPS) deals with the prevention of sexual offences through effective prosecutions.

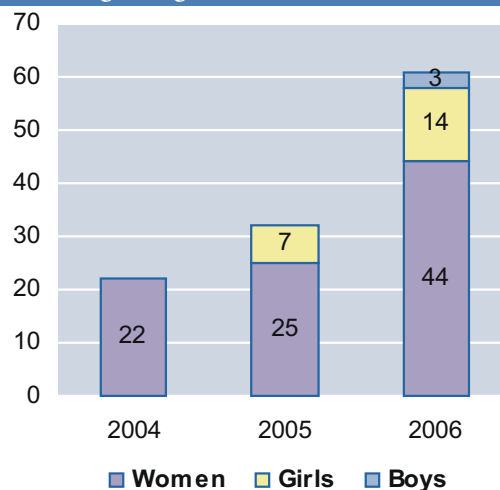
Due to the absence of legislation covering the reporting period, no prosecutions and convictions were recorded up to 2007.

### Services provided to victims

State authorities provide legal protection, temporary stay permits, medical and psychosocial support, housing and shelter for victims of trafficking in persons. NGOs and international organizations also offer legal protection, medical and psychosocial support, and housing and shelter. IOM provides assisted voluntary return and reintegration services.



Fig. 57: Victims of trafficking in persons sheltered by IOM in South Africa, by age and gender (2004-2006)

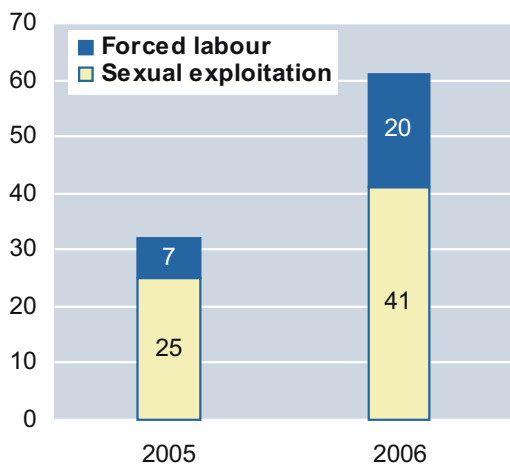


Source: IOM's Counter Trafficking Programme - SACTAP

### Additional information

Three South African victims were repatriated from Zimbabwe and the Middle East. Although police and NGOs generally refer cases of trafficking to IOM, which is the only institution collecting data on victims of trafficking in persons in South Africa, not all cases of trafficking brought to the attention of the police are referred to IOM.

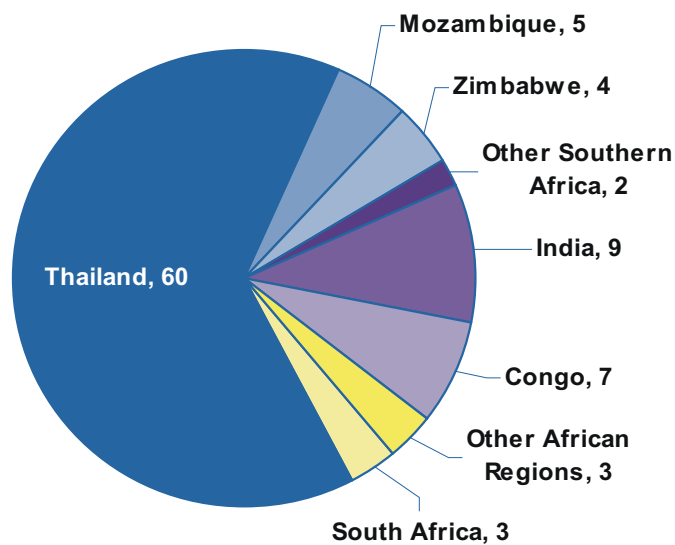
**Fig. 58: Victims of trafficking in persons sheltered by IOM in South Africa, by form of exploitation (2005-2006)**



Source: IOM's Counter Trafficking Programme - SACTAP

About 12 shelters in 2006 were managed by IOM in a cooperative agreement with the Southern African Counter-Trafficking Assistance Programme (SACTAP). These shelters did not exclusively house victims of trafficking but also cared for victims of domestic violence and destitute women and children.

**Fig. 59: Victims of trafficking in persons sheltered by IOM in South Africa, by country of citizenship (2005-2006)**



Source: IOM's Counter Trafficking Programme - SACTAP

## Swaziland

### Institutional framework

Swaziland does not have a specific provision on human trafficking. A draft law, the Sexual Offences and Domestic Violence Bill, which would specifically criminalize sex trafficking and mandate psychological services for victims, was due to be presented to Parliament in 2007 but was still pending as of mid-2008.

### Criminal justice response

The Royal Swaziland Police Service has a Domestic Violence, Child Protection and Sexual Offences Unit dealing, inter alia, with trafficking cases. Because of the absence of a specific provision on human trafficking, no prosecutions or convictions were recorded for trafficking in persons.

### Services provided to victims

There are no referral mechanisms for victims of trafficking in Swaziland or any other specific services provided by the State, NGOs or international organizations.



## Zambia

### Institutional framework

Zambia has had some provisions in place on child trafficking and human trafficking since 2005, although trafficking is not specifically defined in law.

### Criminal justice response

The Task Force on Human Trafficking, chaired by the Ministry of Home Affairs, was established within the Police Victims Support Unit (VSU). The VSU's mandate is to offer victim support in cases relating to sexual violence, property grabbing and trafficking in persons and to offer legal advice to victims. Additionally, the Child Labour Unit, working under the Ministry of Labour, is composed of 50 officers and monitors the worst forms of child labour, including girls forced into prostitution.

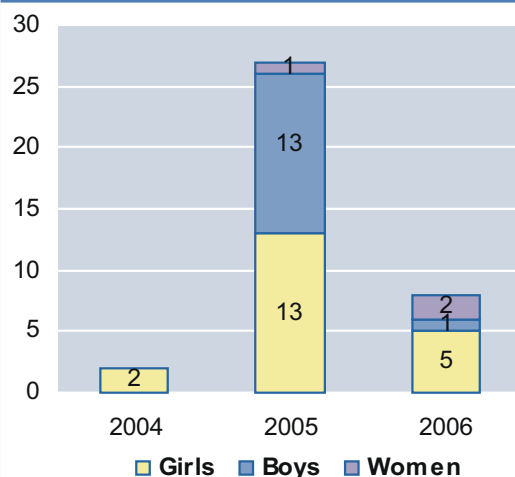
One woman was prosecuted in 2005 and two men in 2006 for trafficking in persons. No convictions were recorded prior to 2006. However, one conviction was recorded in 2005 for an episode of trafficking prosecuted through immigration offences.

### Services provided to victims

State authorities provide legal protection for victims of trafficking in persons. Additionally, the State supports NGOs and international organizations in providing medical and psycho-social support, and housing and shelter for victims of trafficking in persons.

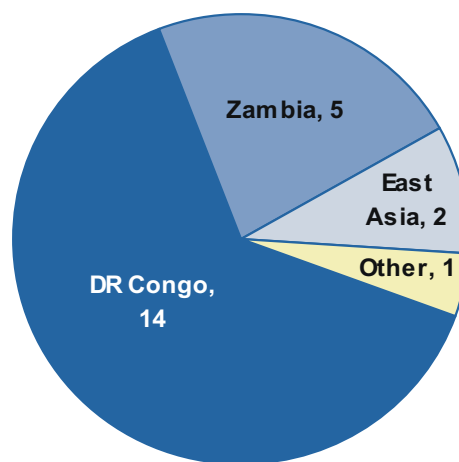


Fig. 60: Victims of trafficking in persons sheltered in Zambia, by age and gender (2004-2006)



Sources: IOM-Zambia and MAPODE

Fig. 61: Victims of trafficking in persons sheltered in Zambia, by country of citizenship (2005-2006)



Sources: IOM-Zambia and MAPODE

### Additional information

The victims reported above refer to those sheltered by IOM plus victims sheltered by MAPODE. The five Zambian victims were repatriated by IOM from Angola in 2006. In 2007, two Afghani boys were returned to Afghanistan from Zambia; they were intercepted in the process of being trafficked to Europe.

## Zimbabwe

### Institutional framework

Zimbabwe does not have a specific provision on human trafficking. The Zimbabwean Criminal Code criminalizes sexual exploitation.

### Criminal justice response

Because of the absence of a specific provision on human trafficking, no prosecutions or convictions were recorded for trafficking in persons. One Zimbabwean citizen was convicted of sexual exploitation in 2006.

### Services provided to victims

NGOs and international organizations provide medical and psychosocial support and housing and shelter for victims of trafficking in persons. IOM also offers business training and income generating projects. In the last few years, victims have been sheltered by IOM and repatriated from neighbouring countries.



*The countries covered in this section are Canada, Mexico and the United States of America.*

*Any missing information concerning the region was either not available or not accessed by UNODC.*

## Canada

### Institutional framework

Canada's first law that specifically criminalized trafficking in persons was enacted in 2002 and focused on transnational trafficking. Additional amendments were made to the Criminal Code of Canada in 2005, creating three additional specific offences to cover all forms of trafficking for any exploitative purpose.

### Criminal justice response

Canada's national police force, the Royal Canadian Mounted Police (RCMP), established a Human Trafficking National Coordination Centre (HTNCC) within its Immigration and Passport Branch. Six regional RCMP Immigration and Passport Sections employ approximately 160 officers who are mandated to investigate immigration and human trafficking offences under the Immigration and Refugee Protection Act and /or under the criminal code. In addition, there are approximately 64,000 municipal, provincial and federal police officers across Canada, all of whom have the responsibility to enforce the criminal laws in Canada that may include human trafficking investigations.

Four men were brought into initial formal contact with the police for trafficking in persons in 2006, while there were no such cases in 2005. There were no prosecutions or convictions under the specific trafficking in persons offences under the criminal code in 2003-2006, though it

should be noted that the trafficking in persons offences in the criminal code only came into force in November 2005. Between March 2007 and February 2008, a minimum of 13 charges were laid involving cases of alleged trafficking for sexual exploitation. Additionally, a minimum of four charges were laid for the withholding or destroying of documents for committing or facilitating the commission of trafficking in persons. These cases involve adult and child victims originating from both outside and within Canada.

In addition to the specific trafficking in persons offences, trafficking activities may still be prosecuted under other criminal code offences that address trafficking-related conduct. Authorities report that from March 2004 to February 2005 there were 19 trafficking-related convictions under various criminal code offences, with sentences ranging to up to nine and a half years in prison. Between March 2005 and February 2006, there were six trafficking-related convictions under various criminal code offences, and sentences were imposed in all cases. Between March 2006 and February 2007, there were five trafficking-related convictions under various criminal code offences, and sentences were imposed in all cases.

These cases reflect the minimum number of trafficking-related cases prosecuted during the reporting period, as many court decisions were unreported. Similarly, it should be noted that not all human trafficking investigations undertaken by police agencies are reported for the purpose of national statistics.

## Services provided to victims

The federal government provides temporary immigration status and work permits for up to 180 days, as well as medical and psychosocial support to suspected foreign national victims of trafficking in Canada. Longer-term immigration status is available for up to three years when circumstances warrant. Trafficked foreign national victims can also access existing permanent resident avenues. Canada's provinces and territories administer legal aid and social services such as emergency financial assistance and housing to those trafficking victims in need. NGOs also offer support and shelter to trafficking victims, whether or not they are foreign nationals.

Four victims were identified by the police (three females and one of unknown gender) in 2006. While Citizenship and Immigration Canada (CIC) does not have data available on identified victims before 2006, two foreign nationals were issued temporary resident permits in 2006. Furthermore, since May 2006, 26 temporary resident permits were issued to 18 victims of human trafficking (inclusive of these two foreign nationals). These numbers include subsequent permits issued to the same victim in order to maintain legal status in Canada.

## Additional information

An Inter-Departmental Working Group on Trafficking in Persons (IWGTIP) brings together 17 federal departments and agencies, and coordinates and strengthens federal responses to human trafficking, including through collaboration with the provinces and territories.

Asia, in particular the Mekong sub-region, and parts of Africa and Eastern Europe tend to be the primary source regions for victims trafficked to Canada. Overall, numbers for victims of domestic trafficking are unavailable.



## Mexico

### Institutional framework

Mexico adopted the law to Prevent and Punish Trafficking in Persons in November 2007. The law criminalizes all aspects of trafficking as listed in Article 3 of the UN Trafficking Protocol. Prior to 2007, only provisions criminalizing child trafficking were in place, while some forms of trafficking in persons were prosecuted under other offences, such as pandering.

The new anti-trafficking law also provides assistance and services for victims and formalizes a federal interagency commission, which has statutory authority to request funds to implement the new law and a national program to prevent trafficking in persons. The Ministry of Interior was appointed head of the interagency commission.

Mexico is a federal republic with 31 states and a federal district. Each state has its own constitution and justice system that handles trafficking issues. Trafficking in persons falls under federal jurisdiction only when three or more individuals are involved, when the criminal act is repeated or when it is of an international nature.

As of May 2008, five states (Chihuahua, Guerrero, Zacatecas, Sonora, and the State of Mexico) had laws criminalizing trafficking in persons in line with the definition in the UN Trafficking Protocol; 14 states adopted laws against human trafficking that relate only to prostitution or are otherwise not fully in line with the Protocol; four states have reforms of their penal codes related to trafficking pending; and eight states do not have any form of anti-trafficking laws.

### Criminal justice response

The Office of the General Prosecutor of the Republic (PGR) established the Federal Special Prosecutor for Crimes of Violence against Women and Trafficking of Persons (FEVIM-TRA) in January 2008.

There were no records of prosecutions or convictions of human trafficking cases as of May 2008 because of the lack of comprehensive anti-trafficking legislation in place prior to November 2007. Between January and May 2008, investigations against four offenders (three males and one female from Mexico and other Central American countries) were conducted.

Chihuahua is the only Mexican state that, as of May 2008, had reported investigations and prosecutions of human trafficking cases during 2007 (there were no prosecutions between 2003 and 2006). Fifteen cases have been reported from 2007 until this date due to the entrance into force of the law on human trafficking, which was enacted on January 1st, 2007, in Chihuahua State. In that sense, nine cases were registered in 2007, and six in 2008. Chihuahua is also in the process of establishing a specialized police unit comprised of 15 law enforcement officials to investigate cases of trafficking in persons.

### Services provided to victims

State authorities provide legal assistance, temporary stay permits and shelter to victims of human trafficking. Several NGOs and international organizations also offer medical and psychosocial support and housing and shelter.

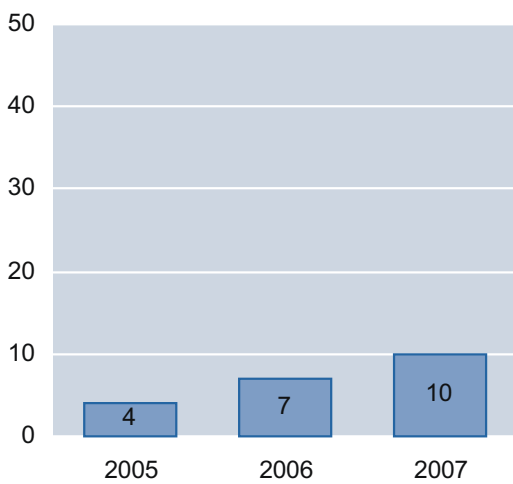
The National Migration Institute (INM) has undertaken action to raise awareness, prevent and combat human trafficking under its authority, specifically related to foreigners who are in national territory, even if they are undocumented.

The INM authorizes the issuance of renewable one-year humanitarian visas to victims who assist in the prosecution of their traffickers. For



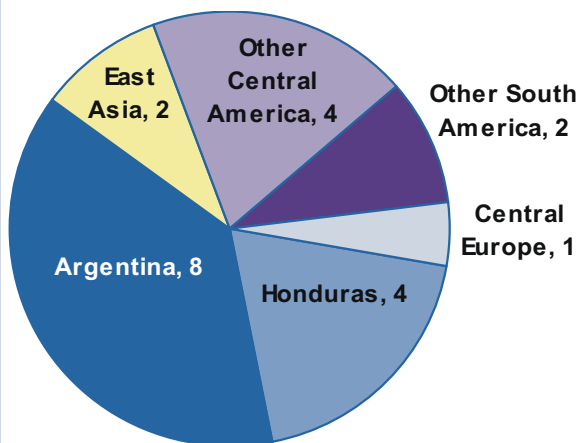
those cases in which the victims and possible victims wish to be repatriated to their countries of origin, the INM contacts international organizations like the IOM, as well as NGOs, to assure the victims' safe return and social reintegration.

**Fig. 62: Victims of trafficking identified by the National Institute of Migration in Mexico (2005-2007)**



Source: National Institute of Migration

**Fig. 63: Victims of trafficking identified by the National Institute of Migration in Mexico, by country of citizenship (2005-2007)**



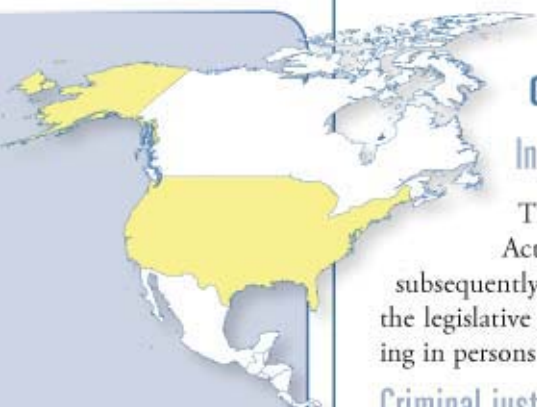
Source: National Institute of Migration

### Additional information

IOM identified six girls and six women as victims of trafficking in persons in 2006; seven were victims of sexual exploitation, three were victims of forced labour and one was a victim of servitude. Five victims were Honduran citizens, five were from other Central American countries and two were from South America.

IOM also sheltered two girls in 2005 and eight females, five of whom were girls, in 2006. Of these 10 victims, nine were victims of sexual exploitation and one was a victim of forced labour. The National Institute of Migration stated that 74% of the 21 victims reported from 2005 to 2007 were victims trafficked for the purpose of sexual exploitation and 26% were victims trafficked for labour exploitation.

The Department for Integral Development of the Family (DIF) has shelters for minors that also are available for victims of human trafficking, and FEVIMTRA is in the process of building shelters that also can be used by victims of trafficking in Mexico City, Chiapas and Chihuahua. There is no official referral mechanism in place, but if the victim is a foreigner, the National Institute for Migration refers the victim to an NGO to receive shelter and assistance. IOM provides assistance in the repatriation and reintegration of victims of trafficking.



## United States of America

### Institutional framework

The Trafficking Victims Protection Act (TVPA), adopted in 2000 and subsequently amended in 2003 and 2005, is the legislative framework criminalizing trafficking in persons in the USA.

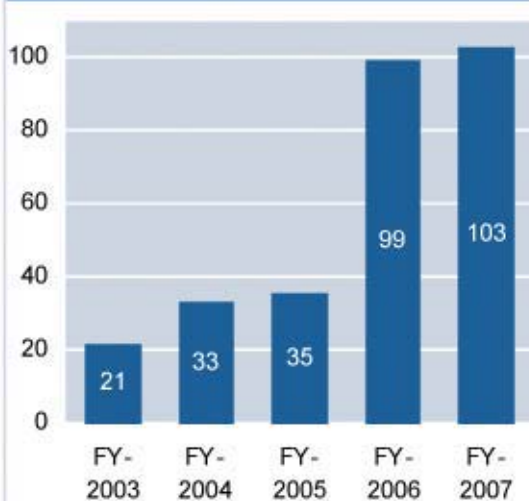
### Criminal justice response

Several federal agencies conduct investigations on trafficking in persons, but the majority of cases are handled by the Federal Bureau of Investigation (FBI) and by the U.S. Department of Homeland Security's Immigration and Customs Enforcement (ICE). The FBI has assigned specialized officers to a human trafficking initiative since 2005, and the FBI Crimes against Children Unit's Innocence Lost National Initiative has dealt with trafficking in persons issues since 2003. The Human Smuggling and Trafficking Center was established in 2004 as an inter-agency fusion centre and information clearinghouse that turns intelligence into action in the three interrelated areas of human smuggling, trafficking and criminal support of clandestine terrorist travel. The U.S. Department of Labour

enforcement is responsible for enforcing some of the most comprehensive labour laws.

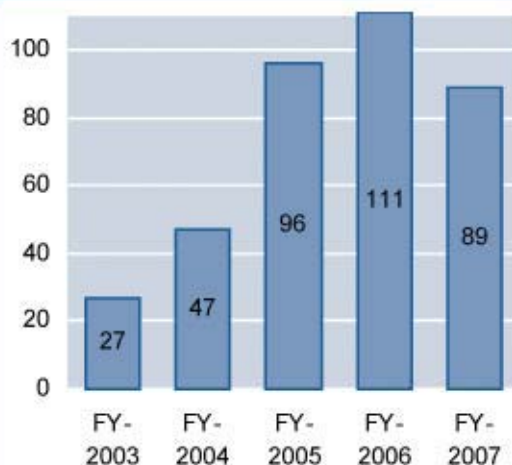
The following charts lists the number of defendants charged and convicted of trafficking offences and offences under the TVPA.

Fig. 64: Persons charged under all trafficking offences in the USA (FY-2003 to FY-2007)



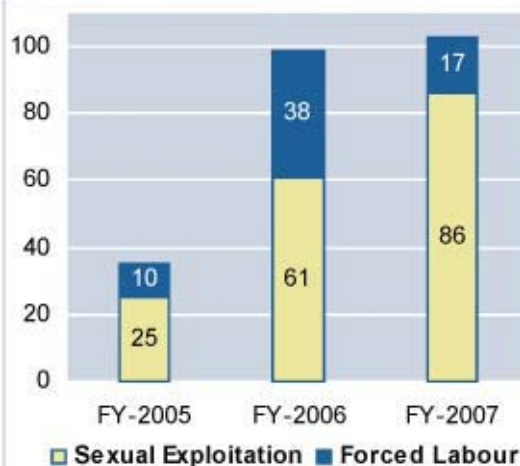
Source: Assessment of U.S. Government Efforts to Combat Trafficking in Persons in Fiscal Year 2007

Fig. 65: Persons convicted under all trafficking offences in the USA (FY-2003 to FY-2007)



Source: Assessment of U.S. Government Efforts to Combat Trafficking in Persons in Fiscal Year 2007

Fig. 66: Persons convicted under all trafficking offences in the USA, by form of exploitation (FY-2005 to FY-2007)



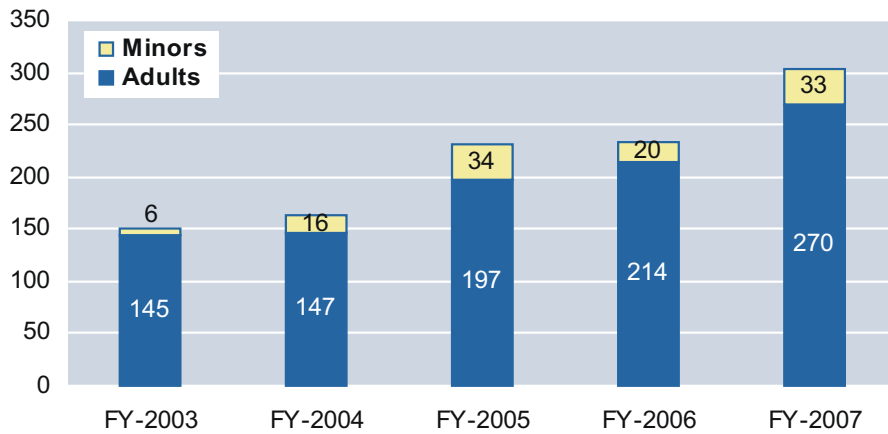
Source: Assessment of U.S. Government Efforts to Combat Trafficking in Persons in Fiscal Year 2007

### Services provided to victims

State authorities provide legal protection and temporary stay permits for trafficking victims. State authorities and NGOs also offer medical and psychosocial support and housing and shelter.

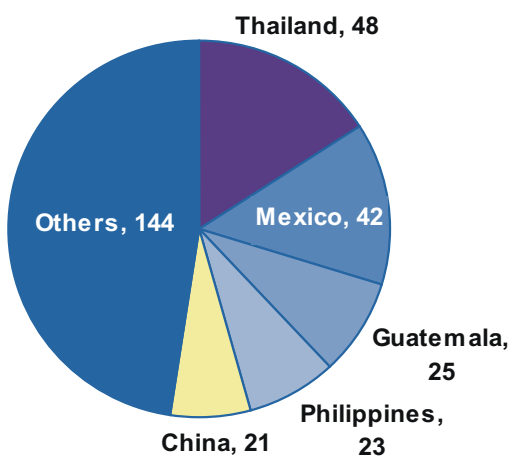
There is no aggregate data available on the identified victims of human trafficking for the whole country because the responsibility for identifying victims is spread among multiple agencies. However, the Department of Health and Services records the “certification” of adult victims of trafficking in persons, while child victims can receive “letters of eligibility”.

**Fig. 67: Certification and eligibility letters granted to trafficking victims in the USA, by age (FY-2003 to FY-2007)**



Source: Assessment of U.S. Government Efforts to Combat Trafficking in Persons in Fiscal Year 2007

**Fig. 68: Certification and eligibility letters granted to trafficking victims in the USA, the top five countries of origin (FY-2007)**



Source: Assessment of U.S. Government Efforts to Combat Trafficking in Persons in Fiscal Year 2007

### Additional information

In 2006 certified victims originated mainly from Latin America and the Caribbean (62%), Africa, Asia, Europe and the Pacific Islands. In 2007 certified victims originated mainly from Latin America and the Caribbean (41%), Asia (41%), Europe and the Pacific Islands.

The charts above refer to “fiscal years” (FY). The fiscal year indicates the 12 months from October to September of the following solar year.



The following Central American countries are covered in this section: Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua and Panama. Caribbean countries covered in this section are: Barbados, the Dominican Republic,

Haiti, Saint Lucia, Saint Vincent and the Grenadines, and Trinidad and Tobago.

Any missing information concerning the region was either unavailable or not accessed by UNODC.

## Costa Rica

### Institutional framework

Costa Rica has specific provisions on trafficking in persons in its penal code. These provisions have criminalized the international trafficking in women and children for the purpose of sexual exploitation since 1970 and trafficking in minors since 1999. A national action plan against trafficking in minors was adopted in 2005, and a more comprehensive national action plan against trafficking in persons is planned for adoption in 2008.

### Criminal justice response

There are three offices within the General Prosecutor's Office that may handle trafficking in persons crimes: the Office for Juvenile Crime and the Office for Attention to Victims of Crime, which cover the whole country, and the Office for Sexual Crimes and Domestic Violence, which only covers the capital of San Jose.

There is no information on convictions for trafficking in persons offences for 2003-2005, but in 2006, a total of four males and two females were convicted for trafficking in minors for the purpose of illegal adoption.

### Services provided to victims

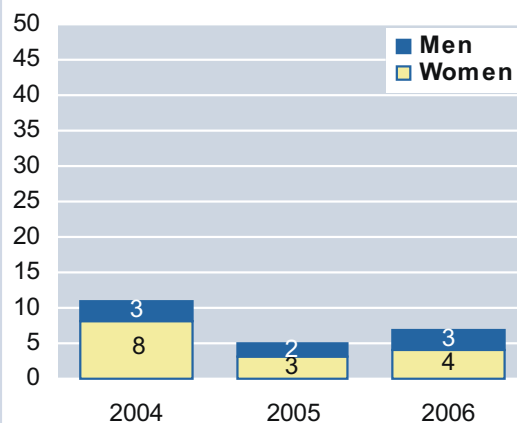
State authorities and NGOs provide legal assistance and medical and psychosocial support to victims of human trafficking. Several NGOs offer shelter to girls and women who are victims of domestic violence or commercial sexual exploitation, including victims of trafficking, but there are no specific shelters for victims of human trafficking.

### Additional information

IOM adopted a protocol for the repatriation of children and adolescents into the country to support the organization's return and reintegration programmes for victims of human trafficking.

There is a national 911 hotline for victims of violence, including victims of human trafficking, and a referral mechanism for potential victims identified through the hotline.

Fig. 69: Persons prosecuted for trafficking in persons in Costa Rica, by gender (2004-2006)



Source: Specialized Unit of Sexual Crimes and Domestic Violence, Adjunct Prosecutor's Office of Juvenile Crime

## Dominican Republic

### Institutional framework

The specific offence of trafficking in persons was established in the Dominican Republic in 2003. A draft national action plan against trafficking in persons is planned for adoption by the end of 2008.

### Criminal justice response

A Human Trafficking Division within the national police was established in January 2008 to investigate cases of human trafficking. The division had nine officers dealing with document falsification and illegal migration. In addition, the Anti-Trafficking Unit of the Attorney General's office is tasked with investigating and prosecuting human trafficking and related crimes.

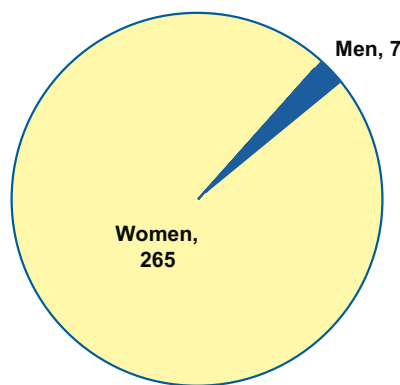
There are no systematic criminal justice statistics on human trafficking prior to 2007. Between January 2007 and April 2008, the Human Trafficking Division investigated five cases of trafficking in persons: two of these cases involved the alleged trafficking of Dominican women to Europe; one case involved allegations of the trafficking of a Dominican woman to Central America; one case involved the trafficking of two adult males to Central America for labour exploitation; and one case involved the trafficking of a man to a Europe.

### Services provided to victims

State authorities, in cooperation with NGOs, provide legal assistance, medical and psychosocial support, and housing and shelter for victims of human trafficking.

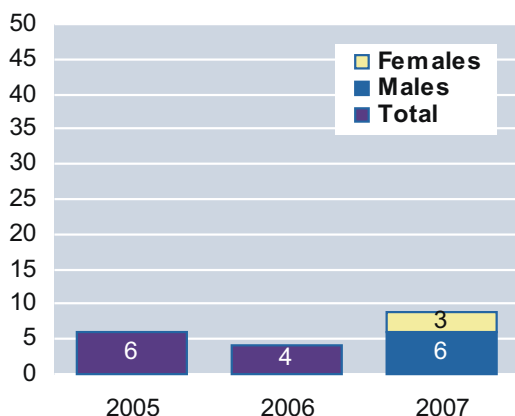


Fig. 71: Adult victims of trafficking referred to COIN in the Dominican Republic, by gender (January 2003-April 2008)



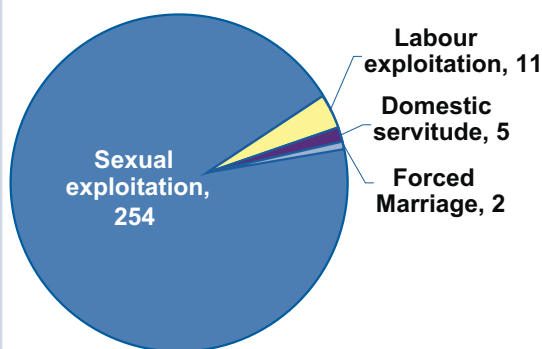
Source: Centre of Orientation and Integral Investigation (COIN)

Fig. 70: Persons convicted of trafficking in persons in the Dominican Republic, by gender (2005-2007)



Source: Department of Judicial Statistics of the Supreme Court

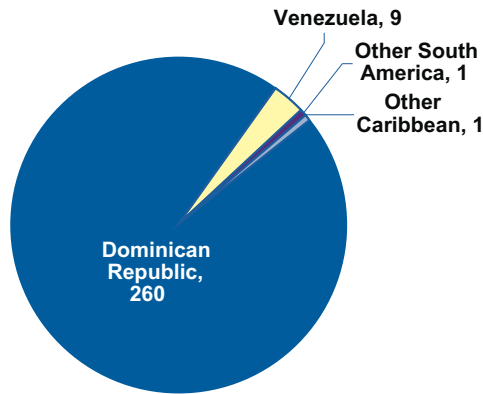
Fig. 72: Adult victims of trafficking referred to COIN in the Dominican Republic, by type of exploitation (January 2003-April 2008)



Source: Centre of Orientation and Integral Investigation (COIN)

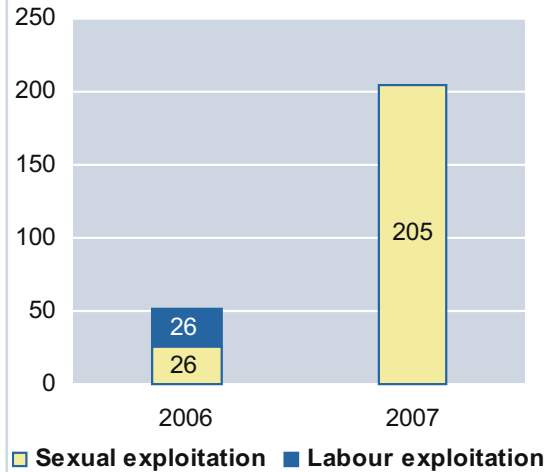


Fig. 73: Adult victims of trafficking referred to COIN in the Dominican Republic, by country of citizenship (January 2003-April 2008)



Source: Centre of Orientation and Integral Investigation (COIN)

Fig. 74: Child victims of trafficking referred to CONANI in the Dominican Republic, by type of exploitation (2006-2007)



Source: Council for the Child and Adolescent (CONANI)

### Additional information

There is no official referral system, but the police and the Prosecutor's Office refer adult victims of sexual exploitation, including victims of trafficking, to the Centre of Orientation and Integral Investigation (COIN). COIN manages a protection centre for trafficking victims providing a number of services, including reintegration and finding housing in various shelters for female victims.

Of the 260 adult Dominican victims of human trafficking identified between 2003 and April 2008, 85 were officially returned from Argentina with the help of IOM. The others were returned from a number of countries in the Caribbean, South America and Europe.

Child victims of trafficking are referred to the Council for the Child and Adolescent (CONANI), which administers seven temporary shelters for minors at risk. Minors who are victims of trafficking are registered by CONANI as victims of sexual and labour exploitation and not human trafficking, although all of these cases, according to the organization, are cases of trafficking in persons. All minors identified as victims of trafficking in persons in 2006 and 2007 were citizens of the Dominican Republic.

The nine persons convicted of trafficking in persons offences in 2007 were all citizens of the Dominican Republic.

## East Caribbean

### Institutional framework

This section covers information on Barbados, Saint Lucia, Saint Vincent and the Grenadines, and Trinidad and Tobago. During the reporting period, none of the countries covered in this sub-region had a specific offence of trafficking in persons as part of their criminal codes. These countries might have other criminal offences, such as sexual exploitation, forced labour or slavery, that could be applied in prosecuting cases of trafficking in persons. None of these East Caribbean countries has adopted a national action plan against trafficking in persons.

### Criminal justice response

None of the East Caribbean countries in this section had a specialized unit devoted to trafficking in persons during the 2003-2007 period. The national police of Saint Lucia established a Vulnerable Persons Unit, consisting of 12 full-time officers with the mandate to investigate cases of trafficking in minors, among other things.

Due to the absence of specific laws on trafficking in persons during the reporting period, no cases were prosecuted and no convictions were recorded in these countries.

Two persons in Barbados were prosecuted for offences related to human trafficking. One person in 2005 was prosecuted and convicted under the Immigration Act and ordered to pay a fine for bringing in Indian construction workers without work permits. In 2007, one person was prosecuted under the Sexual Offences Act for bringing in two Ukrainian women and forcing them into prostitution. However, this case was dismissed for lack of evidence.

### Services provided to victims

No country in the sub-region provides temporary stay permits for victims. Legal protection is provided by State authorities and NGOs in Saint Vincent and the Grenadines, and medical and psychosocial support is provided by authorities in Barbados and Saint Vincent and the Grenadines and by NGOs in Barbados. Housing and shelter for victims of trafficking is provided by State authorities and NGOs in Barbados and by NGOs in Trinidad and Tobago. There are no specific shelters to house victims of trafficking in the sub-region, but State authorities and NGOs can provide or find short-term shelters, if necessary.

Despite the absence of specific laws on trafficking in persons, governments reported identifying and assisting suspected victims of human trafficking:

Barbados first identified two adult women from Guyana as victims of sexual exploitation in 2004; one minor girl from Guyana was found to be a victim of sexual exploitation in 2005; and in 2007, two adult females from Ukraine were registered as victims of sexual exploitation.

Between 2003 and 2007, Saint Lucia identified two cases of suspected victims trafficked for domestic servitude.

In Saint Vincent and the Grenadines, no victims of human trafficking were identified until the first half of 2008 when one Haitian man was identified as a suspected victim of trafficking.

Trinidad and Tobago identified one adult female victim in 2007 and seven more females (five adults and two minors) up until May 2008. All victims were Colombian citizens found to be victims of sexual exploitation, and all were sheltered by the NGO the Living Waters Community.



## El Salvador

### Institutional framework

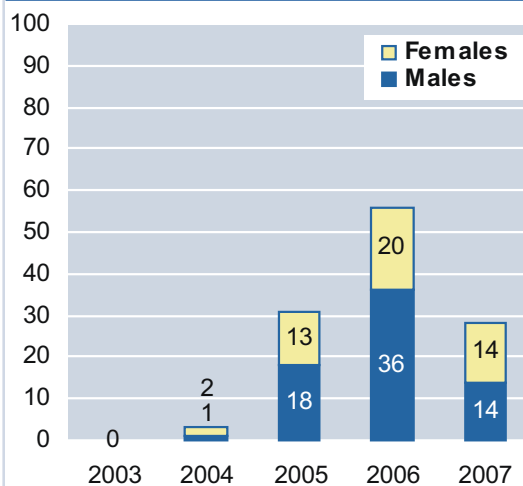
The specific offence of trafficking in persons was established in El Salvador in 2004. The law criminalizes all forms of human trafficking as listed in Article 3 of the UN Trafficking Protocol and also includes trafficking for fraudulent adoptions and forced marriages. A new law on trafficking in persons was being drafted for submission to the National Assembly. A national plan of action for 2008-2013 is expected to be adopted by the end of 2008.

### Criminal justice response

The National Civil Police has had a specific Department of Trafficking in Persons within its Border Division since 2004, with 19 officers devoted full time to this department in 2007. The Unit on Smuggling and Trafficking in Persons at the Attorney General's Office was established in 2004, and in 2007, the unit was made up of four prosecutors and 10 specialized and administrative staff.

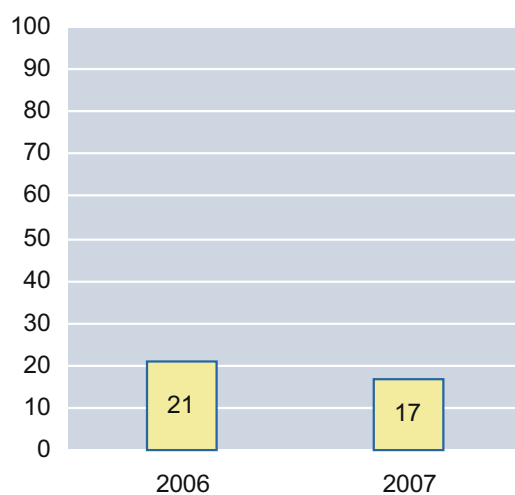
The first convictions for trafficking in persons were registered in 2006 when four citizens of El Salvador were convicted for trafficking for sexual exploitation. One adult male was convicted in 2007 for the offence of trafficking for sexual exploitation. All sentences ranged between five and 10 years in prison.

Fig. 75: Persons investigated and arrested for trafficking in persons in El Salvador, by gender (2003-2007)



Source: National Police

Fig. 76: Persons prosecuted for trafficking in persons in El Salvador (2006-2007)



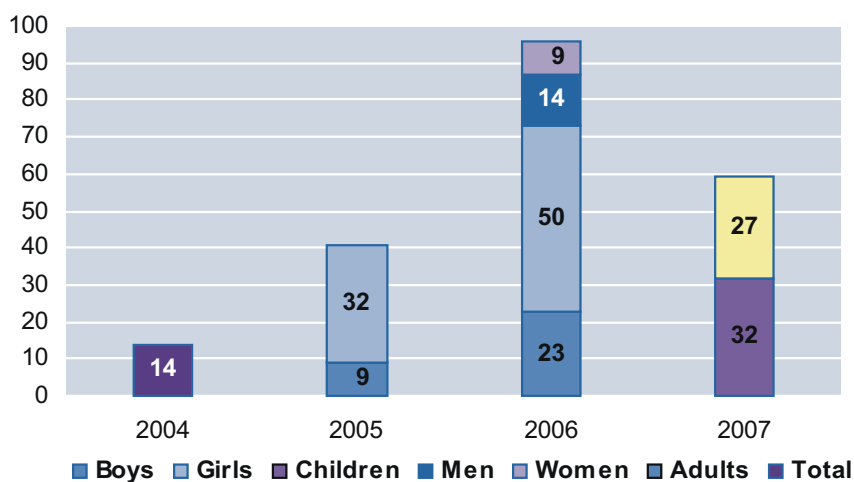
Source: National Police



### Services provided to victims

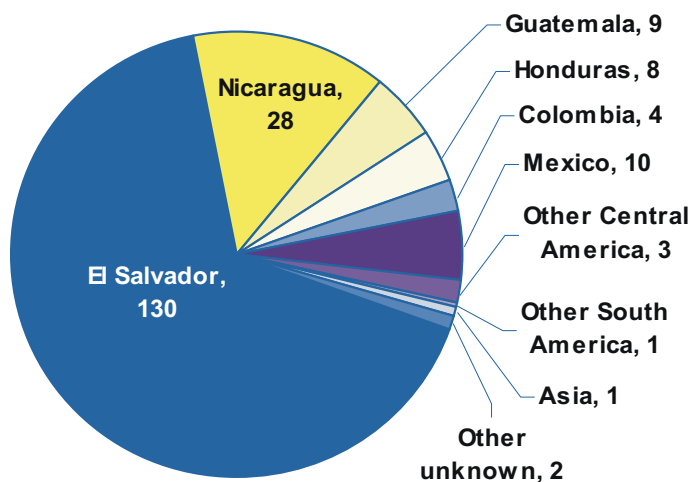
State authorities in cooperation with NGOs provide legal assistance, medical and psychosocial support, and housing and shelter to victims. IOM provides technical support and assistance for the return and reintegration of trafficking victims.

Fig. 77: Victims of trafficking identified by the national police in El Salvador, by age and gender (2004-2007)



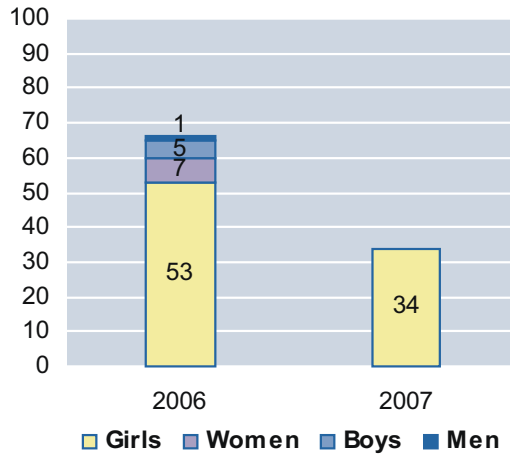
Source: National Police

Fig. 78: Victims of trafficking identified by the national police in El Salvador, by country of citizenship (2005-2007)



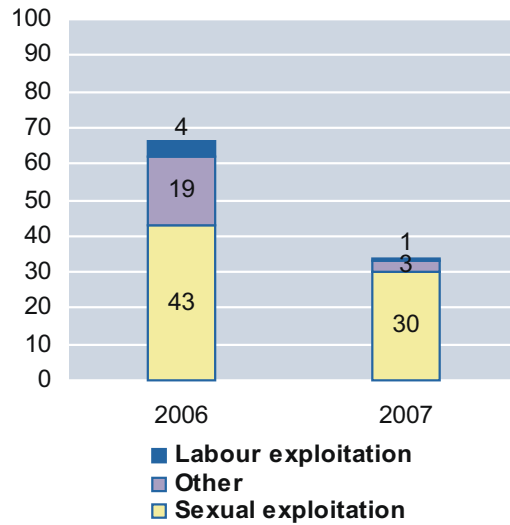
Source: National Police

**Fig. 79: Victims of trafficking sheltered by relevant institutions in El Salvador, by age and gender (2006-2007)**



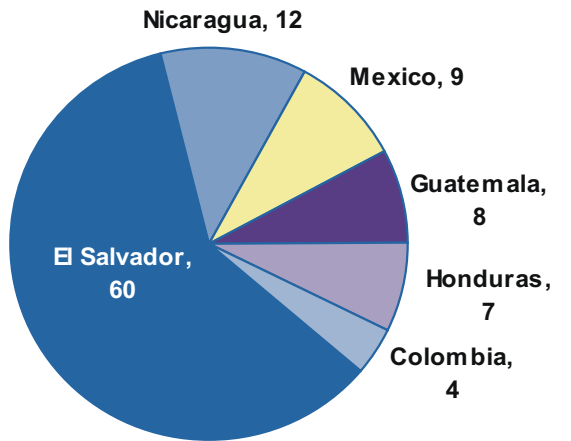
Source: Huellas Foundation

**Fig. 80: Victims of trafficking sheltered by relevant institutions in El Salvador, by type of exploitation (2006-2007)**



Source: Huellas Foundation

**Fig. 81: Victims of trafficking sheltered by relevant institutions in El Salvador, by country of citizenship (2006-2007)**



Source: Huellas Foundation

### Additional information

A shelter for minor victims of trafficking was established in 2006 and is administered by the Salvadoran Institute for the Integral Attention for the Child and Adolescent (INSA) and run by the Huellas Foundation. There is no specific shelter for adult victims of trafficking.

The majority of identified victims of trafficking with Salvadoran citizenship were internally trafficked. Identified victims of other nationalities that were trafficked to El Salvador were repatriated to their countries of origin.

# Guatemala

## Institutional framework

The specific offence of trafficking in persons was established in Guatemala in 2005. The definition of trafficking in persons in the Guatemalan law does not cover trafficking for the purpose of organ removal. Before 2005, the offences of sexual exploitation, child abduction, corruption of a child and aggravated pimping were used to prosecute some forms of trafficking in persons. Guatemala adopted a National Action Plan against Trafficking in Persons and the Integral Protection of Victims for the period 2007-2017.

## Criminal justice response

The National Civil Police has had a specific Anti-trafficking Section within the Division of Criminal Investigations since 2004. In 2007, the Attorney General's office moved responsibility for trafficking in persons offences from the Prosecutor's Office of Women to the Prosecutor's Office of Organized Crime.

Three persons were prosecuted in 2007 for trafficking in persons offences. There were no convictions between 2003 and 2007, but by April 2008, two women and one man were still being prosecuted for trafficking in persons for the purpose of illegal adoption.

## Services provided to victims

State authorities in cooperation with NGOs provide legal assistance to victims of human trafficking.

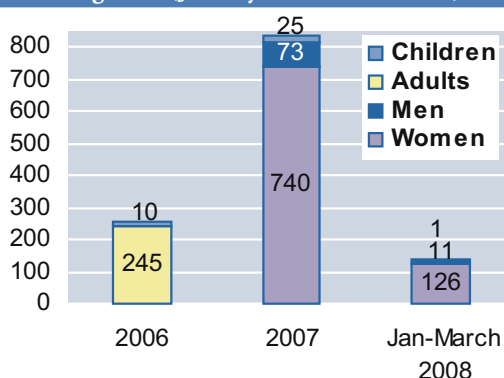
## Additional information

A protocol was established in the country to refer victims of trafficking to NGOs and international organizations for assistance and services. The Secretary of Social Welfare has one shelter that receives Guatemalan minors returned from other countries, some of whom may be victims of trafficking. There are also shelters for migrants and for female victims of violence that may be used for victims of trafficking in persons.

In September 2007, the Ministry of Foreign Affairs established a call centre (hotline) for victims of trafficking. Between September and December 2007, the call centre attended to 42 cases of human trafficking, 14 of which were referred to the national police and other institutions.

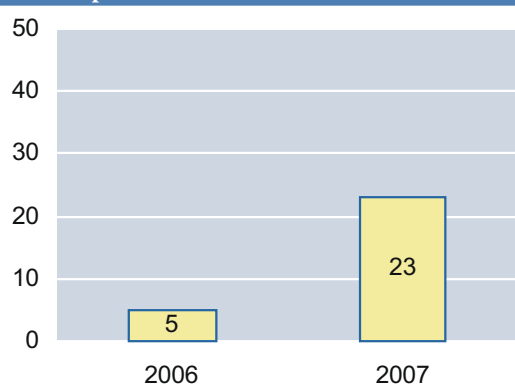


Fig. 83: Victims of trafficking identified by State authorities in Guatemala, by age and gender (January 2006-March 2008)



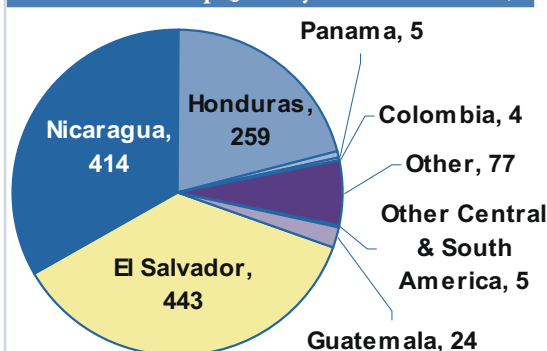
Source: National Civil Police

Fig. 82: Persons arrested for trafficking in persons in Guatemala (2006-2006)



Source: National Civil Police

Fig. 84: Victims of trafficking identified by State authorities in Guatemala, by country of citizenship (January 2006-March 2008)



Source: National Civil Police

## Haiti

### Institutional framework

The specific offence of trafficking in persons does not exist in the legislation of Haiti, although a comprehensive anti-trafficking bill was awaiting approval by Parliament in 2008. The offences of sexual exploitation and servitude could be used to prosecute some forms of human trafficking. Haiti does not have a national plan of action against trafficking in persons.

### Criminal justice response

The Brigade for Child Protection within the police is in charge of child protection, including child trafficking. The brigade consists of 14 officers.

Very little information and no solid data on trafficking in persons and related crimes were recorded during the reporting period.

### Services provided to victims

There is no official system in place to provide assistance services to victims of trafficking. The Group against Child Trade and Trafficking in Persons works as a coordinating mechanism to improve the national response to human trafficking and to provide services to victims of trafficking, but there are no specific shelters for human trafficking victims. International organizations provide emergency support services, legal help, medical and psychosocial assistance, shelter, counselling services, family tracking and support for the return and socio-economic reintegration of child victims of trafficking (i.e., scholarships, micro-credits).

### Additional information

In August 2007, the Group against Child Trade and Trafficking in Persons worked on the case of 47 children who were given to an orphanage in Port-au-Prince without the consent of their parents for the purpose of illegal adoption.

## Honduras

### Institutional framework

The specific offence of trafficking in persons was established in Honduras in 2005, but the definition in this law only covers trafficking for the purpose of sexual exploitation.

### Criminal justice response

Honduras has a Specialized Anti-Human Trafficking Police Unit, and four of the six divisions of the national police work on sexual exploitation and trafficking in persons cases. In 2007, a Special Police Unit on Trafficking in Persons was established under the Migratory Police of the Special Services Investigations Unit.

No prosecutions and no convictions for the offence of trafficking in persons were recorded in Honduras between 2003 and 2006. There were four convictions for the sexual exploitation of children; one took place in 2004 and the other three in 2005.

### Services provided to victims

State authorities provide legal assistance to minor victims of human trafficking. NGOs provide legal assistance, medical and psychosocial support, housing and physical protection to girl victims. In 2007, 25 girls were identified as victims of trafficking for sexual exploitation and sheltered by the NGO Casa Alianza.

### Additional information

An Inter-Institutional Committee against Commercial Sexual Exploitation of Boys, Girls and Adolescents was established in 2002, which addresses trafficking in minors. This coalition is comprised of 54 organizations, conducts trainings on trafficking in persons and works on prevention. The government expects to pass a national action plan against trafficking in persons in 2008 to strengthen inter-institutional collaboration.

Casa Alianza has run a shelter for girl victims of human trafficking since 2003 that has the capacity to assist up to 25 girls at a time.



# Nicaragua

## Institutional framework

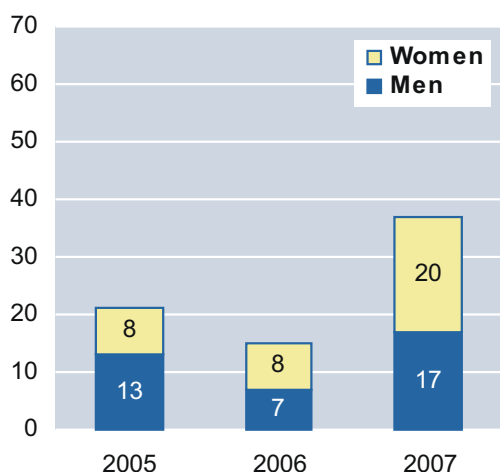
The specific offence of trafficking in persons for prostitution was established in Nicaragua in 2005. In May 2008, amendments to the criminal code expanded the definition of trafficking in persons to include the other forms of exploitation listed in Article 3 of the UN Trafficking Protocol and went even further by also criminalizing trafficking for the purpose of illegal adoption. The first national action plan against trafficking in persons is expected to be passed by the end of 2008.

## Criminal justice response

The national police established a specific unit against trafficking in persons in 2005. Six officers were involved full time in this unit in 2007. The Public Prosecutor's Office created two specialized units in 2007 that also cover the crime of trafficking in persons: the Unit on Organized Crime and the Unit on Gender and Violence.

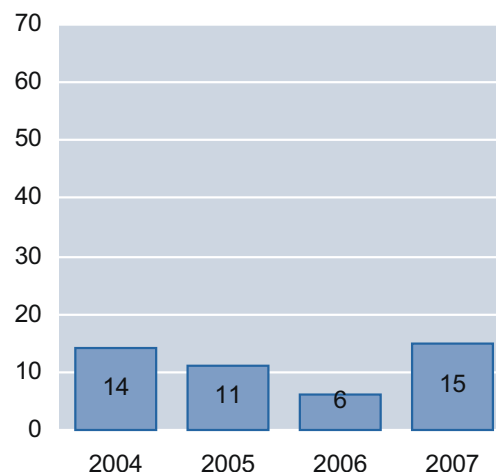
There is no information available on persons convicted for the offence of trafficking in persons.

Fig. 85: Persons arrested for trafficking in persons in Nicaragua, by gender (2005-2007)



Source: National Police

Fig. 86: Persons prosecuted for trafficking in persons in Nicaragua (2004-2007)

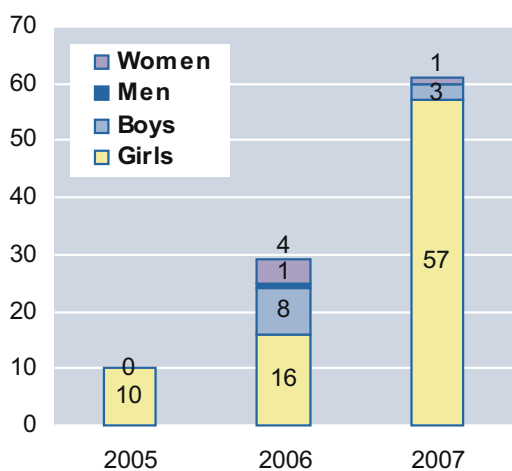


Source: Public Ministry

### Services provided to victims

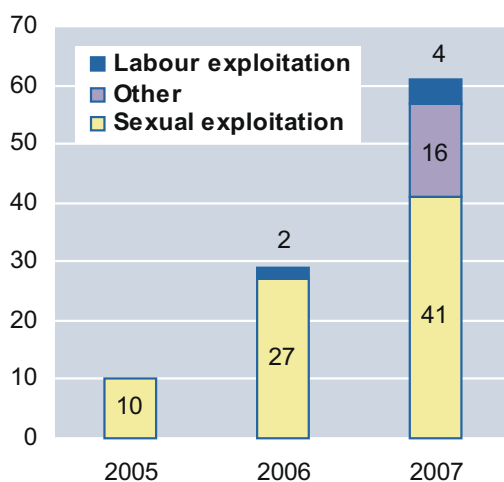
State authorities provide legal assistance, and medical and psychosocial support to victims of human trafficking. NGOs and international organizations offer medical and psychosocial support, protection and reintegration assistance, and temporary shelter for minor victims of trafficking. These groups also provide shelter, housing and repatriation assistance.

Fig. 87: Victims of trafficking identified by State authorities in Nicaragua, by age and gender (2005-2007)



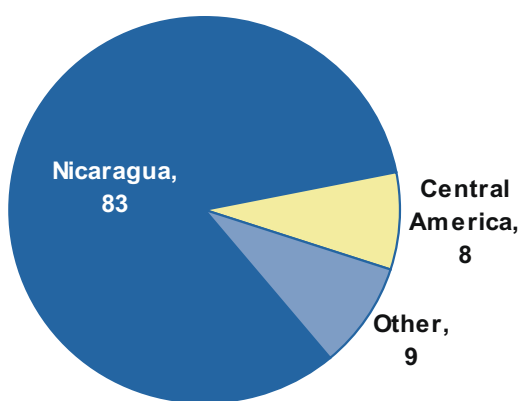
Source: National Police and Ministry of Family

Fig. 88: Victims of trafficking identified by State authorities in Nicaragua, by type of exploitation (2005-2007)



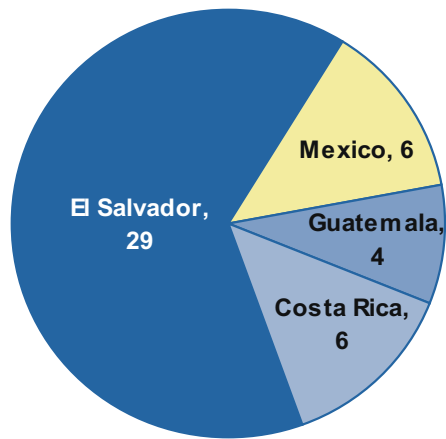
Source: National Police and Ministry of Family

Fig. 89: Victims of trafficking identified by State authorities in Nicaragua, by country of citizenship (2005-2007)



Source: National Police and Ministry of Family

Fig. 90: Nicaraguan victims returned from other countries, by country of return (2005-2007)

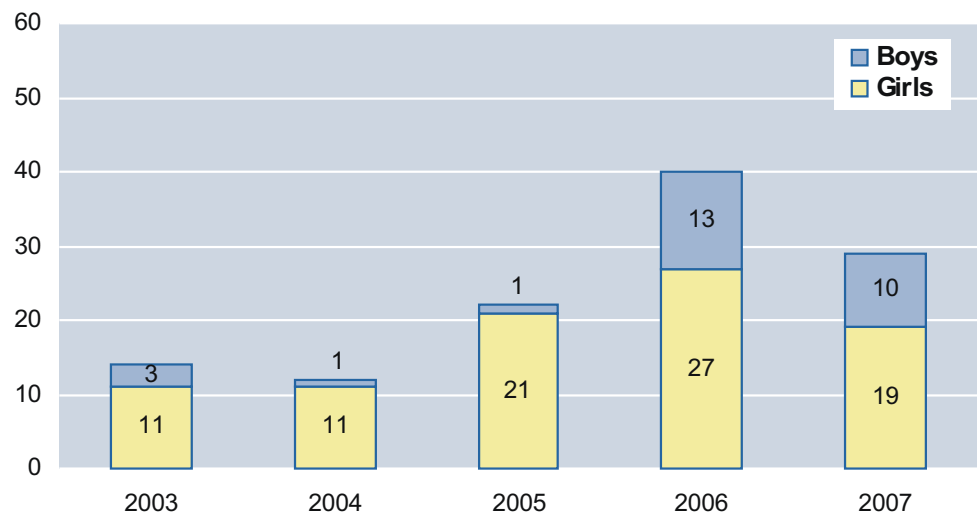


Source: Ministry of Family

### Additional information

The persons arrested for trafficking in persons in 2007 were all from Nicaragua, with the exception of seven citizens from other Central American countries.

Fig. 91: Victims of trafficking sheltered in Nicaragua, by age and gender (2003-2007)



Source: Ministry of Family and Casa Alianza



## Panama

### Institutional framework

The specific offence of trafficking in persons was established in Panama in 2004, but this law only criminalizes trafficking for the purpose of sexual exploitation. A National Plan of Action for the Child and Adolescent 2003-2006 that covers the sexual exploitation of minors was first adopted in 2003. A national action plan defining public policies for victims of human trafficking for the period 2008-2010 was under consideration in 2008 by the National Commission for Crime Prevention.

### Criminal justice response

The Sex Crimes Division within the Technical Judicial Police was in charge of sexual crimes, including some forms of trafficking in persons, during the reporting period. The same mandate established the Sex Crimes Unit within the National Commission for Crime Prevention (CONAPREDES) in 2005 under the jurisdiction of the Attorney General's office.

There were no convictions for trafficking in persons in the period 2003-2006. In 2007, two persons were convicted for trafficking in persons for sexual exploitation.

### Services provided to victims

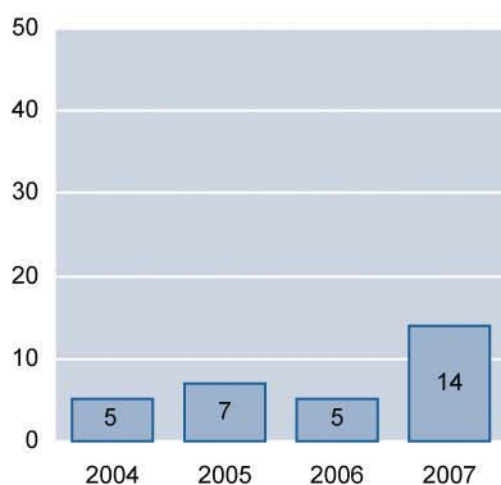
State authorities provide legal protection, temporary stay permits, medical and psychosocial support, housing and shelter for victims of human trafficking. In 2007, 66 children were identified as victims of trafficking in persons for sexual exploitation and sex tourism. No data exist on adult victims of human trafficking in Panama.

### Additional information

The Ministry of Social Development (MIDES) has a programme for victims of sexual exploitation and has identified two shelters where minor victims of trafficking can be accommodated and assisted. However, through February 2008, no child victim of trafficking had received accommodation in these two shelters.



Fig. 92: Persons prosecuted for trafficking in persons in Panama (2004-2007)



Source: Attorney General's Office

The following countries are covered in this section: Argentina, Bolivia, Brazil, Chile, Colombia, Ecuador, Paraguay, Peru and the Bolivarian Republic of Venezuela.

Any missing information concerning the region was either unavailable or not accessed by UNODC.



## Argentina

### Institutional framework

The specific offence of trafficking in persons was established in Argentina in April 2008. Before this law was in force, offences such as “facilitation of prostitution” and the act of “reducing someone to a situation of servitude” were used to prosecute some forms of trafficking in persons. In July 2007, a presidential decree created a Programa Nacional de Prevención y Erradicación de La Trata de Personas y de Asistencia a sus Víctimas, and the Oficina de Asistencia Integral a la Víctima del Delito de la Procuración General de la Nación (OFAVI) adopted a contingency plan against trafficking in persons.

### Criminal justice response

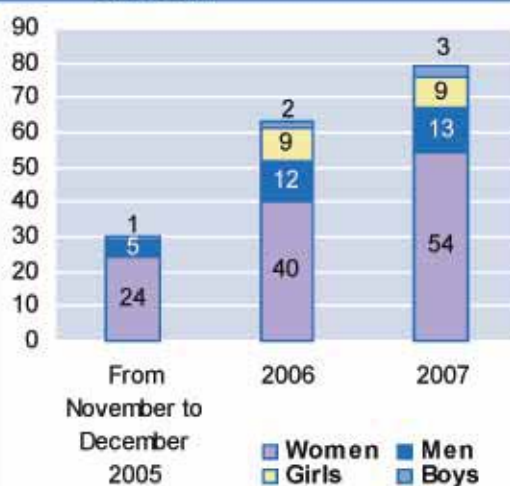
The Procuración General de la Nación (Public Prosecutor’s Office) in Buenos Aires established a special unit to cover sex crimes, including trafficking in persons, in 2005. Fifteen of the 23 federal provinces have structures in their own public prosecutor’s offices to assist victims of trafficking.

Because of the absence of a specific provision on human trafficking, no prosecutions or convictions were recorded for trafficking in persons between 2003 and 2007. In 2005 and the first semester of 2006, 61 cases of reducing someone to a situation analogous to servitude were detected, leading to one conviction.

### Services provided to victims

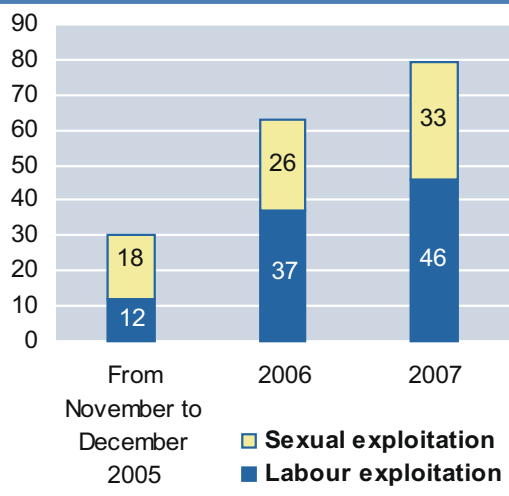
State authorities provide temporary stay permits, medical and psychosocial support, and housing for victims of trafficking. Victims of sexual exploitation have been accepted in shelters for domestic violence or were sheltered in small family hotels in Buenos Aires. In February 2008, one shelter specifically for human trafficking victims opened in the province of Misiones.

Fig. 93: Victims of trafficking in persons identified by various institutions and assisted by IOM-Programme AVOT in Argentina, by gender and age (November 2005-2007)



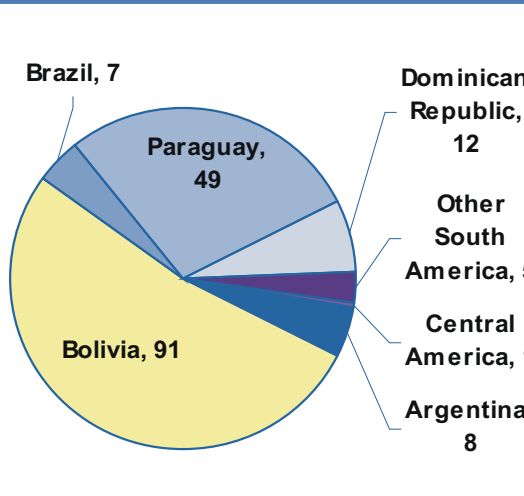
Source: Programa AVOT (Asistencia a Víctimas de la Trata de Personas), IOM-Buenos Aires.

**Fig. 94: Victims of trafficking in persons identified by various institutions and assisted by IOM-Programme AVOT in Argentina, by form of exploitation (November 2005-2007)**



Source: Programa AVOT (Asistencia a Víctimas de la Trata de Personas), IOM-Buenos Aires

**Fig. 95: Victims of trafficking in persons identified by various institutions and assisted by IOM-Programme AVOT in Argentina, by country of citizenship (November 2005-2007)**



Source: Programa AVOT (Asistencia a Víctimas de la Trata de Personas), IOM-Buenos Aires

**Additional information**

The victims reported above were identified by OFAVI, which is connected to the Public Prosecutor’s Office, as well as other government offices, consulate services of countries of origin and civil society organizations. These institutions have been working in partnership with IOM-Buenos Aires in Programme AVOT (Asistencia a Víctimas de la Trata de Personas).

In addition to those reported above, one Argentine victim of human trafficking was returned from Central America in 2006 and another was returned from South Europe in 2007. Both were assisted by IOM.

# Bolivia

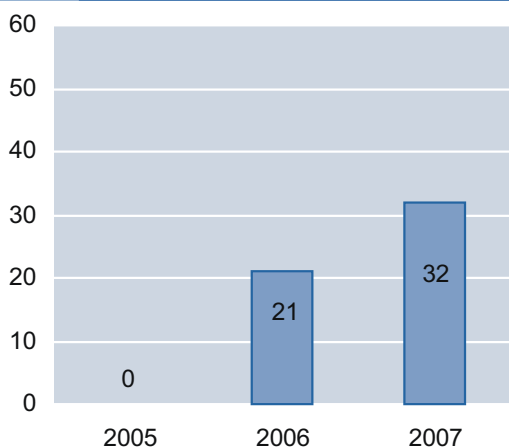
## Institutional framework

The specific offence of trafficking in persons was established in Bolivia in January 2006. A national action plan was enacted and implemented for 2006-2010.

## Criminal justice response

There are specialized units within the Special Forces of La Paz, Cochabamba and Santa Cruz dealing with trafficking in persons and the smuggling of migrants.

Fig. 96: Cases of trafficking in persons investigated by the National Police in Bolivia (2005-2007)



Source: Policía Nacional, Dirección Nacional División Trata y Tráfico de Seres Humanos

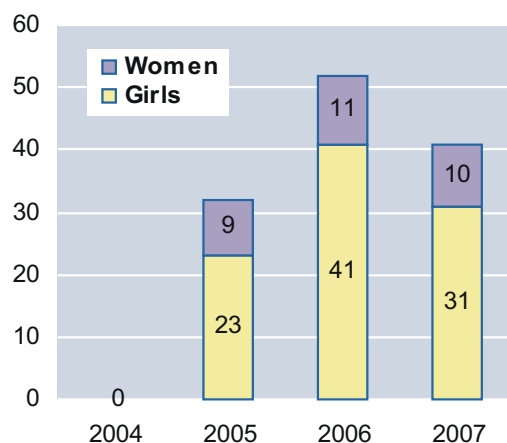
## Services provided to victims

State authorities, NGOs and international organizations provide medical and psychological support and housing and shelter for victims of trafficking in persons.

## Additional information

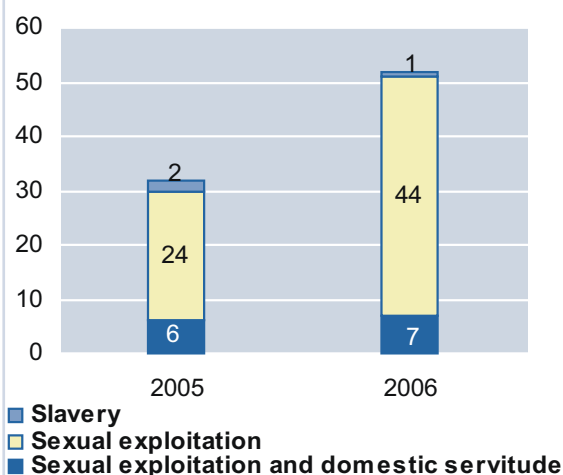
Authorities reported 85 suspected cases of trafficking in persons and 27 cases of possible child trafficking in 2007 in addition to the ones indicated in the charts above. According to the Ministry of Justice, the only official system for victim identification currently in place is the police. Victims identified by State authorities and rep-

Fig. 97: Victims of trafficking in persons identified by State authorities in Bolivia, by age (2004-2007)



Source: SEDEGES (Servicio Departamental de Gestión Social)

Fig. 98: Victims of trafficking in persons identified by State authorities in Bolivia, by type of exploitation (2005-2006)



Source: SEDEGES (Servicio Departamental de Gestión Social)

resented in the chart above as having suffered mixed exploitation were subjected to sexual exploitation and domestic servitude.

The only shelter available for trafficking victims, the Centro de Terapia de Mujeres, is located in La Paz. This shelter is primarily designed to assist adolescent victims of violence between the ages of 12 and 18, but it also has been used to shelter female (women and girls) victims of trafficking.



## Brazil

### Institutional framework

Brazil has specific provisions criminalizing trafficking in persons in its penal code. These provisions were last reformed in 2005 when the offence of international trafficking (Article 231) was supplemented by the offence of internal trafficking (Article 231-A) – both articles refer only to sexual exploitation. Article 149 of the penal code criminalizes “reducing someone to a situation analogous to slavery”, including trafficking in persons cases.

Within the legislative frame of its labour law, Brazil developed a Labour Justice System with its own specific body of public prosecutors and judges enforcing labour legislation. The Labour Justice System has also developed its own set of sanctions that include fines and other administrative measures but not detention.

Brazil has had a National Policy on Trafficking in Persons in place since 2006 and a National Plan of Action for 2008-2010 that entered into force in January 2008. Some federal states, like Pernambuco, Sao Paulo, Ceara and Bahia as well as some larger municipalities, have started drafting local plans of action against human trafficking that mirror the national documents.

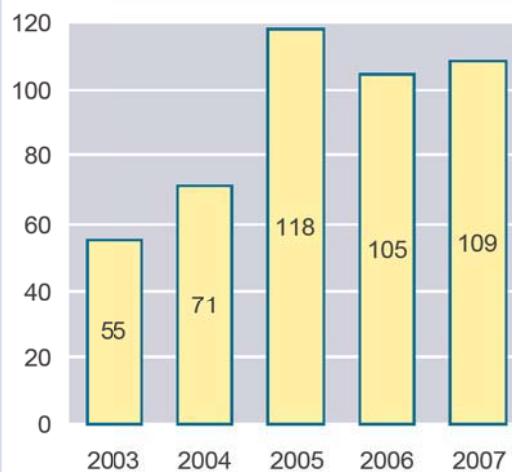
### Criminal justice response

Brazil has a federal criminal justice system with several law enforcement and judicial structures (federal, state, labour, children and adolescents) in place that deal with trafficking within their respective areas. For instance, the Federal Police investigate international trafficking as well as internal trafficking when it involves more than one state. Within the Federal Police, the Central Division of Human Rights is the specialized body for investigations regarding crimes against human rights, including human trafficking. The Federal Road Police Patrol has a dedicated unit focused on human trafficking cases occurring on the roads.

All convictions for trafficking in persons offences refer to sexual exploitation. All those convicted

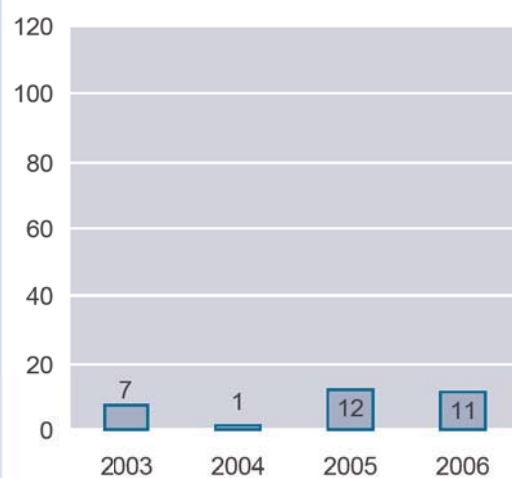
under these offences from 2004 to February 2007 were Brazilians, with the exception of six Europeans. Of the cases investigated under the slave labour offence, a total of 11 were prosecuted by the federal court with no convictions.

Fig. 99: Cases of trafficking in persons investigated by the Federal Police in Brazil (2003-2007)



Source: Federal Police databank

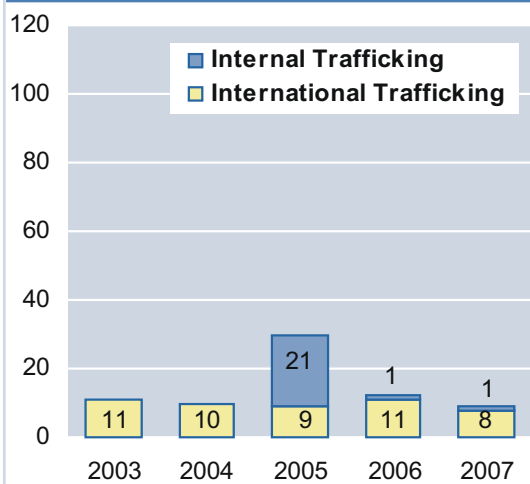
Fig. 100: Cases of trafficking in persons prosecuted as a result of Federal Police investigations in Brazil (2003-2007)



Source: Federal Police databank

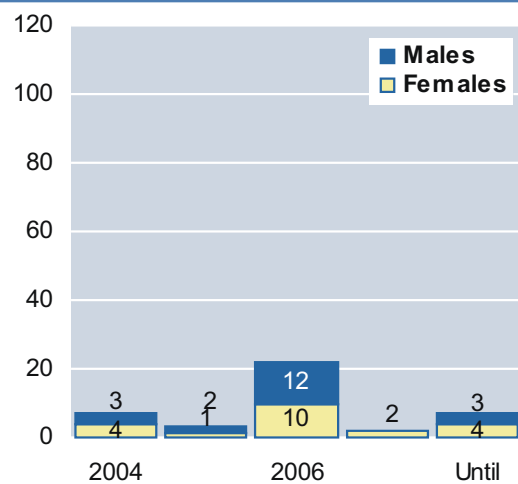


Fig. 101: Cases of trafficking in persons investigated by State Police in Brazil (2003-2007)



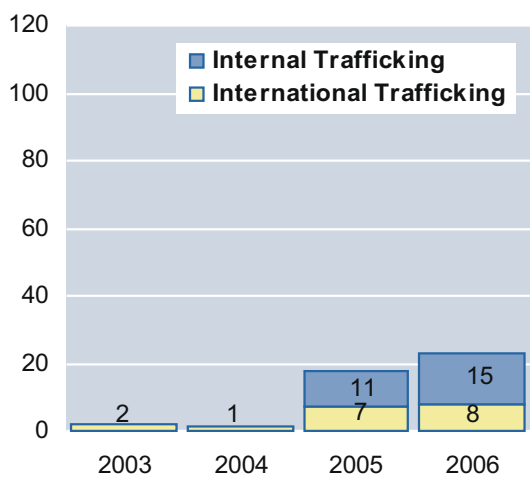
Source: International Labour Office - Estudo Proteger e Responsabilizar

Fig. 103: Persons convicted in federal and state courts of trafficking in persons in Brazil, by gender (2004-February 2008)



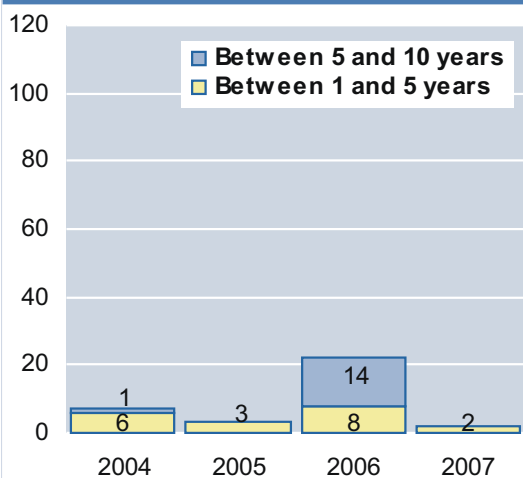
Sources: Federal Police databank, Justiça federal, local courts

Fig. 102: Cases of trafficking in persons prosecuted as a result of State Police investigations in Brazil (2003-2007)



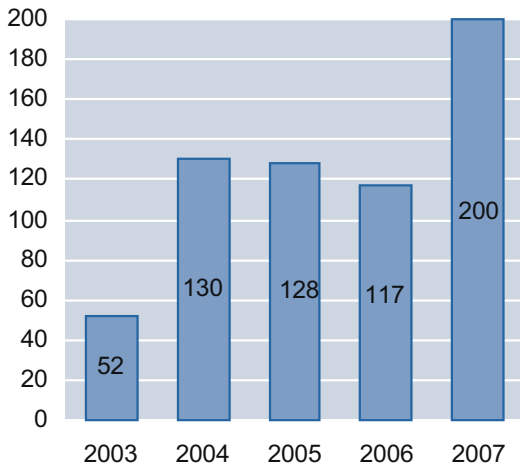
Source: International Labour Office - Estudo Proteger e Responsabilizar

Fig. 104: Sanctions imposed by federal and state courts for trafficking in persons in Brazil



Sources: Federal Police databank, Justiça federal, local courts

**Fig. 105: Cases of slave labour (Article 149 of the penal code) investigated by Federal Police in Brazil (2003-2007)**

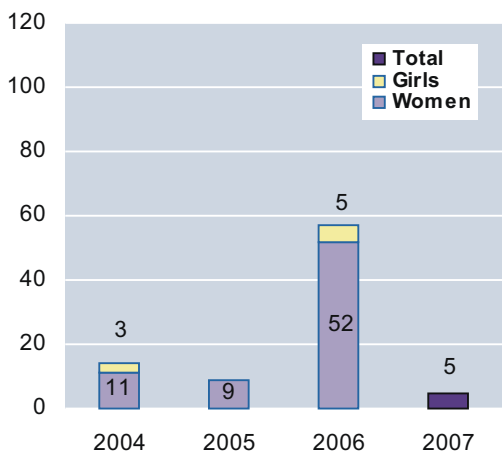


Sources: Federal Police databank

### Services provided to victims

State authorities and local NGOs provide legal protection, medical and psychosocial support, and housing and shelter for victims of human trafficking. International organizations financially support specific shelters in the country, but they do not provide these services directly. In 2008, the text of a new Foreigners' Statute to enable the concession of visas to trafficking victims was under consideration by Congress.

**Fig. 106: Victims of trafficking in persons identified by federal and state courts in Brazil during criminal proceedings, by age (2004-2007)**



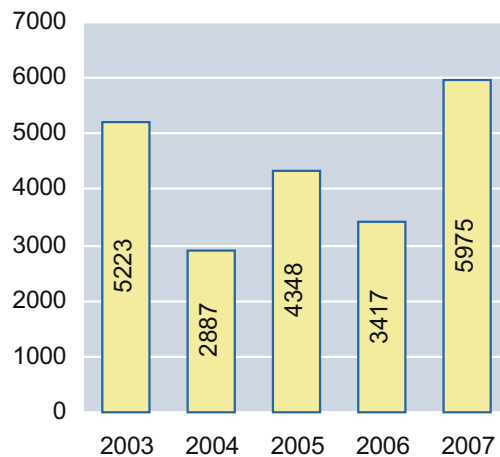
Sources: Federal and state courts

### Additional information

All victims of trafficking identified and reported above were citizens of Brazil.

In the context of the Labour Justice System, the Federal Mobile Group targets slave labour according to the labour legislation. This group was formed in 1995 by the Ministry of Labour, the Labour Public Prosecutor's Office and the Federal Police.

**Fig. 107: Persons found in slave labour conditions by the Federal Mobile Group from the Ministry of Labour in Brazil (2003-2007)**



Source: Ministry of Labour

All victims of slave labour identified by the Federal Mobile Group were citizens of Brazil and almost all of them were adult males. The above numbers only refer to workers under slave conditions detected in rural areas. Bolivian, Peruvian, Paraguayan and Ecuadorian victims of trafficking for the purpose of slave labour were detected in the State of Sao Paulo, but the actual numbers of these victims were not available for the reporting period.

## Chile

### Institutional framework

Chile has provisions criminalizing the facilitation of entry or exit of the Chilean territory for the purpose of prostitution. This offence is used to prosecute some forms of trafficking in persons, but trafficking for forced labour and internal trafficking are not covered by this provision. Draft legislation establishing the specific offence of trafficking in persons received the approval of the senate in 2007 and was pending with the Chamber of Deputies in 2008.

### Criminal justice response

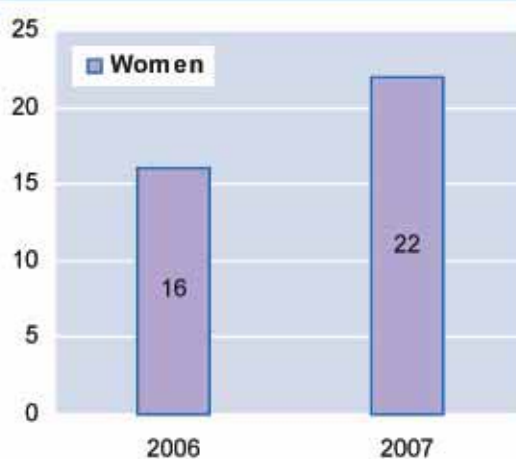
The largest cities in Chile have a special police unit for sex crimes (BRISEXME), including trafficking in persons. The Fiscalía Nacional (Public Prosecutor's Office) also has a unit specializing in sex crimes.

Four women were prosecuted for human trafficking in 2005 and one man in 2006. Two women – one Bolivian and one Paraguayan – were convicted in 2006, and one person was convicted in 2007. The women convicted in 2006 received sentences of between one to five years and five to 10 years, respectively.

### Services provided to victims

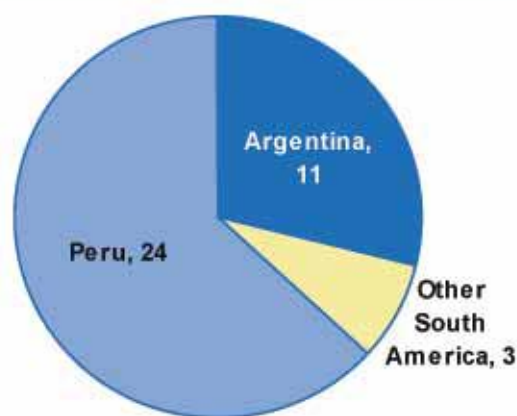
State authorities and local NGOs provide temporary visas and housing and shelter for victims of human trafficking. The government gives public support to NGOs that run shelters only for children and adolescent victims of sexual exploitation, including human trafficking victims. All victims identified by State authorities in 2006 and 2007 were adult females trafficked for sexual exploitation.

Fig. 108: Victims of trafficking in persons related offences, identified by the Public Prosecutor's Office in Chile, (2006-2007)



Source: Fiscalía Nacional

Fig. 109: Victims of trafficking in persons related offence, identified by the Public Prosecutor's Office in Chile, by country of citizenship (2006-2007)



Source: Fiscalía Nacional



## Colombia

### Institutional framework

The specific offence of trafficking in persons was established in Colombia in 2002, and a new law was adopted in 2005. This law has a wider definition of trafficking in persons than included in the UN Trafficking Protocol since the Colombian law considers the consent of an adult irrelevant when defining situations of trafficking in persons. A national action plan was adopted in 2005.

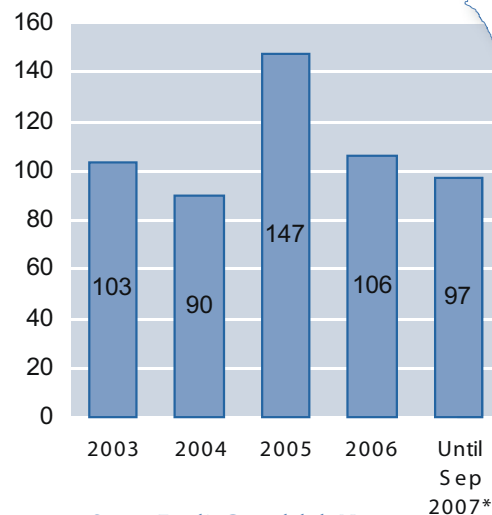
### Criminal justice response

Some police officers who are part of the Group for Sexual Crimes have special training to combat the smuggling of migrants and trafficking in persons. The Departamento Administrativo de Seguridad (DAS) also has a group specially trained for such investigations, operating under the direction of Interpol.

The Fiscalía (Public Prosecutor's Office) established a National Unit of Human Rights in March 2007 focusing on trafficking in persons. Also in 2007, as part of the Estrategia Nacional de Lucha contra la Trata de Personas, the Ministry of Justice and Interior and the UNODC field office in Colombia implemented the Centro Operativo Anti-Trata de Personas (C.O.A.T.) in order to create and develop an elite group of public servants devoted to the prosecution of trafficking cases.

Three prosecutions for trafficking in persons were recorded in Colombia from 2003 to September 2007; two prosecutions were initiated in 2005 and one in 2007 (up to September); and three convictions were recorded from 2003 to September 2007.

Fig. 110: Cases of trafficking in persons investigated in Colombia (2003-September 2007)

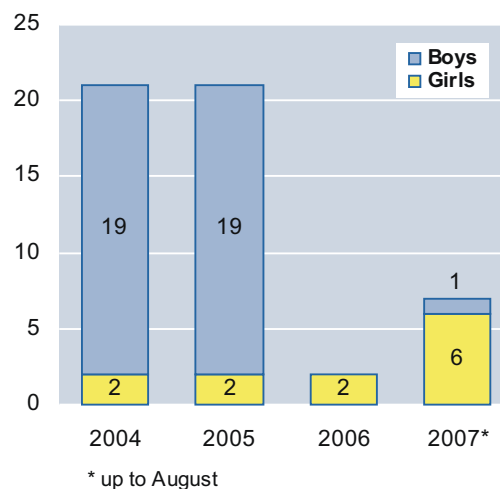


Source: Fiscalía General de la Nación

### Services provided to victims

State authorities provide legal protections, temporary visas, medical and psychological support, and housing and shelter for victims. Local NGOs offer housing and shelter, medical and psychosocial support, and legal assistance. Additionally, international organizations provide housing and shelter.

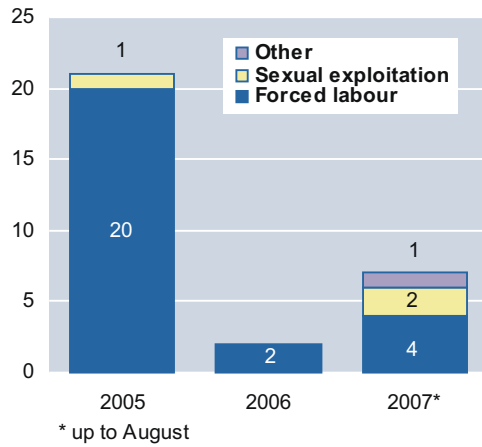
Fig. 111: Victims of trafficking in persons identified by State authorities in Colombia, by gender (2004-August 2007)



\* up to August

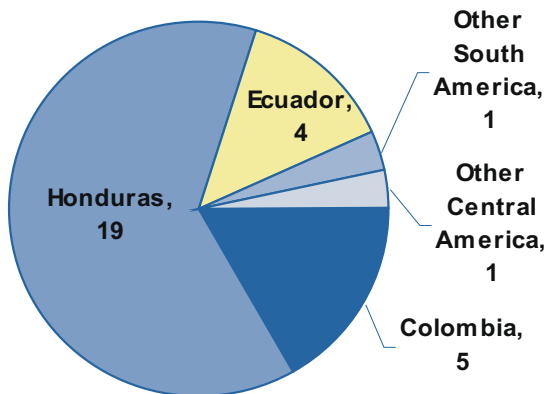
Source: Instituto Colombiano de Bienstar Social

**Fig. 112: Victims of trafficking in persons identified by State authorities in Colombia, by form of exploitation (2005-August 2007)**



Source: Instituto Colombiano de Bienstar Social

**Fig. 113: Victims of trafficking in persons identified by State authorities in Colombia, by country of citizenship (2005-August 2007)**



Source: Instituto Colombiano de Bienstar Social

### Additional information

The above figures on identified victims were provided by the Instituto Colombiano de Bienstar Social (ICBF), a public institution charged with the protection of children and adolescents that also runs the public shelters for this age group.

In August 2007, the RITRA (Registro de Información de Trata de Personas) system was launched. This system collects information from the different institutions dealing with trafficking cases, whether from a criminal justice perspective or from those providing direct assistance.

## Ecuador

### Institutional framework

The specific offence of trafficking in persons was established in Ecuador in 2005 but the legislation does not include “removal of organs” as purpose of trafficking. A national action plan for combating trafficking in persons and other forms of exploitation was adopted in 2006.

### Criminal justice response

The National Police of Ecuador has a specific unit investigating child trafficking that is connected to the Dirección Nacional de Policía Especializada en Niños, Niñas y Adolescentes (DINAPEN) and exists in four regions of the country.

Between 2005 and the end of 2007, there were 160 cases of various forms of sexual exploitation against children (child pornography, sex tourism, etc.), including cases of trafficking in persons. Over the same period, there were 10 convictions for these offences, six in the capital of Quito and four in Machala, close to the Peruvian border. All cases were related to various forms of sexual exploitation, mostly with victims under 18 years of age. All persons convicted were citizens of Ecuador and received sentences ranging between six and 12 years detention.

### Services provided to victims

State authorities provide legal protection, temporary visas, and housing and shelter to victims of human trafficking. With funding from the State, some NGOs run shelters in Sucumbíos and Quito for minors who are victims of trafficking. Religious orders, such as Hermanas Adoratrices, provide housing for children and adolescent victims of sex trafficking in the cities of Lago Agrio, Cuenca and Santo Domingo.

### Additional information

The National Witness/Victim Protection Programme and the National Institute for Children and the Family (Instituto Nacional de La Niñez y la Familia, INNFA) identified child victims of trafficking during the reporting period. However, as the information has not yet been systematized, there are no statistics on identified victims of trafficking in Ecuador.

The National Institute for Children and the Family (Instituto Nacional de La Niñez y la Familia, INNFA) has also a fund to repatriate Ecuadorian minors trafficked abroad. A new shelter for child victims of trafficking is due to open in 2008 in the city of Machala.



## Paraguay

### Institutional framework

Paraguay has a provision criminalizing the use of force or fraud to facilitate the entry or exit of a person from or to the country for the purpose of prostitution. This offence is used to prosecute some forms of trafficking in persons, but it does not cover internal trafficking and refers only to sexual exploitation. Draft legislation establishing the specific offence of trafficking in persons is planned to enter into force in 2009. National action plans are in place relating to trafficking in persons for the sexual exploitation of children and adolescents and for child labor.

### Criminal justice response

Since 2005, the Public Prosecutor's Office has created specialized units for sex crimes, potentially including human trafficking cases.

Information related only to the capital of Asuncion indicates that there were 65 cases investigated under the offence of facilitating the entry of prostitutes. Over the same period, 19 persons were investigated by the police for the same offence, prosecution was commenced against 11 persons and seven persons were convicted – all those convicted were Paraguayan.

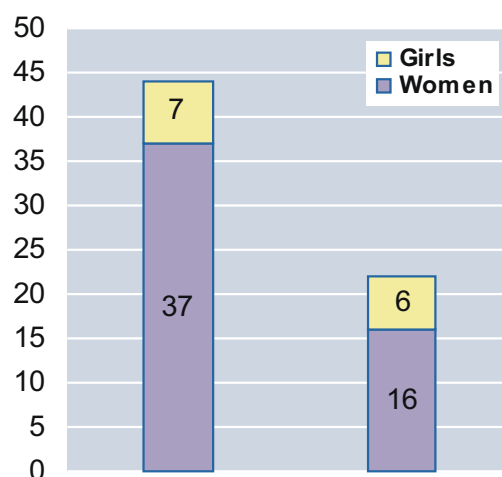
### Services provided to victims

State authorities provide legal protection, medical and psychosocial support, and housing and shelter. Local NGOs offer housing and shelter.

### Additional information

Currently, there are two shelters funded by the State that receive minors who are victims of sexual violence, including human trafficking, and one shelter that receives adult victims. All victims of trafficking in persons identified and sheltered in 2005 and 2006 were Paraguayans returned from other countries. Since most victims were repatriated from Argentina, they were normally returned and provided with reintegration assistance by IOM-Buenos Aires.

Fig. 114: Victims of the offence "use of force or fraud to facilitate the entry or exit of a person from or to the country for the purpose of prostitution" identified by State authorities in Paraguay, by age (2005-2006)



Source: Office of the Public Prosecutor

## Peru

### Institutional framework

The specific offence of trafficking in persons for sexual exploitation has existed in Peru since 2004. In January 2007, the criminal code was amended to expand the trafficking offence to include the other forms of exploitation listed in Article 3 of the UN Trafficking Protocol. A national plan of action was presented to the government in July 2007.

### Criminal justice response

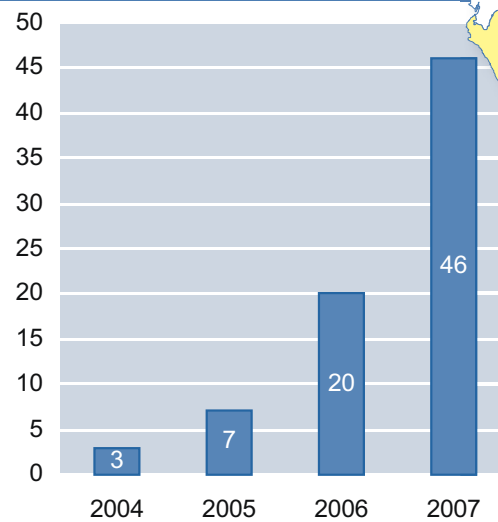
A special investigative unit, the Departamento de Investigación contra la Trata de Personas e Investigaciones Especiales, was created in January 2004. This unit has investigative responsibility at the national level for trafficking in persons.

Four persons were prosecuted in 2006. In the same year, one Peruvian male was convicted for trafficking in persons for sexual exploitation and received a sentence of between five and 10 years detention. No other convictions were recorded between 2003 and 2006.

### Services provided to victims

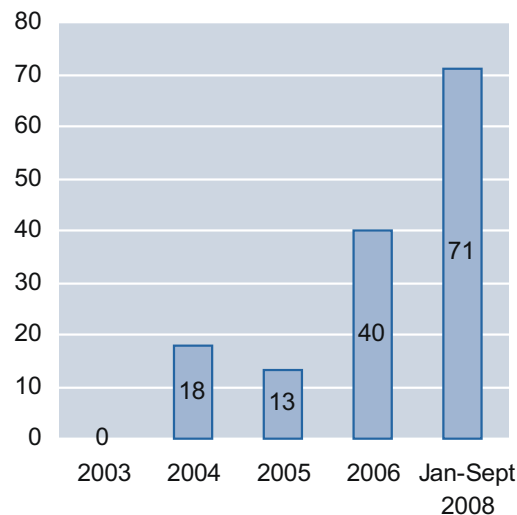
State authorities and local NGOs provide legal protections, temporary visas, medical and psychological support, and housing and shelters.

Fig. 115: Cases of trafficking in persons investigated in Peru (2004-2007)



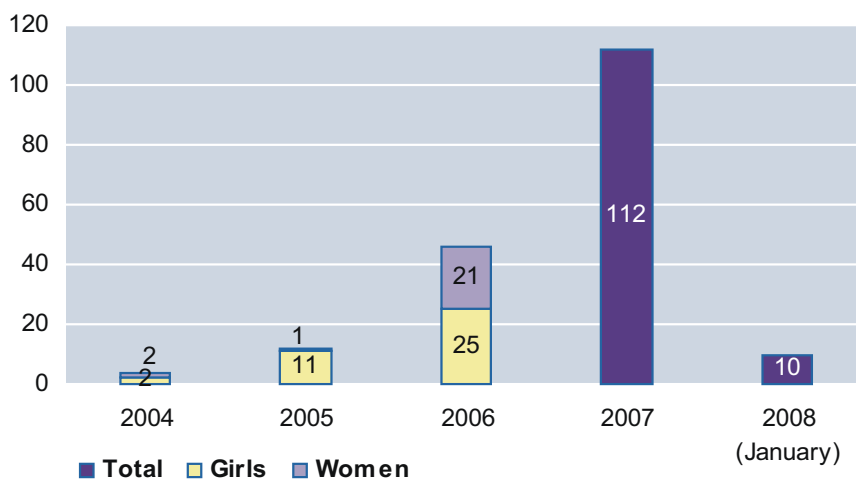
Source: Capital Humano y Social Alternativo

Fig. 116: Persons suspected of trafficking in Peru (2003-September 2007)



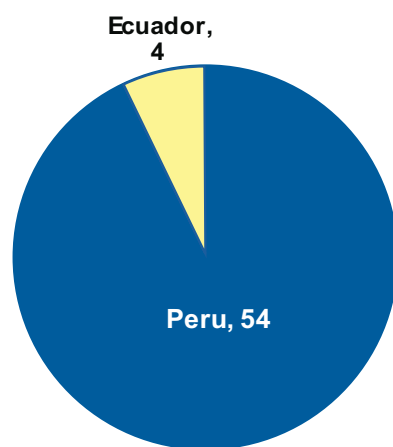
Source: Capital Humano y Social Alternativo

Fig. 117: Victims of trafficking in persons identified by State authorities in Peru, by age (2004-January 2008)



Source: Policía Nacional del Perú/Sistema RETA

Fig. 118: Victims of trafficking in persons identified by State authorities in Peru, by country of citizenship (2005-2006)



Source: Policía Nacional del Perú/Sistema RETA

### Additional information

The RETA system was developed in the early years of this decade. This system includes a data-bank that centralizes information on victims and traffickers from the different authorities and actors, including NGOs, dealing with trafficking in persons.

All the victims identified in 2005 and 2006 were trafficked for sexual exploitation. There is no clear information concerning the destination of the reported victims, but it appears that a significant portion of them were trafficked internally.



# Venezuela (Bolivarian Republic of)

## Institutional framework

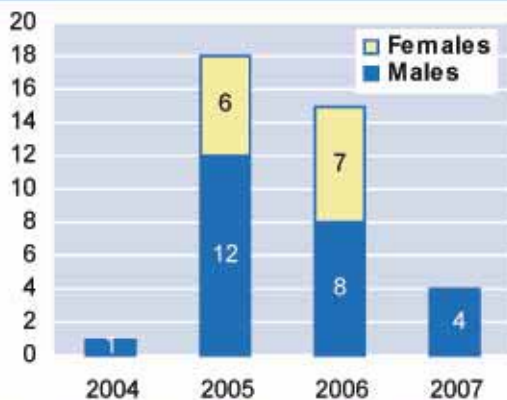
International trafficking in persons was criminalized in Venezuela in 2005 under the organic law against organized crime and under the immigration law (2004). In March 2007, a new specific offence criminalizing trafficking in women and girls was introduced into the penal code under the organic law on the Right of Women to a Violence-Free Life. The organic law for the

protection of minors and Article 174 of the penal code criminalizing the reduction into slavery and analogues conditions also are used to criminalize trafficking cases. In addition, the Venezuelan constitution explicitly prohibits trafficking in persons.

A national action plan was adopted in 2006.

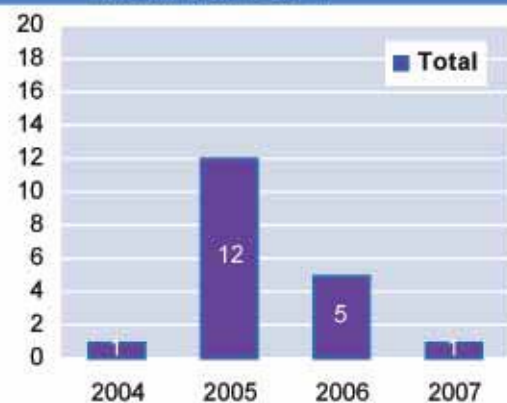
## Criminal justice response

Fig. 119: Persons prosecuted for trafficking in persons and other related offences in Venezuela, by gender (2004-2007)



Source: Direccion General de Actuacion Procesal-Ministerio Publico

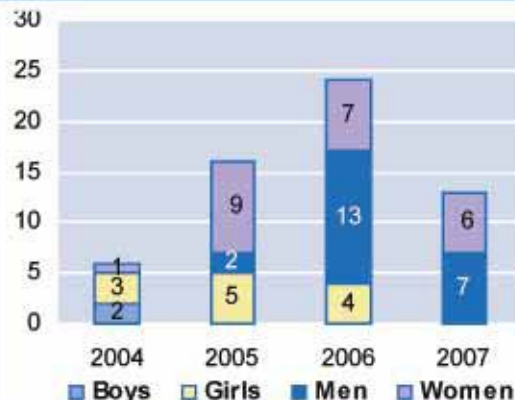
Fig. 120: Persons convicted of trafficking in persons and other related offences in Venezuela (2004-2007)



Source: Direccion General de Actuacion Procesal-Ministerio Publico

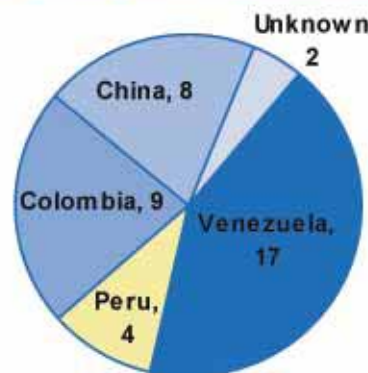
## Services provided to victims

Fig. 121: Victims of trafficking in persons identified by State authorities in Venezuela, by age and gender (2004-2007)



Source: Direccion General de Actuacion Procesal-Ministerio Publico

Fig. 122: Victims of trafficking in persons identified by State authorities in Venezuela, by country of citizenship (2004-2007)



Source: Direccion General de Actuacion Procesal-Ministerio Publico



The following countries are covered in this section: Australia, Brunei Darussalam, Cambodia, the Cook Islands, Indonesia, Japan, Kiribati, Lao PDR, Malaysia, Mongolia, Micronesia, Myanmar, Nauru, New Zealand, Niue, Palau, the Philippines, the Republic of Korea, Samoa, Singapore, the Solomon Islands, Thailand, Timor-Leste, Tuvalu and Viet Nam. The

specialy administered territories of New Caledonia (an overseas territory of France) and French Polynesia (a Collectivité d'outre-mer France) also are included in this section.

Any missing information concerning the region was either not available or not accessed by UNODC.

## Australia

### Institutional framework

The specific offence of trafficking in persons was established in Australia in 2005. The offence cover all forms of trafficking in persons listed as minimum requirement in the article 3 of the UN

Trafficking Protocol, which has been ratified by Australia in September 2005. In addition, offences concerning trafficking in persons are contained in the Commonwealth Criminal Code Act 1995 and the Employer Sanctions (Migration Amendment) act 2007.

The Australian Government has had its whole-of-government Strategy to Combat Trafficking in Persons in place since 2004. A National Policing Strategy to Combat Trafficking in Women for Sexual Servitude coordinates policing work on trafficking for sexual servitude across jurisdictions.

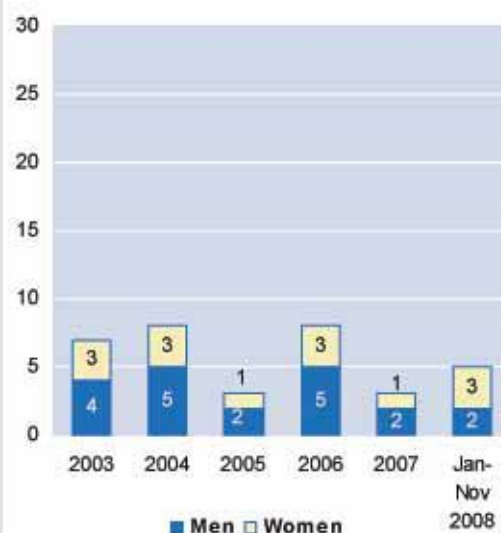
### Criminal justice response

The Australian Federal Police (AFP) established specialist teams, the Transnational Sexual Exploitation and Trafficking Teams (TSETT) in 2003. From 2003 to November 2008, 34 people have been charged with trafficking related offences, resulting in eight convictions. At the time of the writing six cases were before the courts involving 15 defendants.

### Services provided to victims

The Australian Government provides victims of people trafficking with legal protection, temporary stay permits, which may lead to a permanent visa, medical and psychosocial support, food and living allowances and housing on an individualized, case-by-case basis. Non-government organizations offer legal advice, medical and psychosocial support and housing.

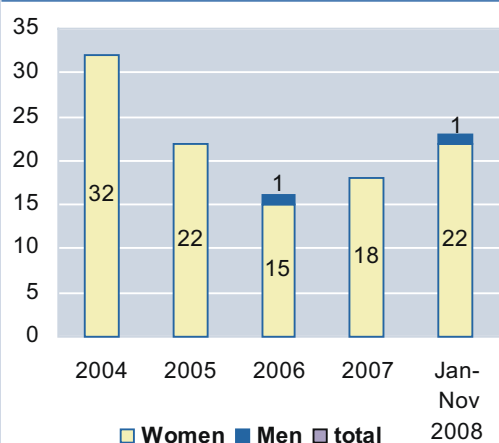
Fig. 123: Persons arrested and charged with possession or exercise of ownership over a slave, sexual servitude offences trafficking in persons and debt bondage offences in Australia, by gender (2003-November 2008)



Source: Transnational Sexual Exploitation and Trafficking Teams

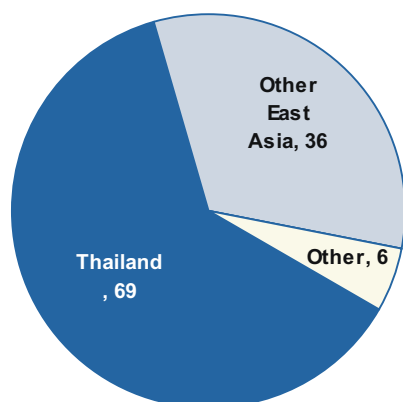


Fig. 124: Persons placed on the Government's victims support in Australia, by gender (2004-November 2008)



Source: Office for Women, Department of Families, Community Services and Indigenous Affairs

Fig. 125: Persons placed on the Government victims support in Australia, by country of citizenship (2004-November 2008)



Source: Office for Women, Department of Families, Community Services and Indigenous Affairs

### Additional information

The Australian Government's Office for Women, manages the Support for Victims of People Trafficking Program. From the inception of the Program in 2004 until October 2008, all victims identified have been adults. All but four victims identified and receiving support through the Program between 2004 and October 2008, were trafficked for sexual exploitation; the remaining four victims were trafficked for forced labour in construction, hospitality and domestic work.

The AFP cooperates with a number of law enforcement agencies in the region on people trafficking and child sex tourism investigations. For example, the AFP works closely with the Royal Thai Police Crimes Against Child Juvenile and Women Division in relation to human trafficking and child sex tourism investigations.

The AFP Bangkok office also works closely with the Thai Department of Social Development and Welfare, on issues ranging from the referral of intelligence of suspected victims through to the management of victims providing evidence as witnesses in Australian and Thai trials.

## Brunei Darussalam

### Institutional framework

The specific offence of trafficking in persons was established in Brunei Darussalam in 2004.

### Criminal justice response

The Immigration Department and Royal Customs and Excise are in charge of investigating any alleged offences committed under the trafficking in persons law.

There were no investigations, prosecutions or convictions recorded in Brunei Darussalam during the reporting period.

### Services provided to victims

State authorities provide temporary stay permits for victims of trafficking. No victims were identified by authorities in Brunei Darussalam during the period covered by this report.

## Cambodia

### Institutional framework

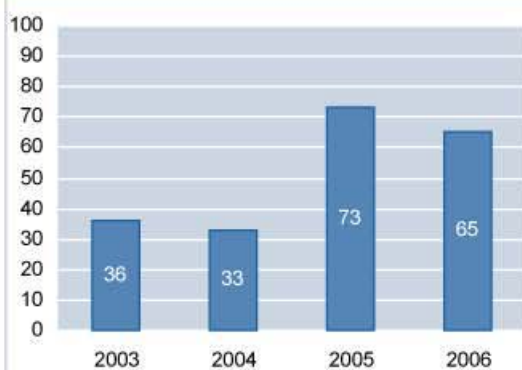
Cambodia has had specific provisions in place addressing trafficking in persons since 1996, however, the 1996 law on the Suppression of the Kidnapping, Trafficking and Exploitation of Human Beings only criminalizes trafficking for the purpose of sexual exploitation. A new offence criminalizing also forced labour entered into force in February 2008. A first National Action Plan on Trafficking and Sexual Exploitation of Children was adopted in 2000, and a second national action plan was drafted in 2005 and is still awaiting approval by the competent authorities.

### Criminal justice response

A Specialized Anti-Trafficking and Juvenile Protection Police Unit (AHTJP) was created in 2002, and a number of specialized units increased their coverage from seven to 17 provinces in 2006. Working units that include prosecutors and judges were established by the Ministry of Justice in the municipal and provincial courts to target human trafficking cases.

The overall number of persons convicted for human trafficking in Cambodia was unavailable. In the capital of Phnom Penh alone, the court handled 38 cases, and 40 persons were convicted of human trafficking in 2006.

Fig. 126: Persons arrested for trafficking in persons in Cambodia (2003-2006)

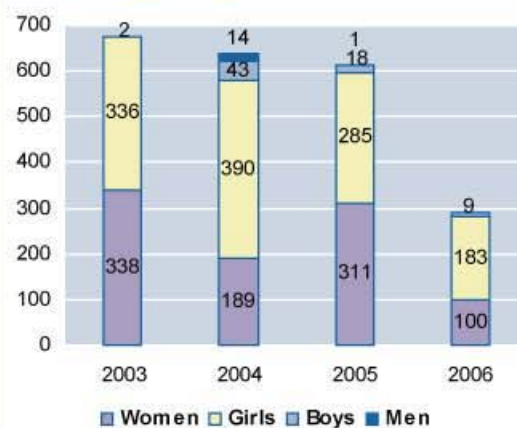


Source: Department of Anti-Trafficking and Juvenile Protection, Ministry of the Interior

### Services provided to victims

State authorities provide legal protection, temporary stay permits, medical and psychosocial support, and housing and shelter as well as rehabilitation and reintegration for victims of trafficking. NGOs and international organizations also offer medical and psychosocial support, housing and shelter, and rehabilitation and reintegration programmes.

Fig. 127: Victims of trafficking in persons identified by State authorities in Cambodia, by age and gender (2003-2006)



Source: Department of Anti-Trafficking and Juvenile Protection, Ministry of the Interior

### Additional information

From 2005-2007, 54 cases of domestic trafficking (involving 86 offenders) and 32 cases of cross-border trafficking (involving 58 offenders) were investigated.

The Department of Anti-Trafficking and Juvenile Protection managed a database with information concerning all victims referred by NGOs, families or the Department of Social Affairs during the reporting period.

## Indonesia

### Institutional framework

Indonesia has had specific provisions in place on trafficking in women and children (Article 297 of the penal code) since 1946. The Child Protection Act of 2002 specifically criminalized child trafficking and the sexual exploitation of children. These provisions were related only to the trafficking of women and children. The 2007 law on the “eradication of the criminal act of trafficking in persons”, however, criminalizes all of the forms of trafficking listed in Article 3 of the UN Trafficking Protocol. The Indonesian National Plan of Action for the Elimination of Trafficking in Women and Children was enacted on 30 December 2002.

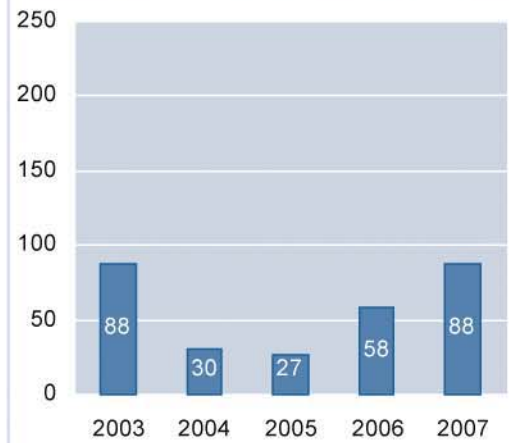
### Criminal justice response

The Indonesian National Police has special units for women and children (UPPA) with special service rooms (RPK) in a number of police offices around the country to provide assistance to victims of trafficking during criminal proceedings.

### Services provided to victims

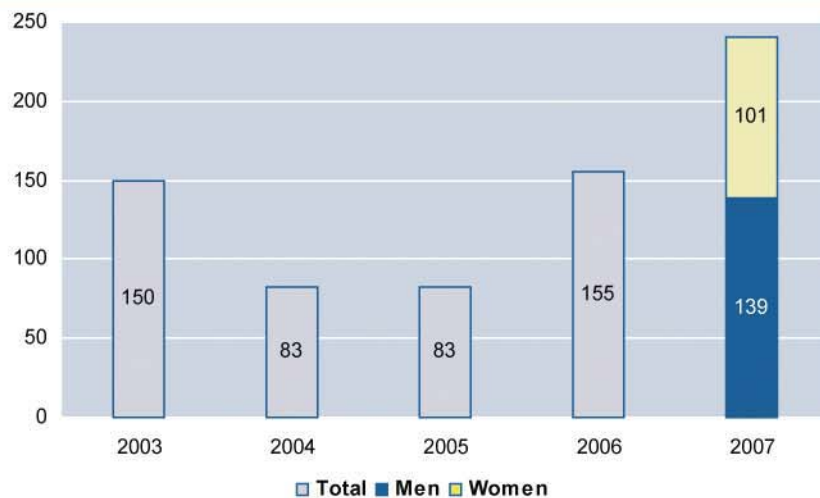
State authorities, NGOs and international organizations provide legal protection, medical and psychosocial support, and housing and shelter, as well as recovery, return and reintegration support for victims of trafficking. State authorities also offer temporary stay permits.

Fig. 129: Cases prosecuted for trafficking in persons in Indonesia, (2003-2007)



Source: Indonesian National Task Force to Combat Trafficking in Persons

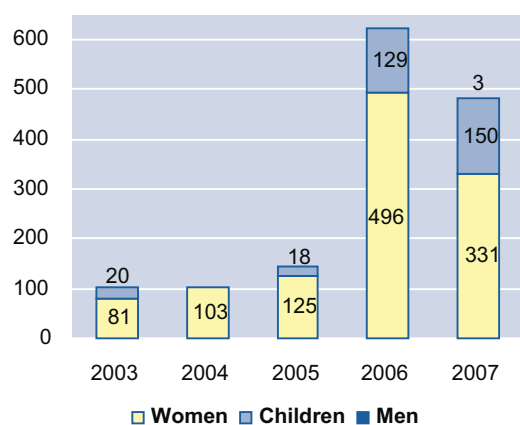
Fig. 128: Persons investigated and arrested for trafficking in persons in Indonesia, by gender (2003-2007)



Source: Indonesian National Task Force to Combat Trafficking in Persons

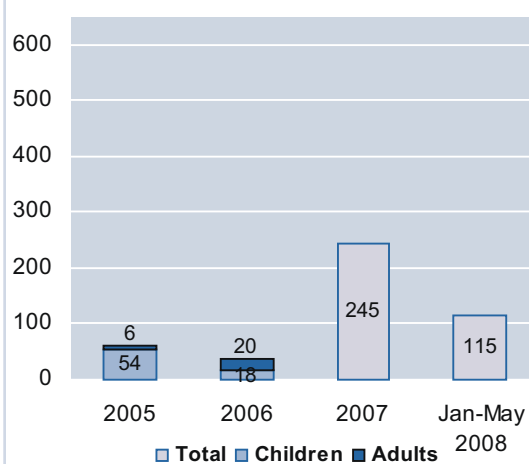


Fig. 130: Victims identified by the police in Indonesia, by age and gender (2003-2007)



Source: Indonesian National Task Force to Combat Trafficking in Persons

Fig. 131: Victims sheltered in Indonesia by age, (2005-May 2008)



Source: Indonesian National Task Force to Combat Trafficking in Persons

## Additional information

According to the Indonesian National Task Force to Combat Trafficking in Persons, identified victims were mostly Indonesians and were mostly returned from other countries in the region. Exact figures on the nationality and the countries from where victims were repatriated were unavailable.

There were no data available to UNODC concerning the numbers of convicted offenders, but authorities reported that most of the traffickers were Indonesians. Foreigners convicted for trafficking-related crimes in 2007 were from the Middle East and other Asian countries.

IOM reported that it assisted 2,273 victims of trafficking between March 2005 and April 2007. Most of these victims were adult women and, to a lesser extent, girls. About 130 adult men and 100 boys were assisted by IOM during the same period. The majority of victims (1,312) were exploited as domestic workers, 352 for forced prostitution and the rest for different forms of forced labour. Most victims were returned from neighbouring East Asian countries. About 480 were victims of internal trafficking, while 67 of the victims assisted by IOM during this period were repatriated from the Middle East and other East Asian countries.

## Japan

### Institutional framework

Japan introduced the offence of “buying and selling human beings” in 2005. In addition, Article 2(7) of the Immigration Control Act defines trafficking in persons and criminalizes all forms of exploitation considered in Article 3 of the UN Trafficking Protocol. A national plan of action was adopted in 2004.

### Criminal justice response

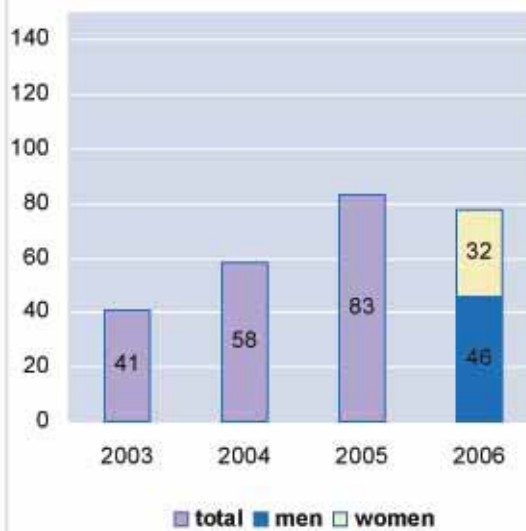
The National Police Agency (NPA) is responsible for investigating cases of trafficking in persons.

From the time the new legislation went into force in 2005 until the end of 2007, 24 people were convicted of trafficking in persons – five were sentenced to prison for less than two years; 12 from two to three years; and the other seven to more than three years in prison.

### Services provided to victims

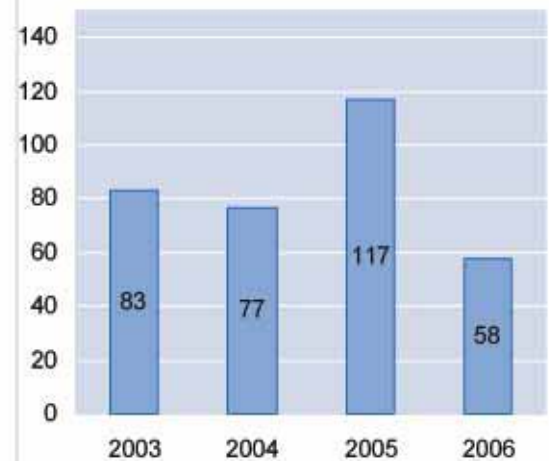
State authorities provide legal protection, temporary stay permits, medical and psychosocial support, and housing and shelter as well as repatriation assistance for victims of trafficking. NGOs and international organizations also offer housing and shelter as well as repatriation assistance.

Fig. 132: Persons arrested for trafficking in persons and related offences in Japan, by gender (2003-2006)



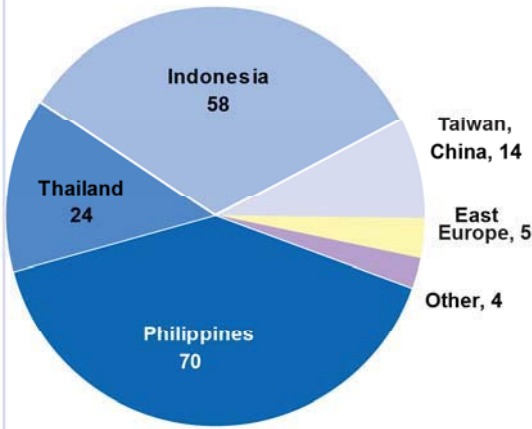
Source: National Police Agency

Fig. 133: Victims of trafficking in persons identified by the National Police Agency in Japan (2003-2006)



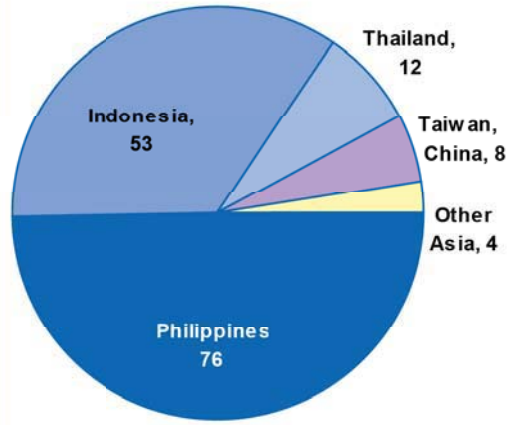
Source: National Police Agency

Fig. 134: Victims of trafficking in persons identified by the National Police Agency in Japan, by country of citizenship (2005-2006)



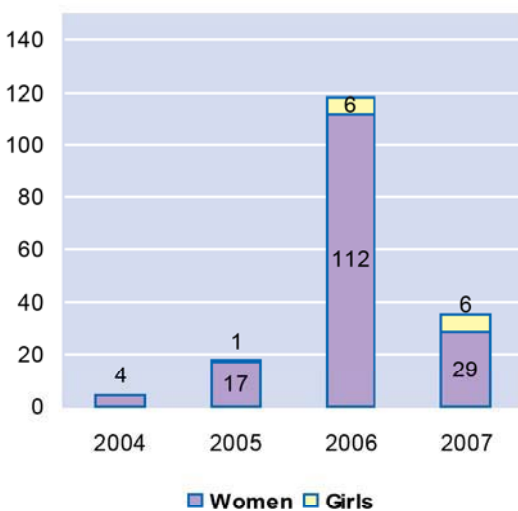
Source: National Police Agency

Fig. 136: Victims of trafficking in persons sheltered by the Women's Consulting Office in Japan, by country of citizenship (2005-2006)



Source: Ministry of Foreign Affairs

Fig. 135: Victims of trafficking in persons sheltered by the Women's Consulting Office in Japan (2004-2007)



Source: Ministry of Foreign Affairs

### Additional information

All the victims identified and sheltered were trafficked for sexual exploitation. The Women's Consulting Office is a public shelter where victims receive food, clothing, and medical and psychological treatment. At the end of 2006, there were 47 offices throughout Japan, with a total capacity of 720 beds available for victims of trafficking in persons.



## Lao People's Democratic Republic

### Institutional framework

The offence of "trade and abduction of human beings" was established in Lao PDR in November 2004. In October 2005, the penal code was amended to include Article 134 defining the offence of trafficking in persons and criminalizing all or most of its forms. The National Plan of Action against Trafficking in Persons of the Lao PDR (2007-2012) was planned to be adopted in 2008.

### Criminal justice response

The Lao Anti-Trafficking Unit (LAPTU) was created in 2005 as part of the national law enforcement body with a specific focus on trafficking in persons. Six provincial anti-trafficking units were formed in 2006, and in 2007, the LAPTU was transformed into the Anti-Trafficking Division.

Twenty-seven cases of cross-border trafficking were investigated in the 2005-2007 period, 14 of which led to convictions.

### Services provided to victims

State authorities provide legal protection, temporary stay permits, medical and psychosocial support, and housing and shelter as well as vocational training for victims of trafficking. NGOs and international organizations also offer medical and psychosocial support, and housing and shelter as well as vocational training.

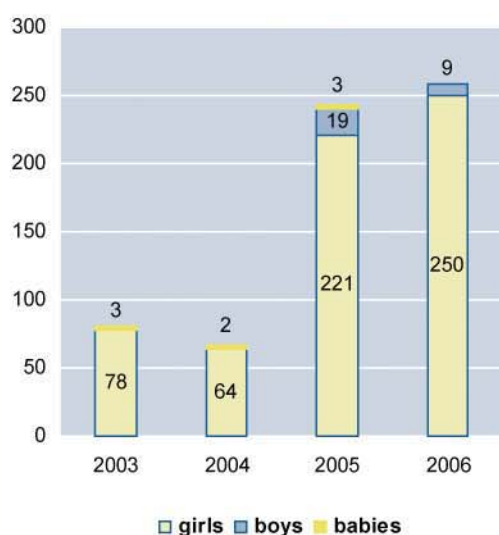
### Additional information

The figures above, provided by the Ministry of Labour and Social Welfare, only represent Lao victims repatriated from Thailand, thus only a part of the victims that might have been repatriated to Lao PDR. Overall, the Ministry for Labour and Social Welfare collected information from 2001 until December 2007, recording about 1,056 people (153 adults and 903 children) returned from Thailand.

Two residential facilities were available for victims of trafficking in persons in 2006, with a total capacity of 60 beds.

The Lao Women's Union sheltered 13 victims of human trafficking from May 2006 to December 2007; four victims were trafficked for sexual exploitation (two in Thailand and two in Lao PDR) and nine for labour exploitation (all in Lao PDR). The second facility is administrated by AFESIP, and 27 victims of trafficking (18 girls and nine women) were sheltered between October 2006 and December 2007; two were victims of trafficking for forced labour, and the rest were trafficked for sexual exploitation. Six of these victims were trafficked internally, while the other 21 were trafficked to Thailand.

Fig. 137: Victims of trafficking in persons identified by State authorities in Lao PDR who have been repatriated from Thailand (2003-2006)



Source: Ministry of Labour and Social Welfare



## Malaysia

### Institutional framework

The specific offence of trafficking in persons was established in Malaysia in 2007 with the adoption of the Anti-Trafficking in Persons Act. In addition, Malaysia established the specific offence of child trafficking in its national legislation in 2001. A national plan of action was drafted in 2008.

### Criminal justice response

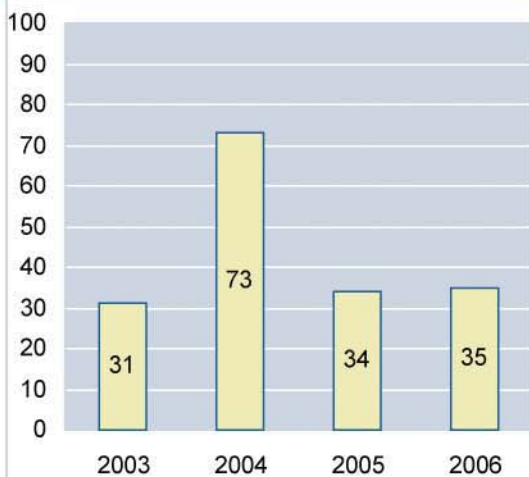
About 160 persons were convicted of “trafficking and abduction of children” between 2003 and 2006. Most of the persons convicted were involved in child trafficking for sexual exploitation, while two were exploiting children for forced labour. About 120 of the offenders received a sentence of less than one year of detention, about 30 received a sentence of one to five years and four were sentenced to more than five years of detention.

### Services provided to victims

State authorities provide legal protection, temporary stay permits, medical and psychosocial support, and housing and shelter for victims of trafficking. In addition, two safe houses for the protection of victims were established in 2008. Each can shelter 20 to 40 women and children.



Fig. 138: Persons prosecuted for trafficking and abduction of children in Malaysia (2003-2006)



Source: Ministry Home Affairs

# Mongolia

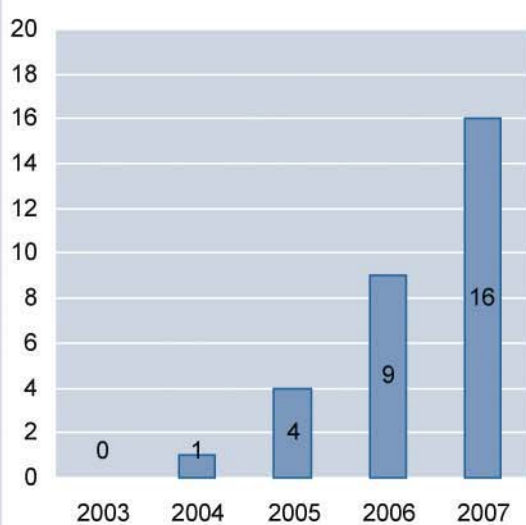
## Institutional framework

The specific offence of trafficking in persons was established in Mongolia in February 2008. Before the 2008 legislation was enacted, the offence of “sale or acquisition of humans” was used to prosecute some forms of trafficking in persons. The National Plan of Action on Commercial Sexual Exploitation and Trafficking of Children was adopted in 2005.

## Criminal justice response

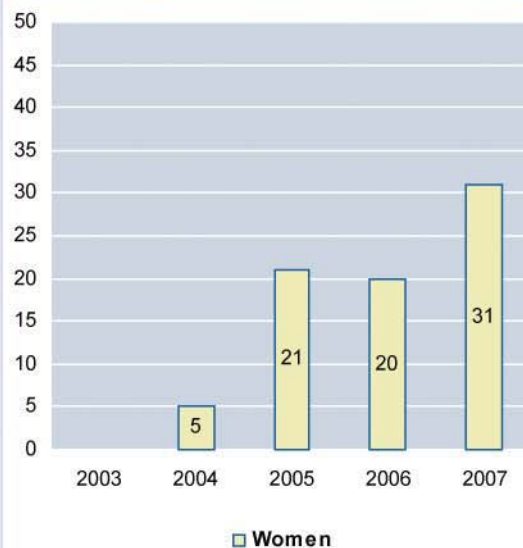
The following criminal justice statistics refer to the offence of “sale or acquisition of humans”. Twenty persons were prosecuted and one was convicted of this offence during 2005-2006. The one convicted offender was sentenced to 10 years in detention.

Fig. 139: Persons investigated for the offence of “sale or acquisition of humans” in Mongolia (2003-2007)



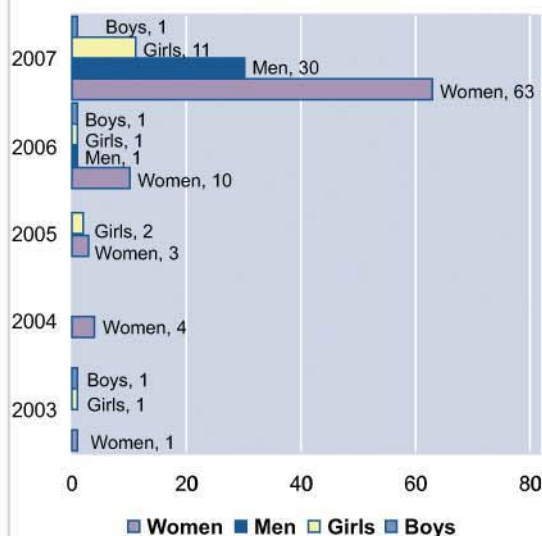
Source: State Investigation Department

Fig. 140: Victims of “sale or acquisition of humans” identified by State authorities in Mongolia (2003-2007)



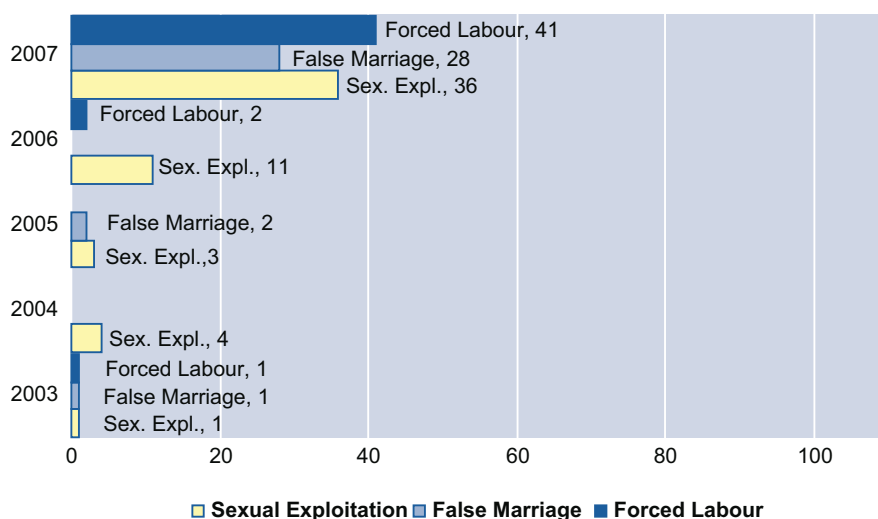
Source: State Investigation Department

Fig. 141: Presumed victims of trafficking in persons assisted by the NGO MGEC in Mongolia, by age and gender (2003-2007)



Source: Mongolian Gender Equality Centre

Fig. 142: Presumed victims of trafficking in persons assisted by the NGO MGEC in Mongolia, by type of exploitation (2003-2007)



Source: Mongolian Gender Equality Centre

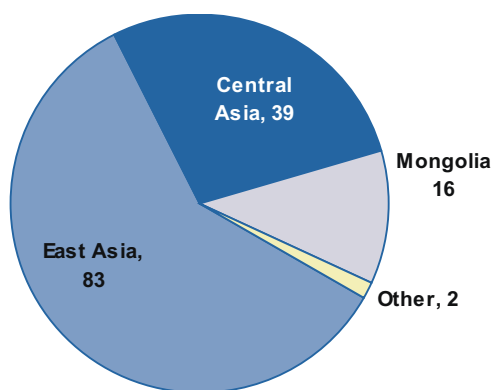
### Services provided to victims

State authorities provide legal protection for victims of trafficking. NGOs offer legal protection, medical and psychosocial support, and housing and shelter.

### Additional information

The Mongolian Gender Equality Centre (MGEC) is an NGO established in Mongolia in 2002. MGEC provides legal and psychological assistance to victims of sexual abuse, exploitation and human trafficking. The “presumed victims” in the charts above refer to persons, very likely trafficking victims, receiving various types of assistance from the MGEC.

Fig. 143: Presumed victims of trafficking in persons assisted by the NGO MGEC (2003-2007)



Source: Mongolian Gender Equality Centre



## Myanmar

### Institutional framework

The specific offence of trafficking in persons was established in Myanmar in 2005.

Before the 2005 legislation was adopted, the offences of “kidnapping, abduction, slavery and forced labour” and “prostitution” were used to prosecute some forms of trafficking in persons. A Five-Year National Plan of Action against Trafficking in Persons (2007-2011) and its implementation plan were finalized and awaited approval by the Cabinet in 2007.

### Criminal justice response

The National Anti-Trafficking Unit was established in June 2004 as part of the Department against Transnational Crime within the Myanmar Police Force. In 2006, this Unit consisted of 40 specially trained police officers, and about 130 officers were involved full time in anti-human trafficking activities in 2007.

Authorities reported a range of 350 to 425 traffickers per year between 2003 and 2007. It is

unclear whether these persons were recorded at the investigation, prosecution or conviction stage and for which specific offence.

### Services provided to victims

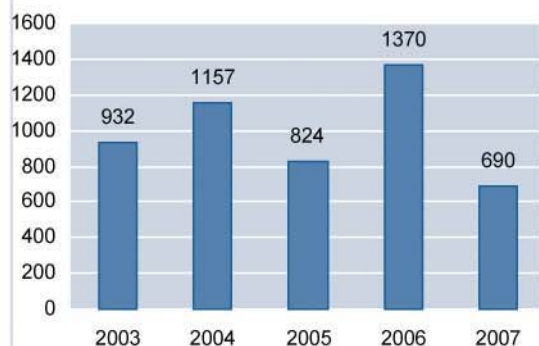
State authorities provide legal protection, medical and psychosocial support, and housing and shelter as well as repatriation assistance for victims of trafficking.

### Additional information

The figures produced above were published in the “Report on Myanmar’s Efforts to Combat Trafficking in Persons”. This report also indicated that between 2002 and 2007, 418 trafficking victims were repatriated to Myanmar from various destination countries.

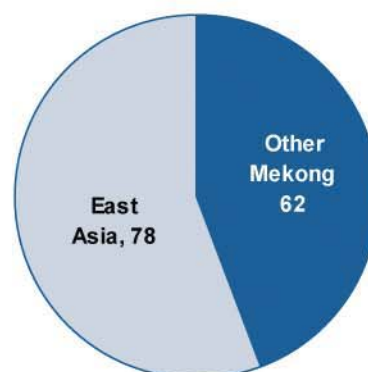
The “Myanmar Police Force 2006 Annual Report Anti-Trafficking Unit”, refers only to cases detected by the criminal justice system in Myanmar. It reports that 411 victims were identified in Myanmar by the national police in 2006, 257 of these victims were adults and 26 were minors. The report also indicated that in 2006, 11 traffickers and four victims were involved in internal trafficking.

Fig. 144: Total victims of trafficking in persons reported by State authorities (internal, repatriated and foreigners) in Myanmar (2003-2007)



Source: “Report on Myanmar’s Efforts to Combat Trafficking in Persons”

Fig. 145: Destinations of victims repatriated to Myanmar (2004-2005)



Source: “Report on Myanmar’s Efforts to Combat Trafficking in Persons”

## New Zealand

### Institutional framework

The specific offence of trafficking in persons was established in New Zealand in 2002. The legislation applies a wider interpretation than the United Nations Trafficking Protocol, since the element of exploitation is not required to define a trafficking case. A five year National Plan of Action against the Commercial Sexual Exploitation of Children was adopted in 2001 and completed in 2006.

### Criminal justice response

The New Zealand Police, Immigration and New Zealand Customs are the law enforcement agencies responsible for cases of trafficking. No cases of trafficking in persons were investigated, prosecuted or resulted in conviction during the reporting period.

### Services provided to victims

State authorities and NGOs provide legal protection, temporary stay permits, medical and psychosocial support, and housing for victims of trafficking. No victims of trafficking in persons were identified or sheltered by State authorities during the reporting period.



## Pacific Islands

### Institutional framework

This section includes information on the Cook Islands, French Polynesia, Kiribati, Micronesia, Nauru, New Caledonia, Niue, Palau, Samoa, the Solomon Islands and Tuvalu.

The following countries and specially administered territories adopted a specific offence of trafficking in persons: the Cook Islands (2003), French Polynesia (2003), Kiribati (2005), Nauru (2004), Niue (2006), Palau (2005) and New Caledonia (2003).

Palau is the only country considered in this section with a specific action plan to fight trafficking in persons.

### Criminal justice response

Most countries and specially administered territories considered in this section did not record any investigations, prosecutions or convictions during the reporting period.

In Palau, in 2006, three women and one man were investigated, arrested and prosecuted for trafficking in persons, and all were convicted in 2007. One man and one woman (a couple) were suspected of trafficking in persons in New Caledonia in 2005 and were prosecuted under labour laws. Eight victims were involved in labour exploitation – five locals and three Vietnamese.

### Services provided to victims

Most countries and specially administered territories considered in this section did not identify any victims. Sixteen adult women were identified as victims of trafficking in Palau in 2006. They were trafficked from China and the Philippines for sexual exploitation.



## The Philippines

### Institutional framework

The specific offence of trafficking in persons was established in the Philippines in 2003. The legislation criminalizes trafficking in persons for the purposes of sexual exploitation, forced labour and other forms of exploitation.

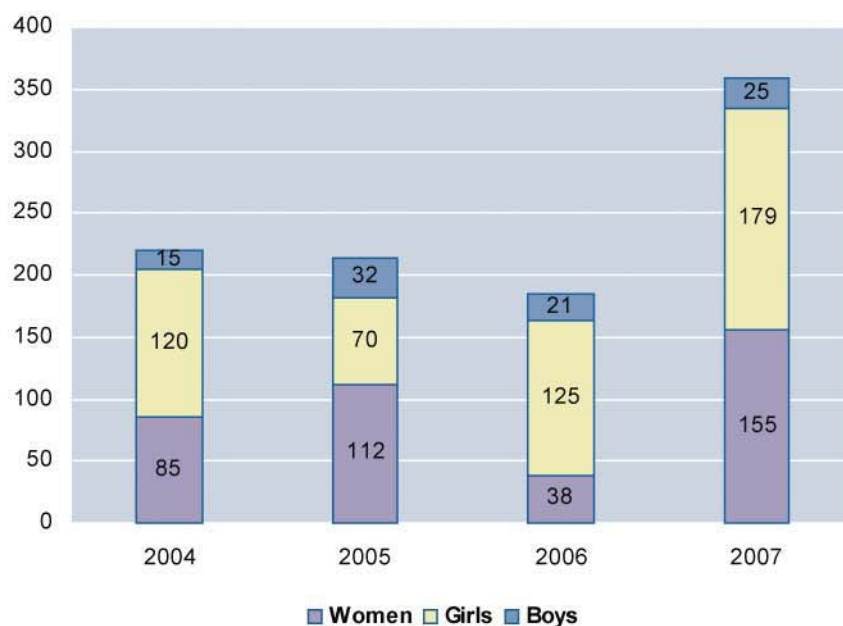
### Services provided to victims

State authorities and NGOs provide recovery and reintegration programmes for victims of trafficking. These programmes include residential, medical and psychological services, maternal and childcare skills development, self-enhancement skills development, legal services and others. All victims identified by State authorities were sexually exploited.

The Visayan Forum Foundation is a non-governmental organization founded in 1991. The Visayan Foundation centres cater to marginalized migrants, especially those working in the invisible sector such as domestic workers and the victims of trafficking, particularly women and children. The Foundation provides halfway houses and safe houses for victims of trafficking in persons in different areas of the country. These shelters have a capacity of about 120 beds and have assisted a total of 2,000 victims each year in 2006 and 2007. All the victims sheltered are Filipinos and trafficked for sexual and labor exploitation.



Fig. 146: Victims of trafficking in persons reported by State authorities in The Philippines (2004-2007)



Source: Department of Social Welfare and Development - Philippines



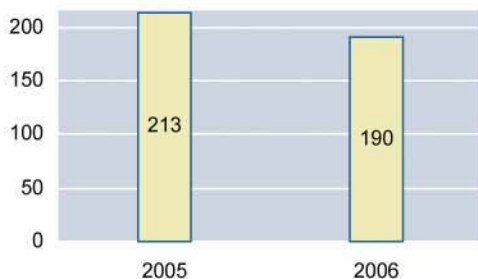
## Republic of Korea

### Institutional framework

The specific offence of trafficking in persons was established in the Republic of Korea in 2004. These provisions fall within the Act on the Punishment of Intermediating in the Sex Trade and Associated Acts, which refers to human trafficking only for the purpose of sexual exploitation. Prior to 2004, statutes on kidnapping and sexual exploitation were used to prosecute some forms of trafficking in persons. A National Action Plan for the Promotion and Protection of Human Rights, which includes trafficking in women, was adopted in 2007.

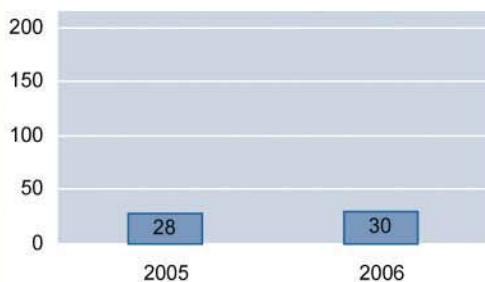
Statutes on kidnapping and sexual exploitation were used to prosecute some forms of trafficking in persons. A National Action Plan for the Promotion and Protection of Human Rights, which includes trafficking in women, was adopted in 2007.

Fig. 147: Persons suspected of trafficking in persons in the Republic of Korea (2005-2006)



Source: Ministry of Foreign Affairs and Trade

Fig. 148: Persons arrested for trafficking in persons in the Republic of Korea (2005-2006)

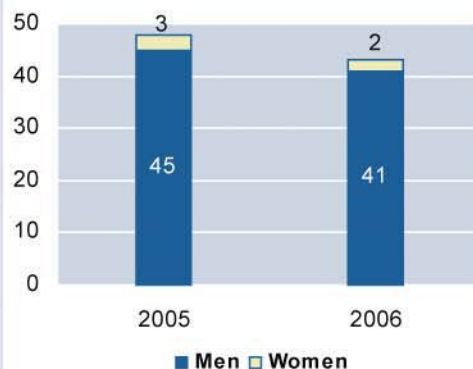


Source: Ministry of Foreign Affairs and Trade

### Criminal justice response

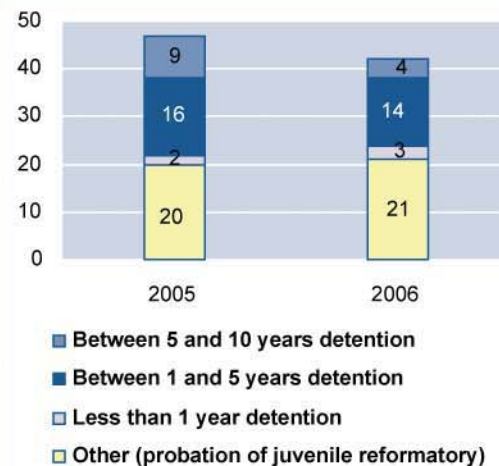
The following criminal justice statistics refer to trafficking cases detected after the approval of the legislation.

Fig. 149: Persons convicted of trafficking in persons in the Republic of Korea, by gender (2005-2006)



Source: Ministry of Foreign Affairs and Trade

Fig. 150: Sanctions for trafficking in persons in the Republic of Korea (2005-2006)



Source: Ministry of Foreign Affairs and Trade

### Services provided to victims

State authorities provide legal protection, temporary stay permits, medical and psychosocial support, and housing and shelter for victims of trafficking. NGOs provide housing and shelter.

## Singapore

### Institutional framework

Singapore has specific provisions on trafficking in women and girls as part of its Women's Charter, in place since 1996.

### Criminal justice response

The Singapore Police Force (SPF) has a dedicated unit responsible for sex crimes, including the trafficking of women for commercial sexual exploitation.

Two men and one woman were convicted and sentenced for the offences of "forced prostitution" and "false pretense" under the Women's Charter. Their sentences ranged from eight months to two years and two months in prison.

### Services provided to victims

State authorities provide legal protection, temporary stay permits, and medical and psychosocial support for victims of trafficking. NGOs provide medical and psychosocial support and housing and shelter.

No victims of trafficking in persons were identified or sheltered by State authorities during the reporting period.

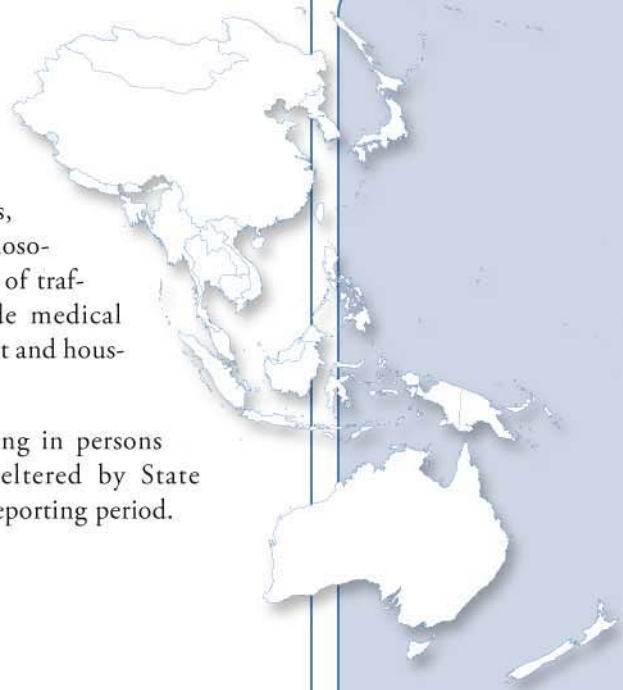
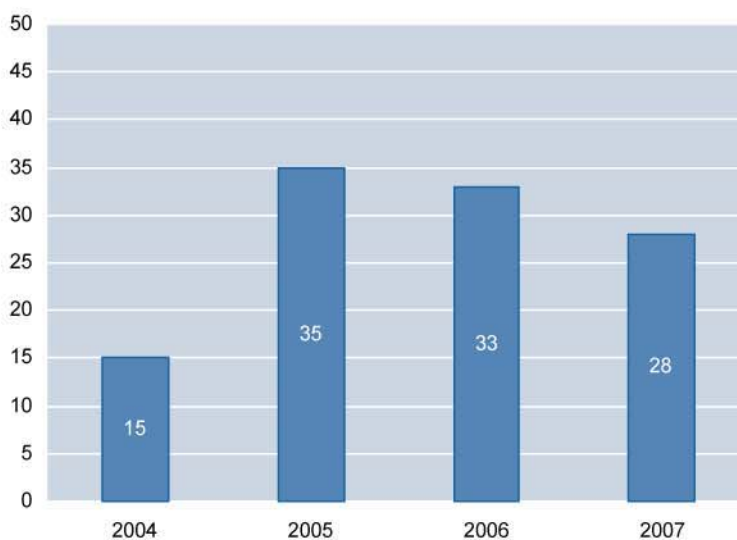


Fig. 151: Cases of trafficking in women and girls investigated in Singapore (2004-2007)



Source: Ministry of Home Affairs

# Thailand

## Institutional framework

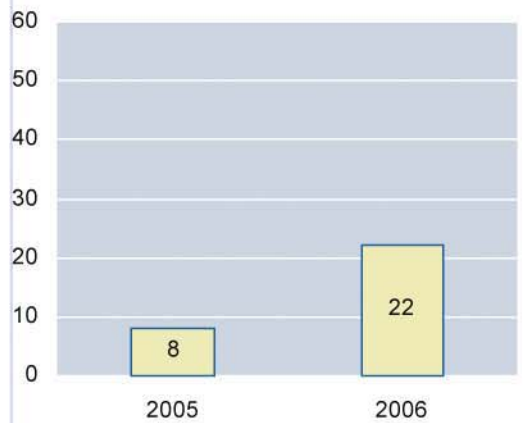
Thailand has had specific provisions in place on trafficking in persons since 1997, although the Measures in Prevention and Suppression of Trafficking in Women and Children Act (1997) only addressed trafficking in women and children. The Act on the Suppression and Prevention of Human Trafficking criminalizes all forms of trafficking, including trafficking in men and boys, and went into effect on 5 June 2008. A national plan of action was adopted in 2003.

## Criminal justice response

Two specialized agencies are responsible on the issue of human trafficking in Thailand; the Department of Special Investigations, Ministry of Justice; and the Center against International Human Trafficking (CAHT), Office of the Attorney-General.

A Children, Juveniles and Women Division was established in June 2005 under the Royal Thai

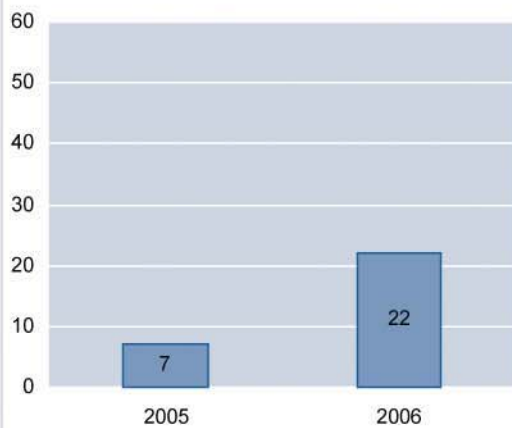
Fig. 153: Persons convicted of trafficking in persons in Thailand (2005-2006)



Source: Children, Juveniles and Women Division

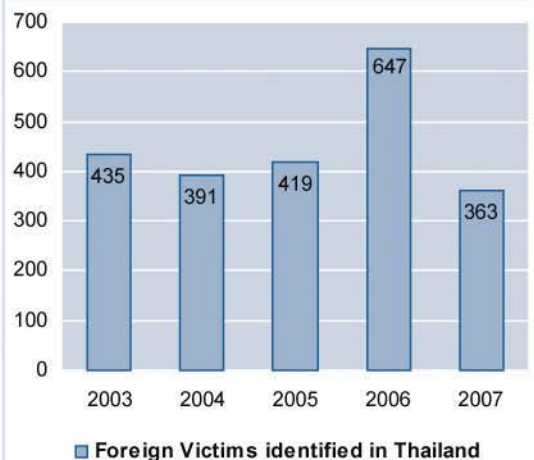
Police. This division has 450 full-time officers and deals with trafficking in persons matters. Data became available on trafficking in persons cases beginning in 2005 with the creation of the Children, Juveniles and Women Division.

Fig. 152: Persons investigated for trafficking in persons in Thailand (2005-2006)



Source: Children, Juveniles and Women Division

Fig. 154: Foreign victims identified by State authorities in Thailand (2003-2007) (Might include also other persons in need)

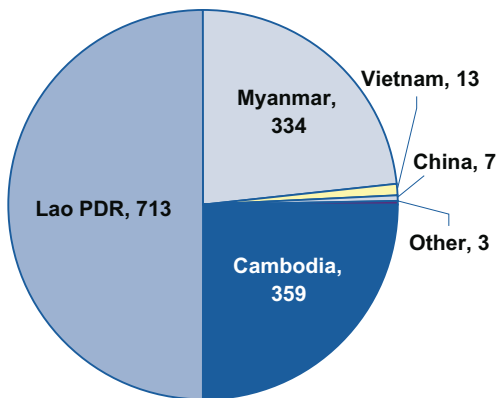


Source: Department of Social Development and Welfare

### Services provided to victims

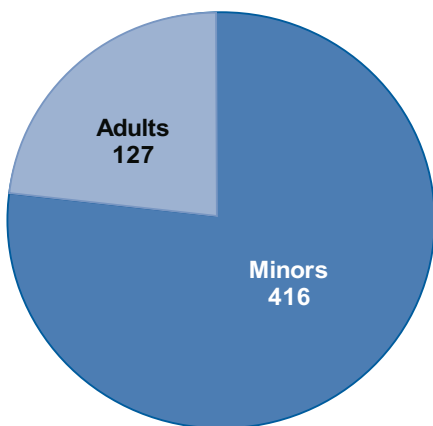
State authorities provide legal protection, temporary stay permits, medical and psychosocial support, housing and shelter, and vocational training for victims of trafficking.

**Fig. 155: Foreign victims identified by State authorities in Thailand, by country of citizenship (2005-2007) (Might include also other persons in need)**



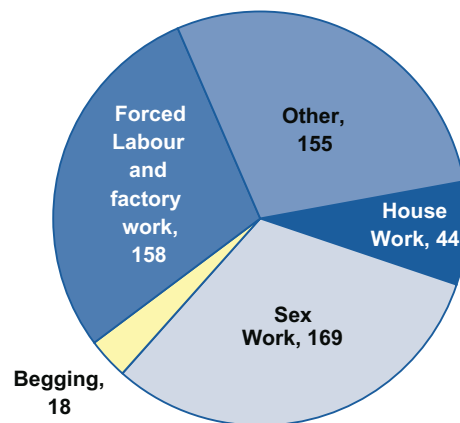
Source: Department of Social Development and Welfare

**Fig. 156: Foreign victims identified by State authorities in Thailand, by age (October 2006-December 2007) (Might include also other persons in need)**



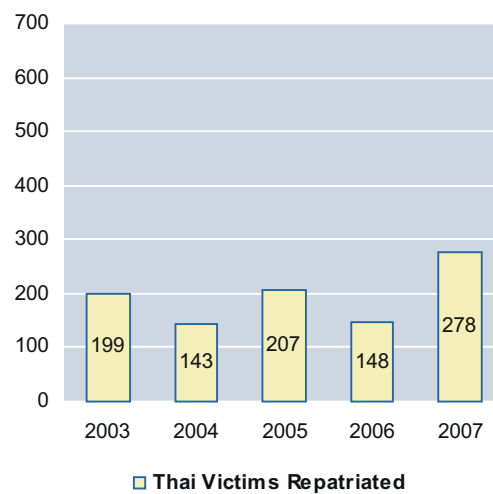
Source: Department of Social Development and Welfare

**Fig. 157: Foreign victims identified by State authorities in Thailand, by type of exploitation (October 2006-December 2007) (Might include also other persons in need)**



Source: Department of Social Development and Welfare

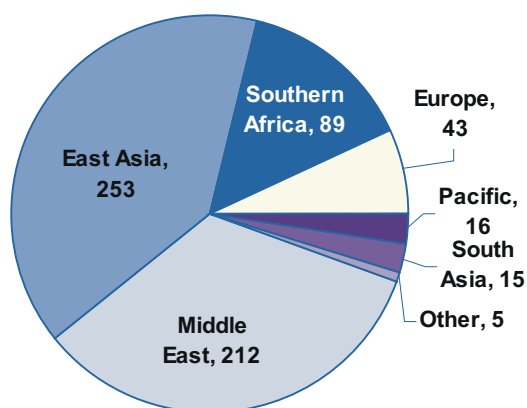
**Fig. 158: Thai victims trafficked abroad and repatriated, identified by State authorities (2003-2007)**



Source: Bureau of Anti-Trafficking in Women and Children



Fig. 159: Thai victims trafficked abroad, identified by State authorities by area of repatriation (2005-2007)



Source: Bureau of Anti-Trafficking in Women and Children

### Additional information

Thailand adopted three different referral mechanisms for victims of trafficking in persons: one at the provincial level; one in foreign countries; and one at the central level. At the provincial level, centres of the Department of Social Development and Welfare are in charge of screening victims of trafficking and referring them to one of seven main shelters. Abroad, the embassies of Thailand are the operational centres, and the Bureau of Anti-Trafficking in Women and Children is in charge at the central level for identifying victims of trafficking in persons.

The statistics used in the charts above that refer to foreign victims identified by State authorities were provided by the Foreign Women and Children Trafficked Victims Section of the Department of Social Development and Welfare. These numbers might also include a small portion of persons in general need in addition to trafficking victims. For instance, from October 2006 to December 2007, about 15% of the persons reported above were not trafficking victims.

The statistics used in the charts above that refer to Thai victims trafficked abroad and identified by State authorities were provided by the Bureau of Anti-Trafficking in Women and Children.

## Timor-Leste

### Institutional framework

The specific offence of trafficking in persons was established in Timor-Leste in 2003.

### Criminal justice response

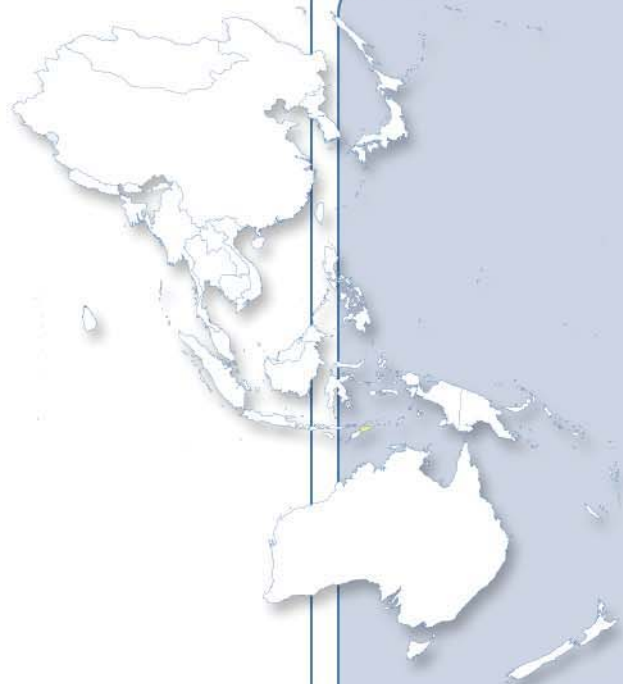
The Migration Department is responsible for the investigation of immigration crimes, including human trafficking as described in Article 81 of the Immigration and Asylum Act.

Four men and one woman were investigated, arrested and prosecuted for trafficking in persons in 2006, and two men and eight women were investigated, arrested and prosecuted in 2007. No convictions were recorded prior to 2007.

### Services provided to victims

NGOs and international organizations provide medical and psychosocial support, and recovery, return and reintegration services for victims of trafficking.

One girl trafficked for sexual exploitation was identified by IOM in 2006.



## Viet Nam

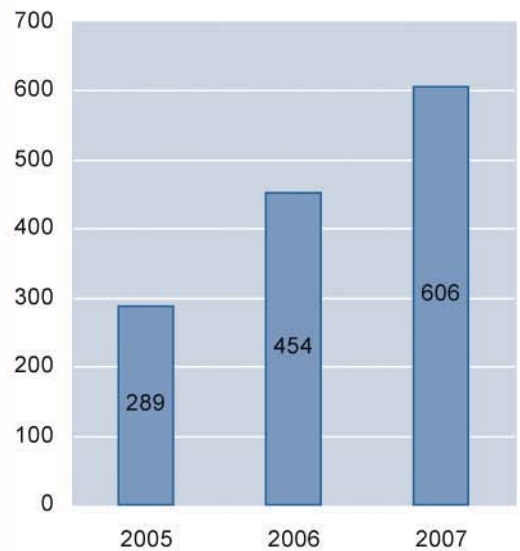
### Institutional framework

Viet Nam has had specific provisions in place on trafficking in persons since 1999, but the law only addresses trafficking in women and children. A national plan of action was adopted in 2004.

### Criminal justice response

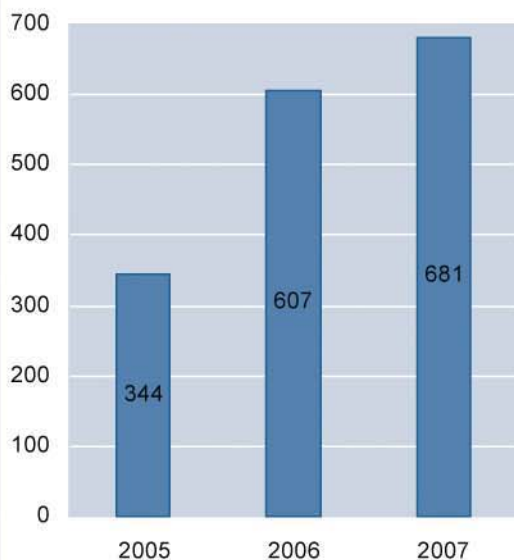
A special anti-human trafficking unit is part of the General Police Department. About 30 officers were involved full time in combating trafficking in women and children in 2008.

Fig. 161: Persons arrested for trafficking in women and children in Viet Nam (2005-2007)



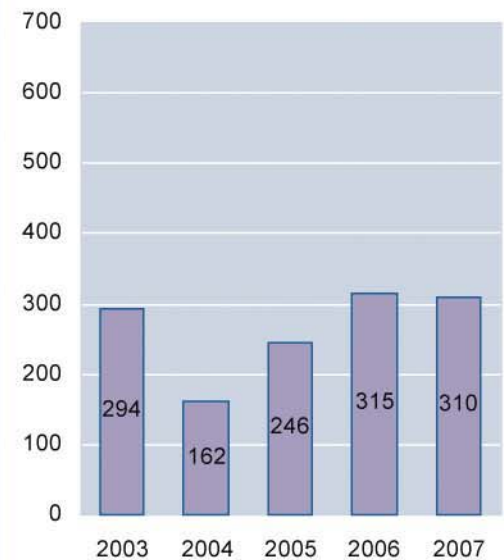
Sources: NCB Interpol and Criminal Investigation Division

Fig. 160: Persons investigated for trafficking in women and children in Viet Nam (2003-2007)



Sources: NCB Interpol and Criminal Investigation Division

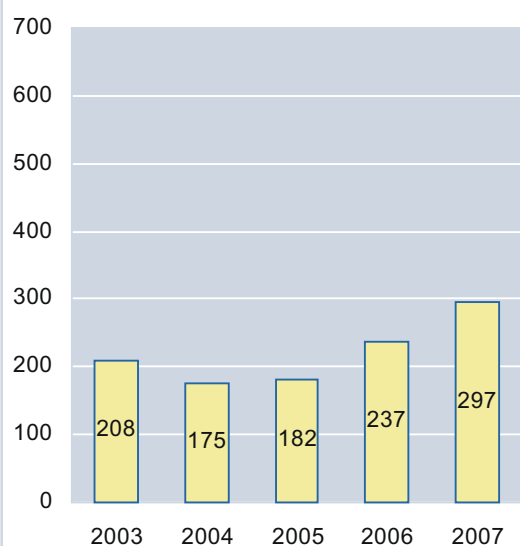
Fig. 162: Persons prosecuted for trafficking in women and children in Viet Nam (2003-2007)



Sources: NCB Interpol and Criminal Investigation Division

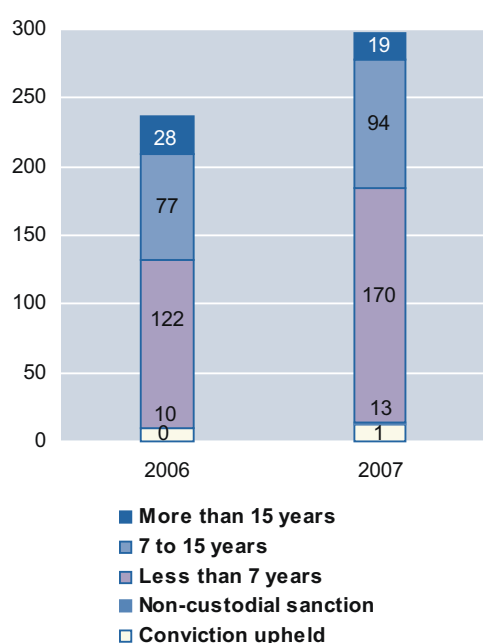


Fig. 163: Persons convicted for trafficking in women and children in Viet Nam (2003-2007)



Sources: NCB Interpol and Criminal Investigation Division

Fig. 164: Sentences for persons convicted of trafficking in women and children in Viet Nam (2006-2007)



Sources: NCB Interpol and Criminal Investigation Division

## Services provided to victims

State authorities provide temporary stay permits, medical and psychosocial support, and housing and shelter for victims of trafficking. NGOs provide medical and psychosocial support, and housing and shelter.

Statistics on victims were very limited. Authorities reported the number of victims officially returned from China (422 in 2007), which is only a part of the total number of victims repatriated.

## Additional information

Social support centres were established in most of the border provinces to receive and take initial care of victims returned from foreign countries. The border check posts (reception centres of border guards) also provide accommodation for temporary stays for victims when they are released.

There are over 100 Social Aid Centres, but only a few at the border areas have room for victims of trafficking. These centres are in the following border provinces: Lao Cai, Quang Ninh, Lang Son, Yen Bai, Ho Chi Minh City, An Giang and Can Tho.

The following countries are covered in this section: Afghanistan, Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan and Sri Lanka.

Any missing information concerning the region was either not available or not accessed by UNODC.



## Afghanistan

### Institutional framework

The specific offence of trafficking in persons does not exist in the legislation of Afghanistan. A draft law on trafficking in persons was expected to be submitted to Parliament in 2008.

### Criminal justice response

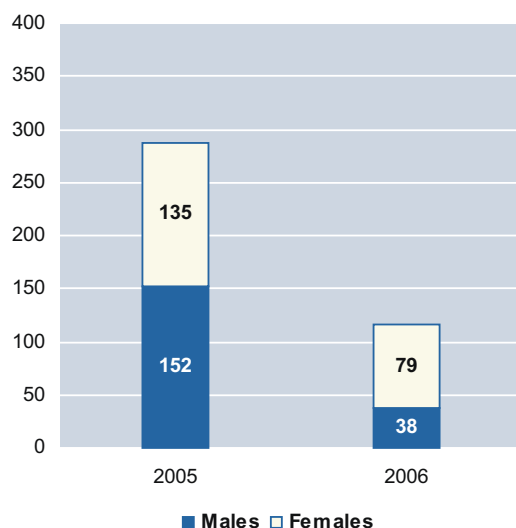
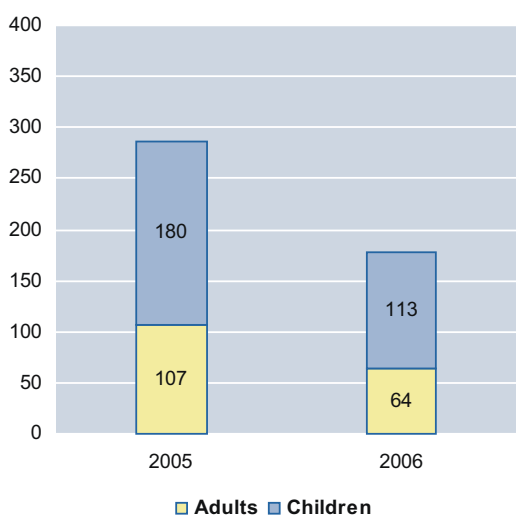
Special units to combat trafficking in persons were created within the police departments in all provinces in Afghanistan. In practice, these units so far have dealt mainly with kidnapping. A new anti-trafficking section within the Criminal Investigation Directorate was established as a coordinating body in 2007.

Due to the absence of a specific law, no prosecutions and no convictions were recorded in Afghanistan for trafficking in persons during the reporting period. The criminal justice system has used various articles of the penal code to prosecute some forms of trafficking in persons, including the kidnapping of minors. About 370 persons – 315 men and 55 women – were convicted of trafficking-related offences in 2005, and 393 persons – 371 men and 22 women – were convicted of trafficking-related offences in 2006.

### Services provided to victims

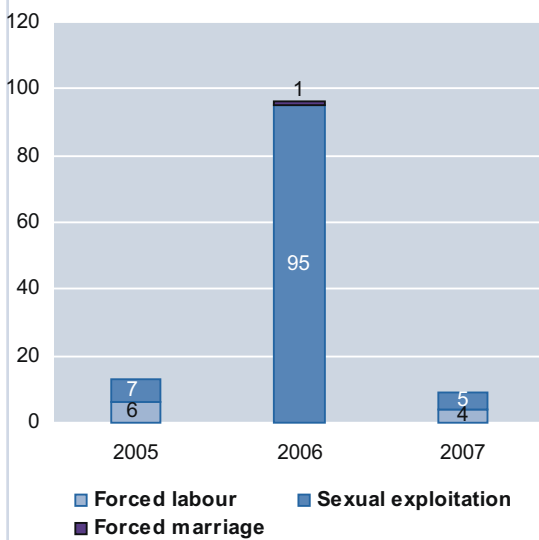
The State provides legal consultation and advocacy, medical and psychological support, and treatment as well as clothing and transportation. Local NGOs and international organizations, such as IOM, provide legal assistance, housing and shelter, and medical and psychosocial support.

Fig. 165: Victims of offences related to trafficking in persons identified by State authorities in Afghanistan, by age and gender (2005-2006)



Source: Criminal Investigation Directorate of the Ministry of the Interior

**Fig. 166: Victims of trafficking in persons sheltered by IOM in Afghanistan, by form of exploitation (2005-2007)**

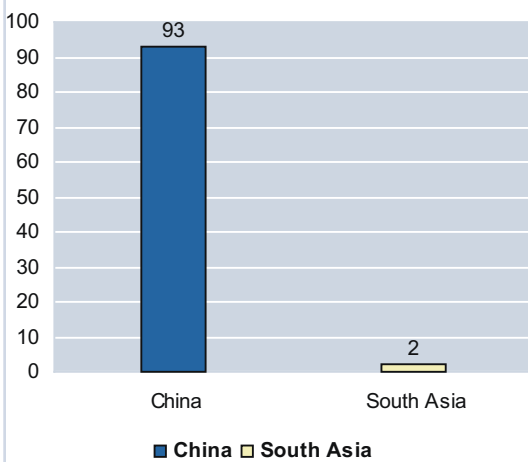


Source: IOM-Kabul

### Additional information

A referral mechanism for victims of trafficking was established and includes the Ministry of the Interior, the Ministry of Women’s Affairs and the Ministry of Labour and Social Affairs. These ministries refer cases to IOM in order to provide victims with the necessary assistance. The Ministry of Women’s Affairs has four shelters to accommodate women in situations of distress. IOM is opening a shelter for child victims of trafficking in 2008.

**Fig. 167: Victims of trafficking in persons sheltered by IOM in Afghanistan, by country of citizenship (2006)**



Source: IOM-Kabul

## Bangladesh

### Institutional framework

The Suppression of Immoral Traffic Act was introduced in Bangladesh in 1933. The law that is most widely used in the context of human trafficking, the Prevention of Repression against Women and Children Act (2000), deals only with the trafficking of women and children for prostitution and other 'immoral' purposes. The Government of Bangladesh established action plans for the protection of children, including trafficking in children: the National Plan of Action for Children 2004-2009 and the National Plan of Action Plan against Sexual Abuse and Exploitation of Children.

### Criminal justice response

The Police Monitoring Cell for Combating Trafficking in Women and Children in the Bangladesh police headquarters was established in 2004. This law enforcement body consists of a team of about 15 police officers collecting information and statistics related to trafficking.

### Services provided to victims

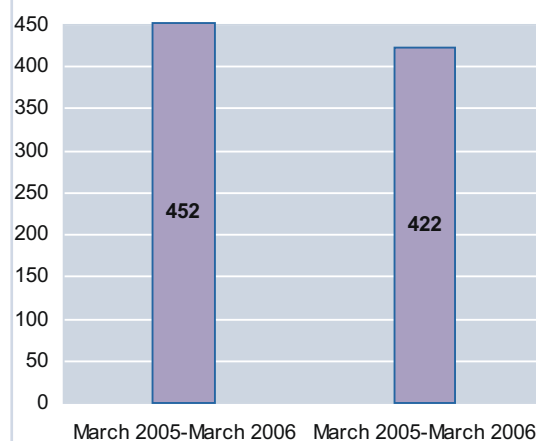
State authorities and NGOs provide legal protection, medical and psychosocial support, housing and shelter as well as rehabilitation and vocational training for victims of trafficking in persons.

According to the "Bangladesh Country Report on Combating Trafficking in Women and Children", 208 victims of trafficking in persons were identified by State authorities. These victims included 96 women, 86 children and 17 men.

Four NGOs provided information concerning victims of trafficking sheltered in Bangladesh during the reporting period. The Association for Community Development (ACD) reportedly sheltered from 20 to 30 victims of trafficking in persons per year between 2003 and 2007. The victims were males and females in approximately

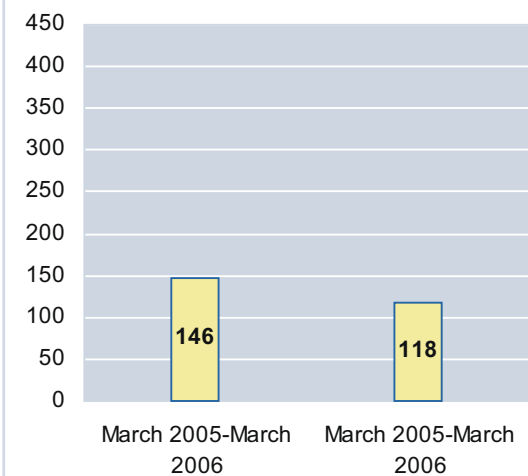
equal proportion. The Thengamar Mohila Sabuj Sangha (TMSS) sheltered about 81 victims in three years (2005-2007), and the Dhaka Ahsania Mission (DAM) sheltered 60 victims in 2006. The Bangladesh National Women Lawyers' Association (BNWLA) sheltered 15,000 female victims of sexual abuse, including trafficking

Fig. 168: Persons accused of trafficking in persons in Bangladesh (March 2005-March 2007)



Source: Police Monitoring Cell

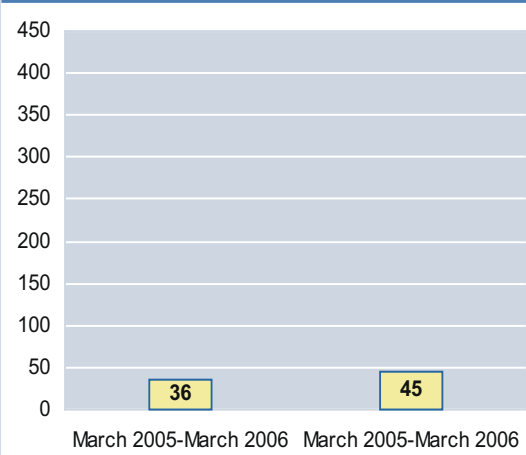
Fig. 169: Persons arrested for trafficking in persons in Bangladesh (March 2005-March 2007)



Source: Police Monitoring Cell

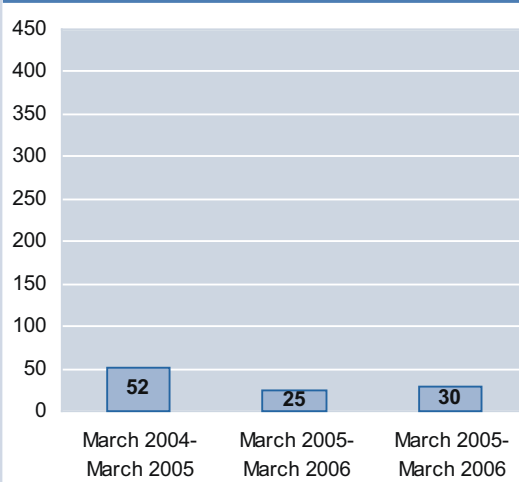
victims, in three years (2005-2007). Most of the ACD and DAM victims sheltered in 2005 and 2006 were trafficked to the border belt areas of Bangladesh, and fewer were trafficked to India.

**Fig. 170: Persons convicted for trafficking in persons in Bangladesh (March 2005-March 2007)**



Source: Police Monitoring Cell

**Fig. 171: Cases of trafficking in persons in Bangladesh concluded with a conviction (March 2004-March 2007)**



Source: Police Monitoring Cell

## Bhutan

### Institutional framework

Since 2004, the Penal Code of Bhutan (Section 154) classifies trafficking a person “for any purpose” as an offence.

New provisions under the proposed Immoral Trafficking Act are to be endorsed by the National Assembly. A draft National Plan of Action on Gender with a section specifically dealing with violence against women was pending with the competent authorities in 2008.

### Criminal justice response

The Royal Bhutan Police established a Woman and Child Protection Unit in January 2006. The unit initially included 16 police officers. It was set up in Thimphu and is planned to spread its network throughout the country through women and children desks in district police stations. The unit works with NGOs and the National Commission on Women and Children (NCWC).

No investigations, prosecutions or convictions were recorded for trafficking in persons in Bhutan from 2003 to 2006.

### Services provided to victims

State authorities, NGOs and international organizations provide legal protection, medical and psychosocial support, and housing and shelter for victims of trafficking in persons.

There are some shelter homes run by large NGOs that can technically house trafficking victims. According to the NGO Respect, Educate, Nurture and Empower Women (RENEW), there is one temporary shelter home for emergency protection for adolescent girls and women victims of violence and abuse, which provides counseling and care services. The total capacity of this home is eight to 10 women. Since its establishment, the home has provided services to 49 vulnerable persons/victims of abuse and violence, including two victims of trafficking. In addition to this shelter, another bigger home is in the planning stages with support from the Government of India. Also a crisis centre was under construction in 2007.

# India

## Institutional framework

The Constitution of India specifically prohibits trafficking in human beings and forced labour, and India passed a law criminalizing human trafficking in 1956. The Immoral Traffic in Girls Act was significantly amended in 1978 and renamed the Immoral Traffic Prevention Act (ITPA). The ITPA is the primary legislation in the country dealing with human trafficking. A new Immoral Traffic Prevention Bill was drafted in 2006.

Apart from the ITPA, a number of sections under the Indian Penal Code are used to punish crimes related to trafficking, such as selling or buying of a minor for prostitution, procuring a minor girl, importation of a girl below 22 years of age and others.

Each state government in India has legislative power and has policies in place for combating human trafficking, as per the requirements of the central anti-trafficking acts, but policy status and implementation varies from state to state. For instance, in 2003 the Indian State of Goa passed the Goa Children's Act criminalizing child trafficking. At national level, in 1998, the Ministry of Women and Child Development (MWCD) developed a National Plan of Action to Combat Trafficking and Commercial Sexual Exploitation of Women and Children. The Ministry of Labour developed a Protocol on Prevention, Rescue, Repatriation and Rehabilitation of Trafficked and Migrant Child Labour in 2008.

## Criminal justice response

The police force in India is part of the individual states. Each state has designated nodal police officers who act as the point persons on the issue of human trafficking. In 2007, some states set up Anti-Human Trafficking Units (AHTUs). These units, consisting of an integrated team of approximately seven persons including police officers, NGO personnel and counsellors, are designated to respond to crimes related to human trafficking. So far, these AHTUs have been established in the four states of Andhra Pradesh,

Bihar, Goa and West Bengal.

In addition, about 50 to 100 convictions per year were recorded under the Child Marriage Restraint Act between 2003 and 2006.

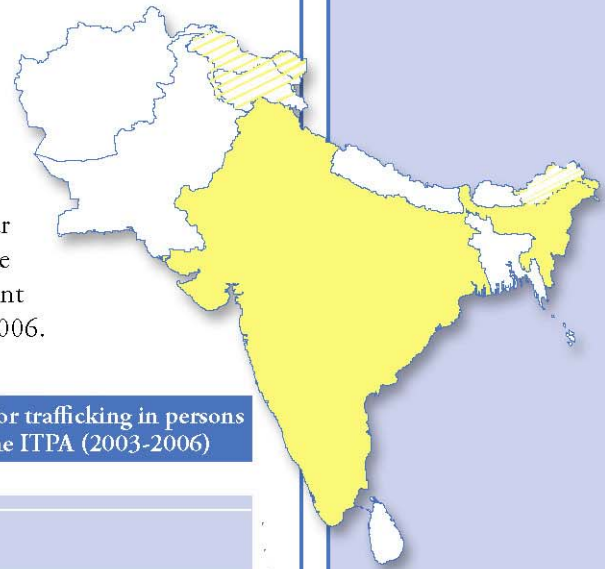
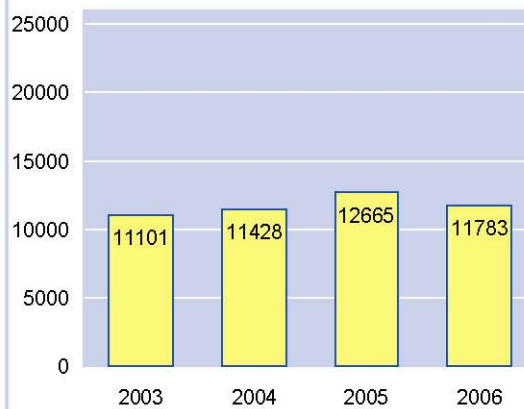
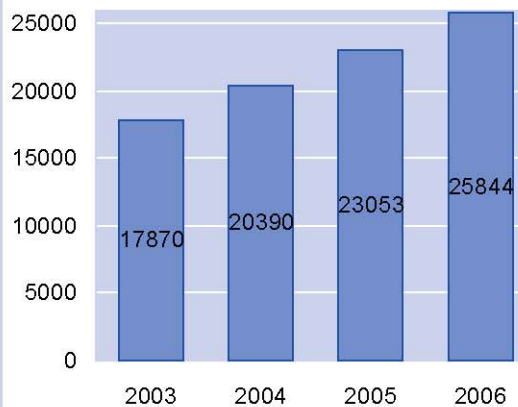


Fig. 172: Persons arrested for trafficking in persons in India, under the ITPA (2003-2006)



Source: National Crime Records Bureau

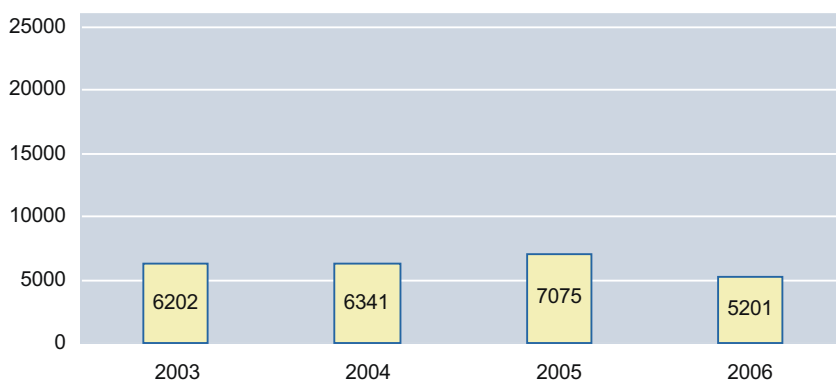
Fig. 173: Persons prosecuted for trafficking in persons in India, under the ITPA (2003-2006)



Source: National Crime Records Bureau

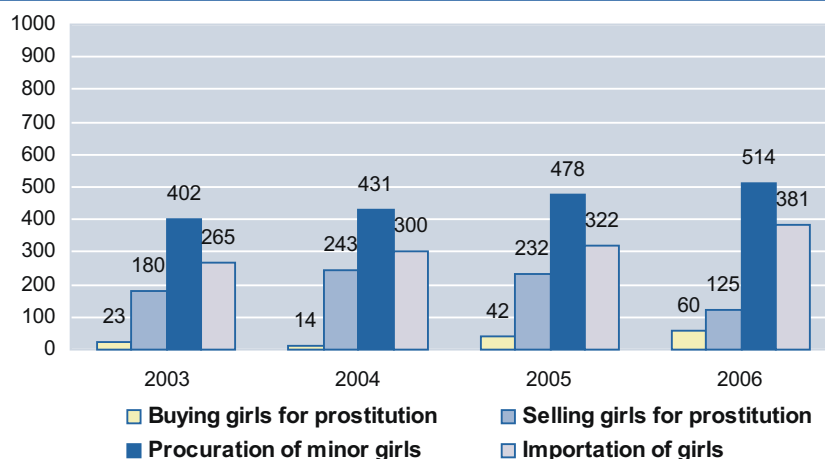


Fig. 174: Persons convicted for trafficking in persons in India, under the ITPA (2003-2006)



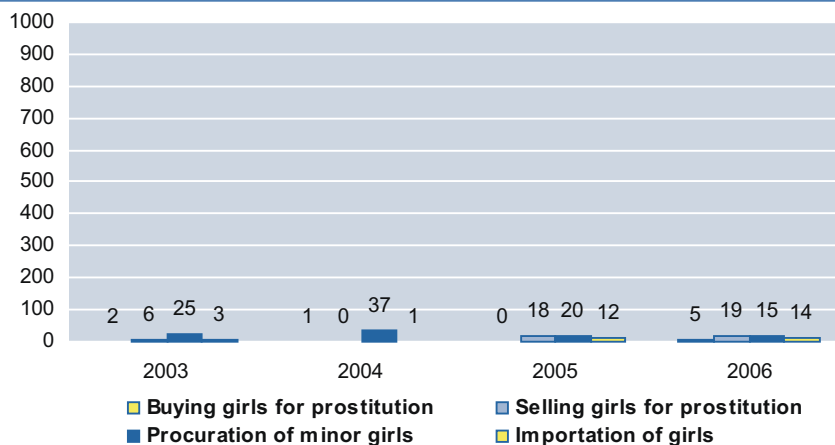
Source: National Crime Records Bureau

Fig. 175: Persons prosecuted in India for offences related to trafficking in persons, under other sections of the penal code (2003-2006)



Source: National Crime Records Bureau

Fig. 176: Persons convicted in India for offences related to trafficking in persons, under other sections of the penal code(2003-2006)



Source: National Crime Records Bureau

## Services provided to victims

Under various government programmes, legal protection, medical and psychosocial support, shelter, education and training, and rehabilitation are provided to victims of trafficking in persons. These services are often offered in coordination with NGOs, which implement the projects. The international agencies in the region primarily provide funding and technical support.

The Ministry of Women and Child Development (MWCD) in 2001-2002 launched a 'Swadhar' scheme aimed at benefiting women in difficult circumstances, including girls and women victims of trafficking. According to the MWCD, 300 to 500 Swadhar and short-stay homes gave shelter to more than 20,000 women in need, including trafficking victims, in all of India during the reporting period. In 2005, the number of women taken care of was about 26,000 and in 2006, the number was 21,000. The services in a number of these homes are provided by NGOs or NGOs run the homes under these schemes. In addition to these government homes, a number of NGOs also run smaller shelters or transit facilities, but no comprehensive consolidated numbers were available from most of the state governments. Informal discussions with civil society indicated that there were inadequate shelters – both in terms of the number of homes available and the facilities available within the homes – for trafficking victims.

UNODC was able to collect some information concerning victims of trafficking for a few Indian states as shown in the following charts. This information is not meant to be exhaustive and does not represent the situation for the entire country.

## Additional information

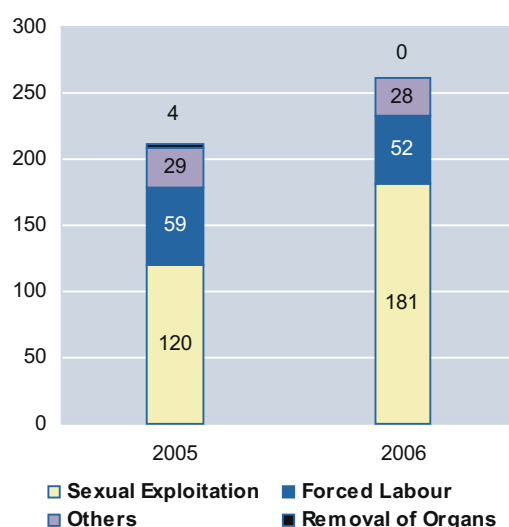
The National Crime Records Bureau (NCRB) was established in 1986 and is the central agency responsible for the maintenance of crime-related records at the national level. The NCRB receives information from the various State Crime Records Bureaus and other relevant agencies.

The information is compiled, analysed and published in the form of annual reports.

As far as the data on victims of trafficking in persons are concerned, not all states have formal mechanisms in place for referring identified trafficking victims to the relevant agencies that provide support services; however, there are informal mechanisms in some cases.

There is no centralized database of victims of trafficking. Some states have stored information under this heading, consisting of the numbers of trafficking victims in state (government) shelter homes, while others have a combination of figures from various homes, beneficiaries of various government schemes and information received from the police on victims rescued.

Fig. 177: Victims of trafficking in persons sheltered in Andhra Pradesh, by form of exploitation (2005-2006)



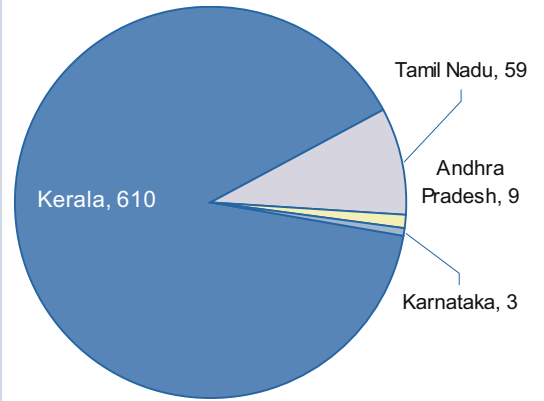
Source: Department of Women Development and Child Welfare, NGO CARD and NGO Strhee

Fig. 178: Victims of trafficking in persons identified by authorities in Kerala, by form of exploitation (2005-2006)



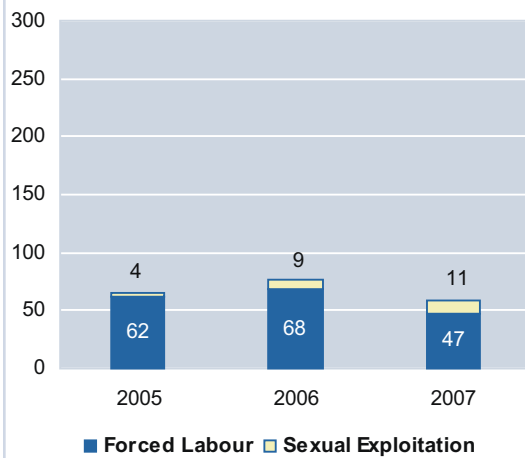
Source: Directorate of Social Welfare, Government of Kerala

Fig. 180: Victims of trafficking in persons identified by authorities in Kerala, by area of origin (2005-2006)



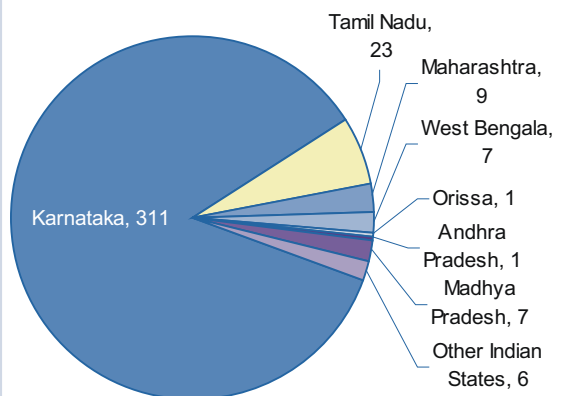
Source: Directorate of Social Welfare, Government of Kerala

Fig. 179: Victims of trafficking in persons identified by authorities in Karnataka, by form of exploitation (2005-2007)



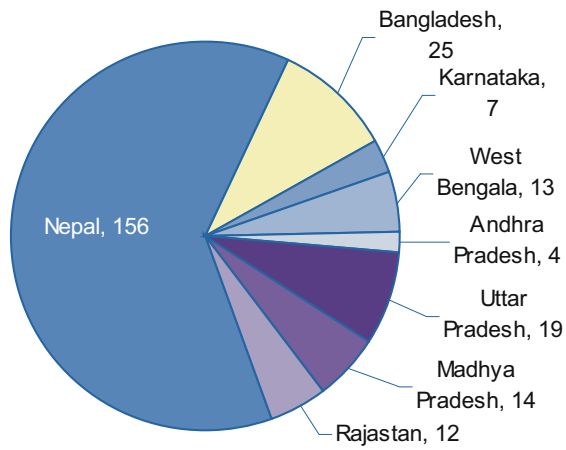
Source: Karnataka Women and Child Development Department

Fig. 181: Victims of trafficking in persons identified by authorities in Karnataka, by area of origin (2005-2006)



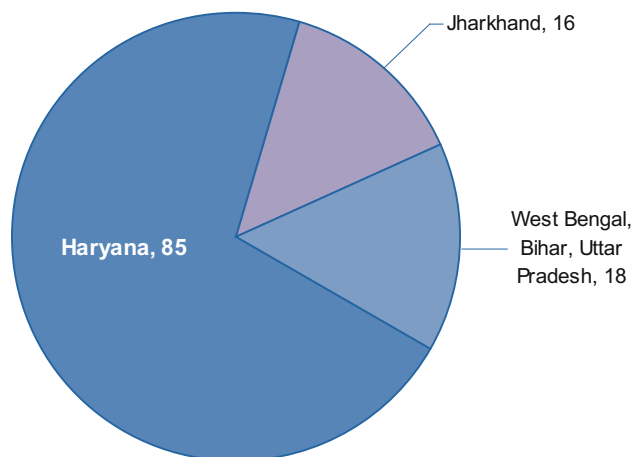
Source: Karnataka Women and Child Development Department

Fig. 182: Victims of trafficking in persons identified by authorities in Maharashtra, by area of origin (2005-2007)



Source: Commission of Women and Child Development, Pune, Maharashtra

Fig. 183: Victims of trafficking in persons identified by authorities in Haryana, by area of origin (2005-2006)



Source: Social Justice and Empowerment Department, Haryana

## Maldives

### Institutional framework

The specific offence of trafficking in persons does not exist in the national legislation of the Maldives. There is a law in place that bars children below the age of 14 from paid or hazardous work. In addition, sexual exploitation and prostitution is illegal and subject to stringent religious and societal sanctions.

### Criminal justice response

All major investigative crimes, including possible human trafficking episodes, are handled by the Serious Crimes Unit.

Because of the absence of a specific provision on human trafficking, no prosecutions or convictions were recorded for trafficking in persons during the reporting period. According to the Maldives police, the number of sexual offences reported over the past six years ranged between 80 and 422 cases.

### Services provided to victims

There are no specific programmes for the protection and support of victims of trafficking. However, there are programmes that deal generally with victims of violence.

## Nepal

### Institutional framework

The Human Trafficking Control Act was established in Nepal in 1986. The Parliament of Nepal passed a new law, the Human Trafficking (Control) Act, in 2007. This 2007 Act is deemed to be more comprehensive and incorporates provisions for the protection and rehabilitation of victims of trafficking. In addition to the Human Trafficking (Control) Act, other laws can be used to punish various forms of trafficking exploitation, like forced labour, slavery and bonded labour. The National Plan of Action (NPA) against Trafficking in Children and Women for Sexual and Labour Exploitation was developed in 1998 and approved in 1999. The NPA was reviewed in 2001 for the addition of new issues and cross-cutting themes.

### Criminal justice response

Specific law enforcement agencies against trafficking in women and children are part of the Women and Children Service Centre (WCSC), the Immigration Office, Interpol and the courts of Nepal. The WCSC, located in police headquarters in Kathmandu, also is responsible for collating information relating to crimes against women and children, including trafficking. As of February 2008, the WCSC had 128 staff at headquarters and 25 centres around the country.

### Services provided to victims

State authorities and NGOs provide legal protection, medical and psychosocial support, and housing and shelter for victims of trafficking in persons.

### Additional information

The government runs shelter homes in coordination with some of the larger NGOs. There are a number of informal mechanisms by which various agencies collaborate.

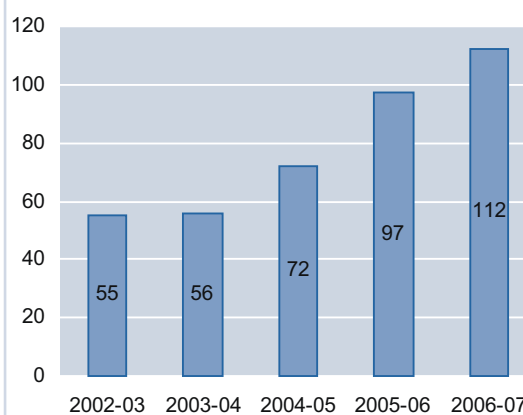
There were 29 convictions of cases of trafficking in persons in appellate courts in 2002-2003, four in 2003-2004, 11 in 2004-2005 and nine

in 2005-2006. Convictions of cases of trafficking in persons in the Supreme Court numbered 11 in 2002-2003, 17 in 2003-2004, 16 in 2004-2005 and four in 2005-2006.

There are no consolidated numbers on the nationalities of trafficking victims, but according to the National Rapporteur on Trafficking, available information indicates that almost all the victims were from Nepal. In addition, trafficking for commercial sexual exploitation was the most frequent form of exploitation recorded during the reporting period, followed by forced labour. Other forms of exploitation detected included slavery, sexual slavery and forced labour for the circus.

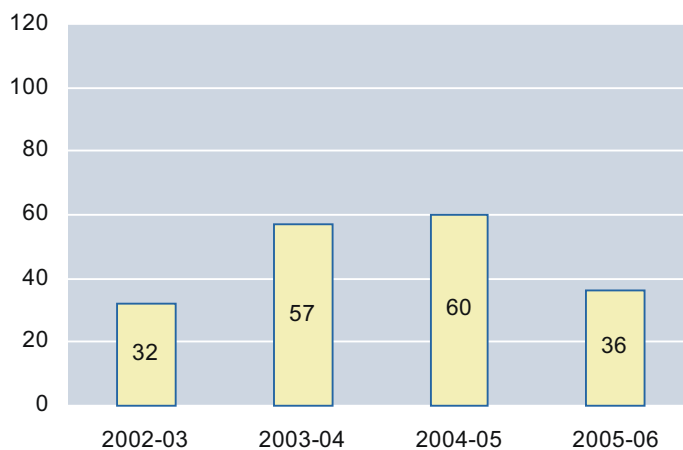


Fig. 184: Cases of trafficking in persons recorded by the police in Nepal (July 2002-July 2007)



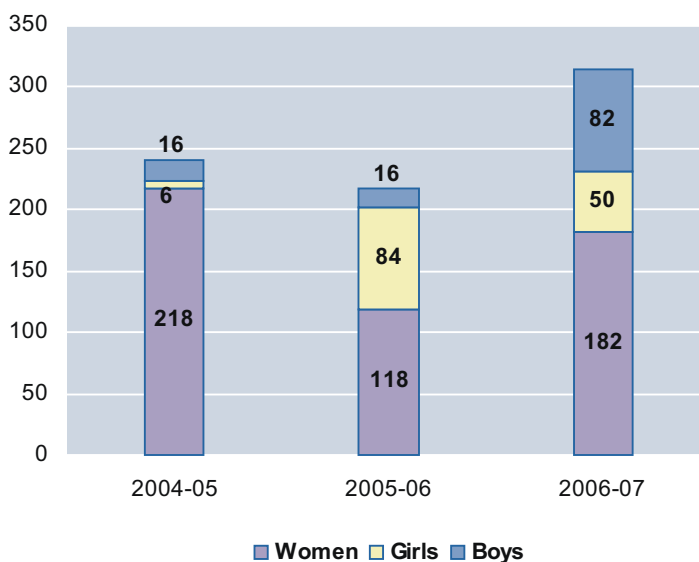
Source: WCSC, Police Headquarters

Fig. 185: Convictions of trafficking in persons in Nepal (July 2002-July 2006)



Source: Office of the National Rapporteur on Trafficking in Women and Children

Fig. 186: Victims of trafficking in persons identified by State authorities in Nepal, by gender and age (July 2004 –July 2007)



Source: WCSC, Police Headquarters



## Pakistan

### Institutional framework

Pakistan introduced the Prevention and Control of Human Trafficking Ordinance (PACHTO) in 2002 criminalizing trafficking for sexual exploitation, forced labour, slavery, adoption and other forms of trafficking. The Pakistan National Action Plan for Combating Human Trafficking (NAPCHT) was adopted in 2006. The National Action Plan for Children (NAPC) also includes elements dealing with the trafficking of children.

### Criminal justice response

A specific anti-trafficking unit within the Federal Investigation Agency was established by the national action plan. In addition, an Inter-Agency Task Force (IATF) consisting of all law enforcement agencies was established in 2005.

According to the Federal Investigation Agency, there have been 1,826 cases registered under the PACHTO law from 2003 to 2006. Out of these 1,826 cases, 254 were decided with 222 persons found guilty and convicted and 32 acquittals. Most of the convicted persons were Pakistanis receiving sentences ranging from a few months imprisonment up to 10 years.

### Services provided to victims

State authorities provide legal protection, temporary stay permits, medical and psychosocial support, and housing and shelter for victims of trafficking in persons. NGOs and international organizations provide medical and psychosocial support and housing and shelter.

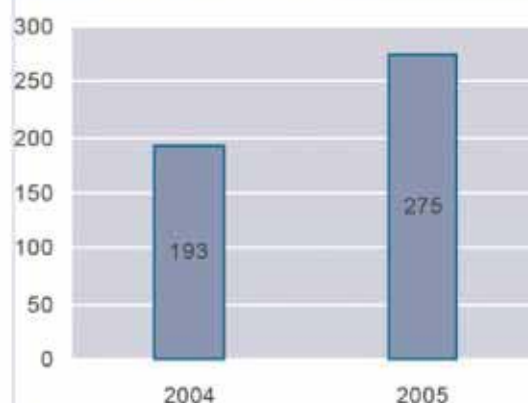
### Additional information

The NGO Lawyers for Human Rights and Legal Aids (LHRLA) identified 10 women and 47 children (42 males and five females) between five and 15 years of age as victims during 2001-2007. Forty-three children were trafficked to Gulf countries in the Middle East for use as

camel jockeys, and four were internally trafficked from the Punjab Province to Karachi to be used for bonded labour.

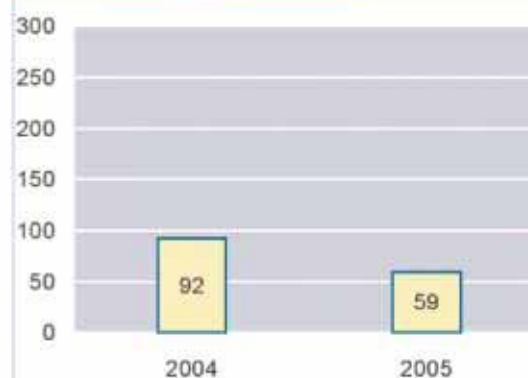


Fig. 187: Cases registered under the PACHTO law in Pakistan (2004-2005)



Source: Ministry of Foreign Affairs

Fig. 188: Number of cases registered under the PACHTO law concluding in a conviction in Pakistan (2004-2005)



Source: Ministry of Foreign Affairs

## Sri Lanka

### Institutional framework

Sri Lanka has had specific provisions in place criminalizing trafficking in persons since 1995. The Convention on Preventing and Combating Trafficking in Women and Children for Prostitution Act was introduced in 2005 and amended in 2006 in order to criminalize all the forms of trafficking listed in Article 3 of the UN Trafficking Protocol.

### Criminal justice response

The police department has a Women and Child Bureau in Colombo. This bureau handles cases specifically dealing with women and children, including victims of trafficking in persons. According to the police department's website, there are 36 Women and Child Bureau Desks operating in Sri Lanka.

Fourteen cases of trafficking in persons were recorded by the police in 2005 and 35 were recorded in 2006. Through June 2007, 16 cases were reported for that year. There were no convictions for trafficking in persons in Sri Lanka between 2005 and June 2007.

### Services provided to victims

State authorities and NGOs provide legal protection, medical and psychosocial support, and housing and shelter for victims of trafficking in persons.

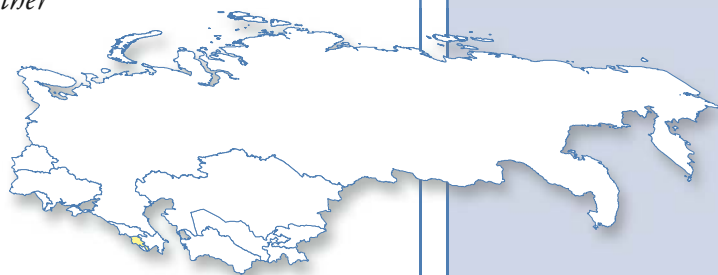
### Additional information

There are no clear statistics on the number of victims identified by State authorities. However, most (if not all) victims are Sri Lankan, according to the Ministry of Child Development and Women's Empowerment, the Sri Lanka Bureau of Foreign Employment and informal information from NGOs.

Shelters are available for victims of trafficking as well as for persons in general need. These shelters do not have information specifically on human trafficking victims but include all victims who might have received shelter.

The following countries are covered in this section: Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, the Republic of Moldova, the Russian Federation, Tajikistan, Turkmenistan, Uzbekistan and Ukraine.

Any missing information concerning the region was either unavailable or not accessed by UNODC.



## Armenia

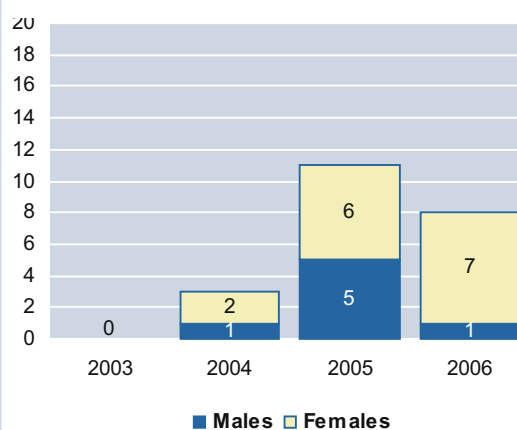
### Institutional framework

The specific offence of trafficking in persons was established in Armenia in 2003. The new National Plan of Action on Combating Trafficking in Persons for 2007-2009 was approved in December 2007 and followed the previous national action plan for 2004-2006.

### Criminal justice response

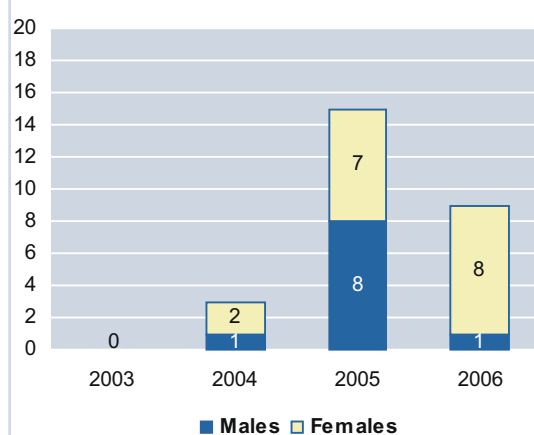
A special police unit on trafficking and illegal migration under the Department against Organized Crime was created in 2005. Trafficking in persons and related offences are dealt with chiefly by this department.

Fig. 190: Persons convicted of trafficking in persons in Armenia, by gender (2003-2006)



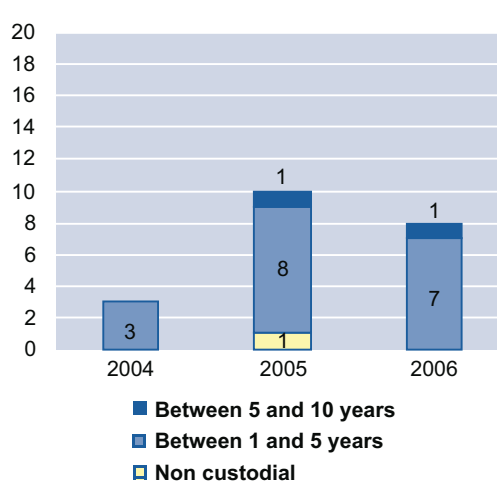
Source: Ministry of Foreign Affairs

Fig. 189: Persons prosecuted for trafficking in persons in Armenia, by gender (2003-2006)



Source: Ministry of Foreign Affairs

Fig. 191: Sanctions for trafficking in persons in Armenia (2004-2006)



Source: Ministry of Foreign Affairs

### Services provided to victims

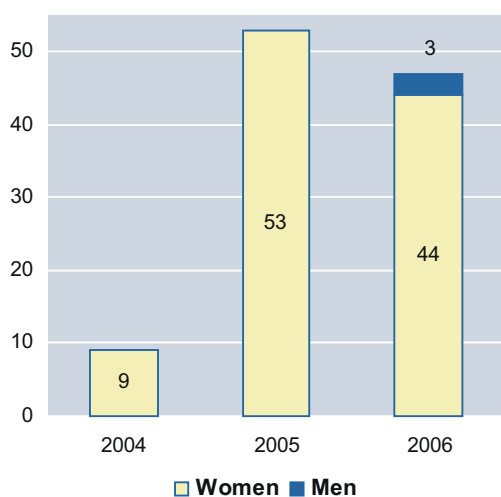
State authorities provide legal protections, medical and psychological support, and housing and shelter services. Local NGOs provide housing and shelter, medical and psychological support, and legal assistance to victims.

### Additional information

All the persons convicted of trafficking in persons in 2005-2006 were Armenian except one, who was a citizen from another country of the region.

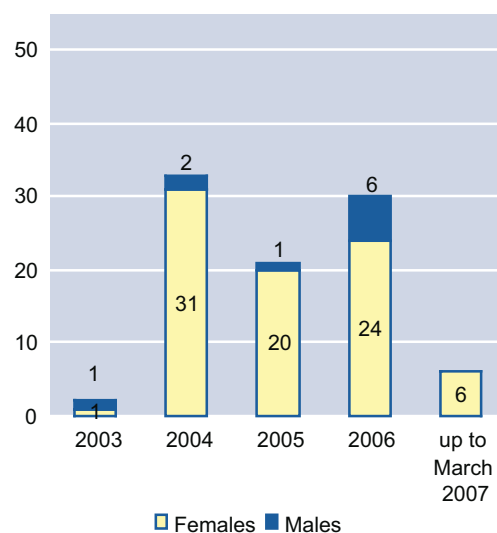
The Armenian victims sheltered were repatriated from Southern Europe, the Middle East and other countries of Eastern Europe and Central Asia. Foreign victims were trafficked and exploited in Armenia.

Fig. 192: Victims of trafficking in persons identified by State authorities in Armenia, by gender and age (2004-2006)



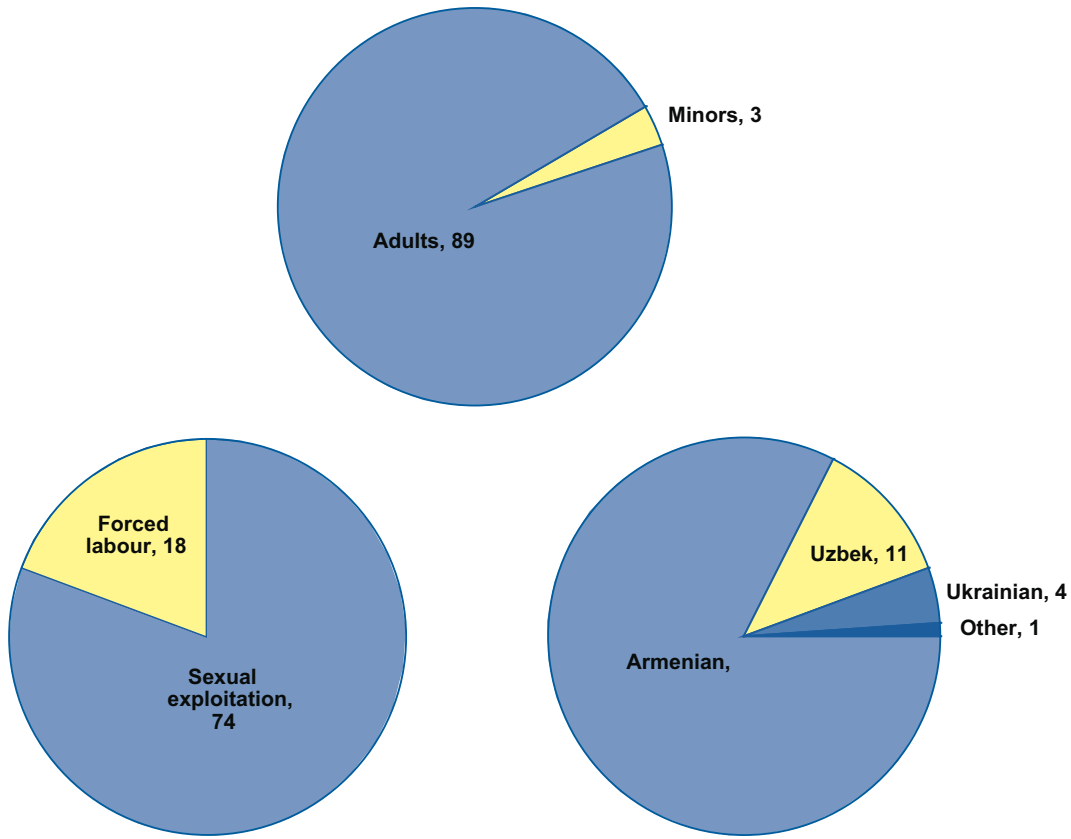
Source: Ministry of Foreign Affairs

Fig. 193: Victims of trafficking in persons sheltered by NGOs in Armenia, by gender and age (2003-March 2007)



Source: Victims of trafficking assisted in Armenia, UNDP

Fig. 194: Age, type of exploitation and citizenship of victims sheltered by NGOs (2003-March 2007)



Source: Victims of trafficking assisted in Armenia, UNDP



## Azerbaijan

### Institutional framework

The specific offence of trafficking in persons was established in Azerbaijan in 2005. A national action plan was adopted in 2004.

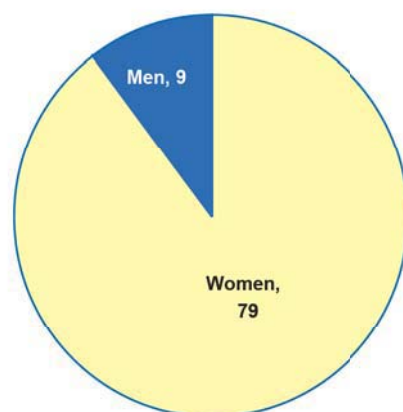
### Criminal justice response

The special Unit to Combat Trafficking in Persons within the Ministry of the Interior was established in June 2004. During the reporting period, the unit had about 50 police officers dedicated to counter-trafficking activities.

### Services provided to victims

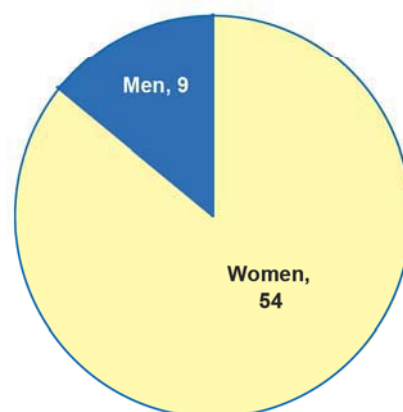
State authorities provide legal protections, temporary visas, medical and psychological support, and housing and shelter. Local NGOs and international organizations provide housing and shelter, medical and psychological support, and legal assistance to victims.

Fig. 195: Persons prosecuted for trafficking in persons in Azerbaijan, by gender (2006)



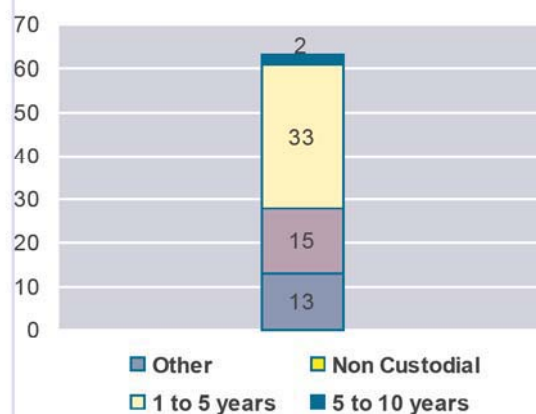
Source: Ministry of the Interior

Fig. 196: Persons convicted of trafficking in persons in Azerbaijan, by gender (2006)



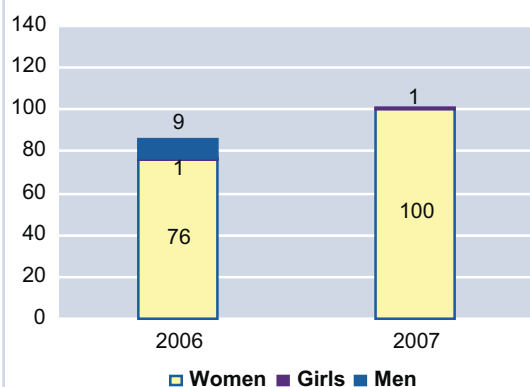
Source: Ministry of the Interior

Fig. 197: Sanctions for trafficking in persons in Azerbaijan (2006)



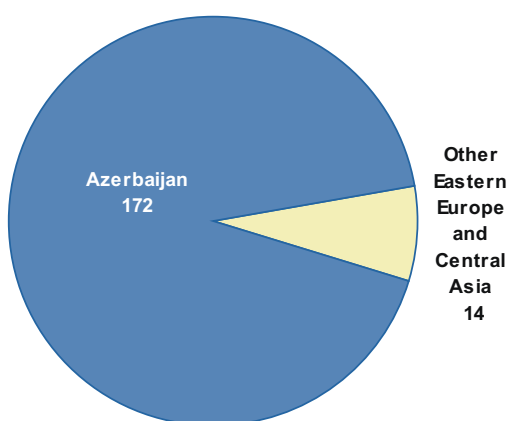
Source: Ministry of the Interior

Fig. 198: Victims of trafficking in persons identified by State authorities in Azerbaijan, by gender and age (2006-2007)



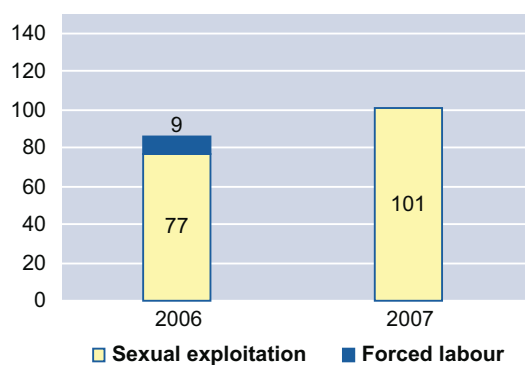
Source: Ministry of the Interior

Fig. 200: Victims of trafficking in persons identified by State authorities in Azerbaijan, by citizenship (2006-2007)



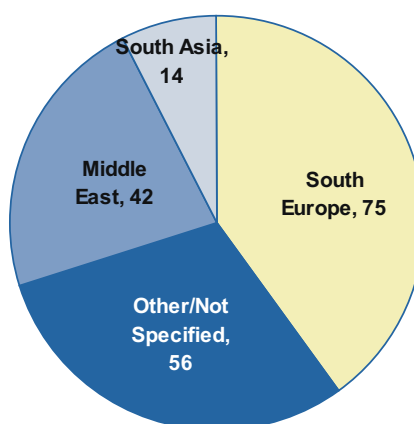
Source: Ministry of the Interior

Fig. 199: Victims of trafficking in persons identified by State authorities in Azerbaijan, by type of exploitation (2006-2007)



Source: Ministry of the Interior

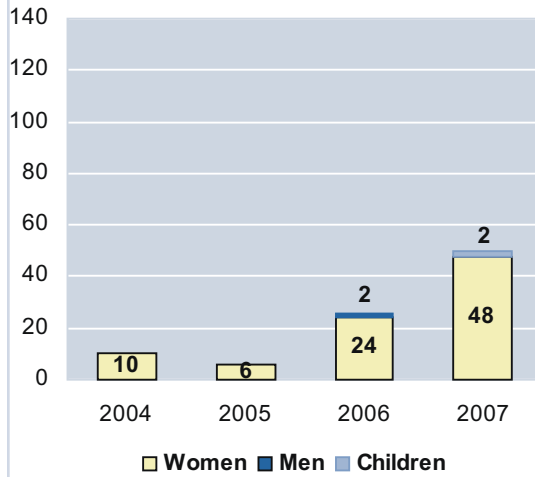
Fig. 201: Azeri victims of trafficking in persons identified by State authorities in Azerbaijan, by area of repatriation (2005-2006)



Source: Ministry of the Interior



**Fig. 202: Victims sheltered by the NGO Clean World in Azerbaijan, by gender and age (2004-2007)**

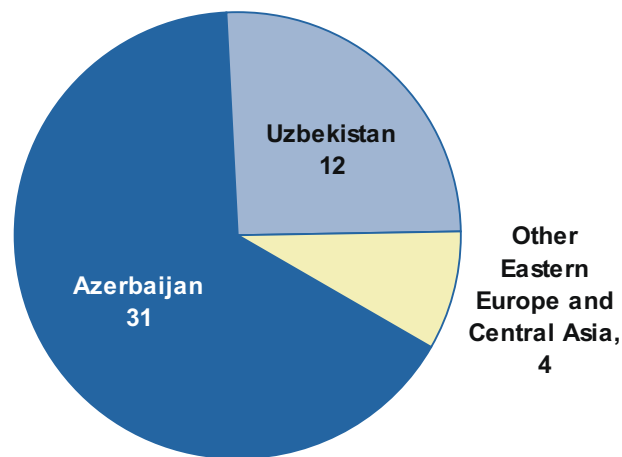


Source: Clean World and IOM

### Additional information

Almost all those convicted were involved in trafficking for sexual exploitation, and one was involved in trafficking for forced labour. Most of the Azeri victims identified were returned from other countries and many were victims of internal trafficking. One State-funded shelter for victims of trafficking, with the capacity to assist 50 victims, was opened in October 2006.

**Fig. 203: Victims sheltered by the NGO Clean World in Azerbaijan, by country of citizenship (2004-2007)**



Source: Clean World and IOM

## Belarus

### Institutional framework

The specific offence of trafficking in persons was established in Belarus in 1999, and the law was amended in 2005 to increase the liability for this crime. The specific offence of trafficking in persons is criminalized by the article 181 of the criminal code. In addition, other articles of the criminal code are also used to prosecute trafficking cases, namely the offences of “exploitation of prostitution” and “involvement in the exploitation of prostitution” (article 171), the offence of “stealing persons” (article 182), and “illegal actions directed to job placement abroad” (article 187). Furthermore, the articles 173 (the involvement of minor in anti-social behaviour) and article 343 (the diffusion of pornographic materials) might be used in trafficking in persons cases. A national action plan was adopted for 2008-2011, following a previous action plan covering 2002-2007.

### Criminal justice response

The Department for Drug Control and Prevention of Trafficking in Persons was established within the Ministry of the Interior. The department includes a number of special units and operates at the national, regional and district levels.

The following statistics refer to the specific offence of Trafficking in Persons (article 181) and to the related offences of “exploitation of prostitution” and “involvement in the exploitation of prostitution” (article 171), the offence of “stealing persons” (article 182), and “illegal actions directed to job placement abroad” (article 187).

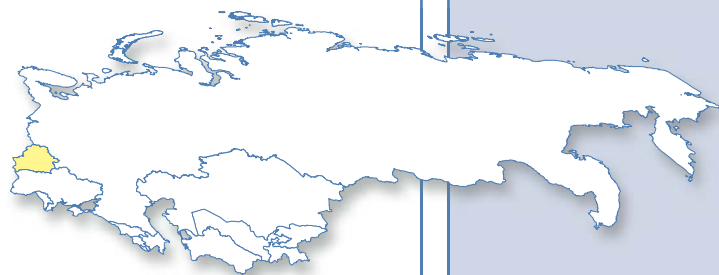
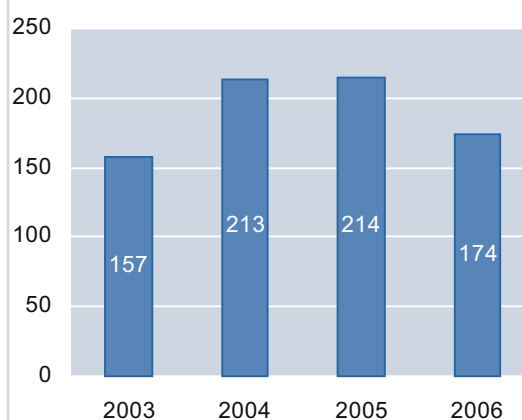
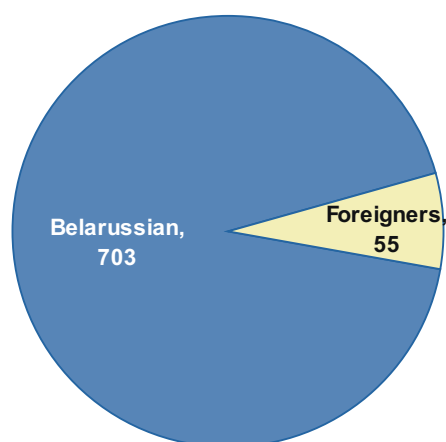


Fig. 204: Persons prosecuted for trafficking in persons and related offences in Belarus (2003-2006)



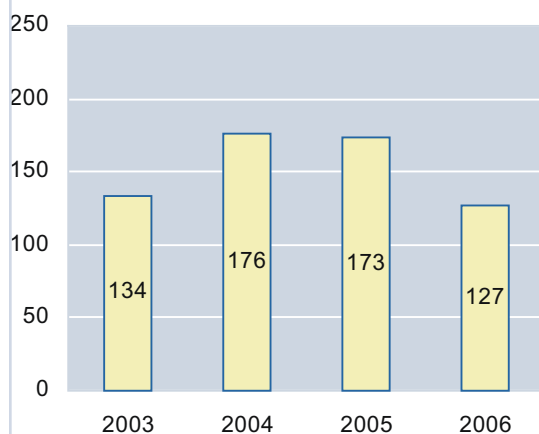
Source: Ministry of Internal Affairs of the Republic of Belarus

Fig. 205: Persons prosecuted for trafficking in persons and related offences in Belarus, by citizenship (2003-2006)



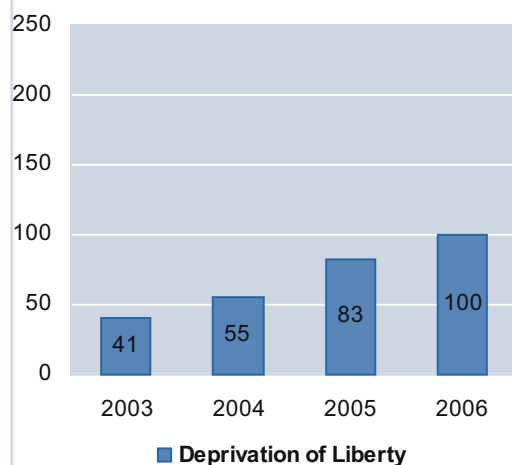
Source: Ministry of Internal Affairs of the Republic of Belarus

**Fig. 206: Persons convicted for trafficking in persons and related offences in Belarus (2003-2006)**



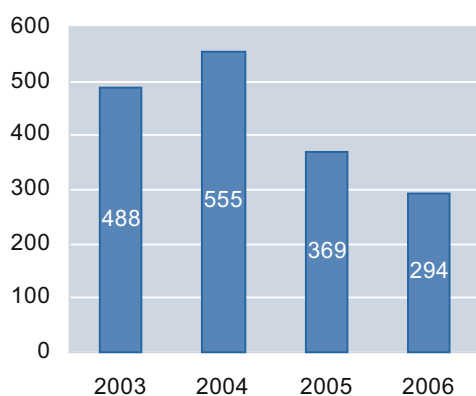
Source: Ministry of Internal Affairs of the Republic of Belarus

**Fig. 208: Sanctions for trafficking in persons and related offences in Belarus (2003-2006)**



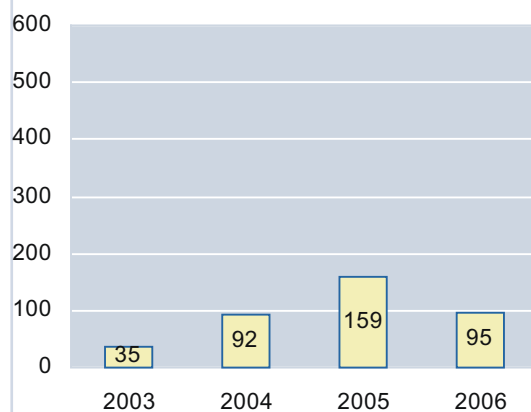
Source: Ministry of Internal Affairs of the Republic of Belarus

**Fig. 207: Number of crimes registered for trafficking in persons and related offences in Belarus (2003-2006)**



Source: Ministry of Internal Affairs of the Republic of Belarus

**Fig. 209: Number of crimes registered for specifically trafficking in persons (art.181) in Belarus (2003-2006)**



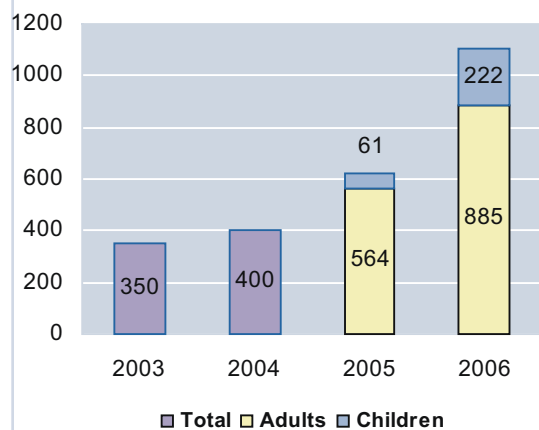
Source: Ministry of Internal Affairs of the Republic of Belarus

### Services provided to victims

State authorities provide legal protections, temporary visas, and medical and psychological support. Local NGOs and international organizations provide housing and shelter, medical and psychological support, and legal assistance to victims. Victims are identified by State agencies,

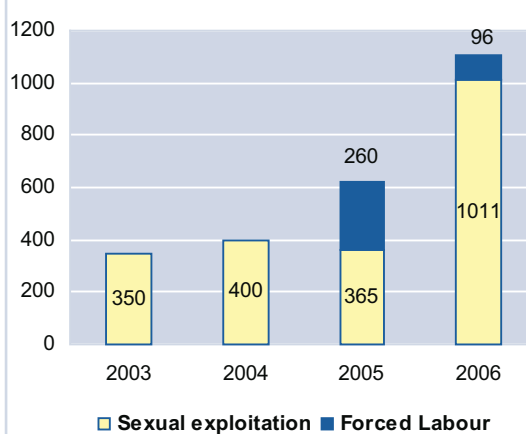
church bodies, NGOs, international organizations, consular staff and other involved parties, who then refer them to the relevant organization providing reintegration assistance.

Fig. 210: Victims of trafficking in persons identified by State authorities in Belarus, by age (2003-2006)



Source: Ministry of Internal Affairs of the Republic of Belarus

Fig. 211: Victims of trafficking in persons identified by State authorities in Belarus, by form of exploitation (2003-2006)



Source: Ministry of Internal Affairs of the Republic of Belarus



## Georgia

### Institutional framework

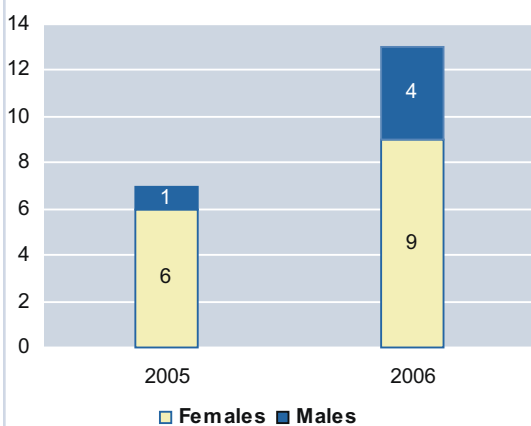
The specific offence of trafficking in persons was established in Georgia in 2003, and a new provision entered into force in June 2007. A national action plan was adopted in 2006.

### Criminal justice response

A Division to Combat Trafficking in Persons and Illegal Migration within the Ministry of the Interior was established in 2005. A special inter-agency commission for the coordination of activities against human trafficking and efficient implementation of the action plan, headed by the Prosecutor-General of Georgia, was established by the National Security Council on 1 February 2005.

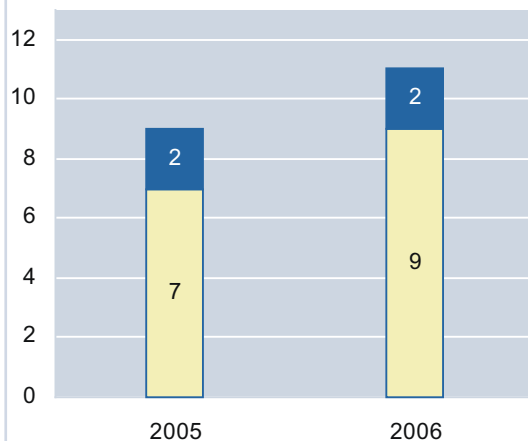
### Services provided to victims

Fig. 212: Persons investigated for trafficking in persons in Georgia, by gender (2005-2006)



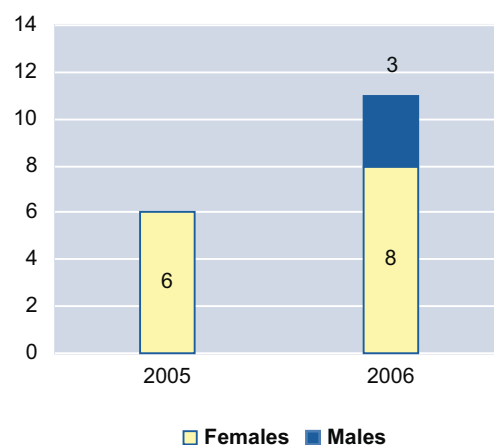
Source: Ministry of Foreign Affairs

Fig. 213: Persons prosecuted for trafficking in persons in Georgia, by gender (2005-2006)



Source: Ministry of Foreign Affairs

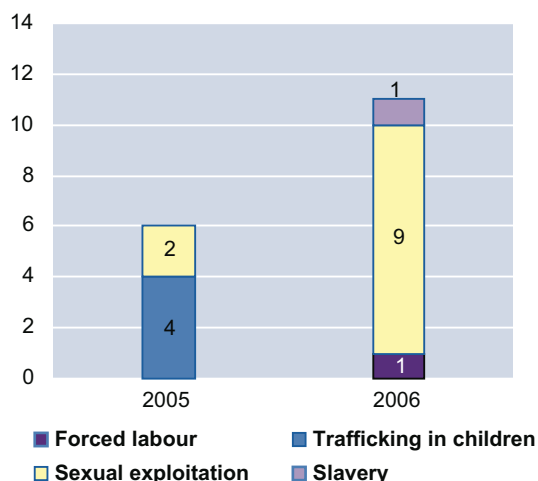
Fig. 214: Persons convicted of trafficking in persons in Georgia, by gender (2005-2006)



Source: Ministry of Foreign Affairs

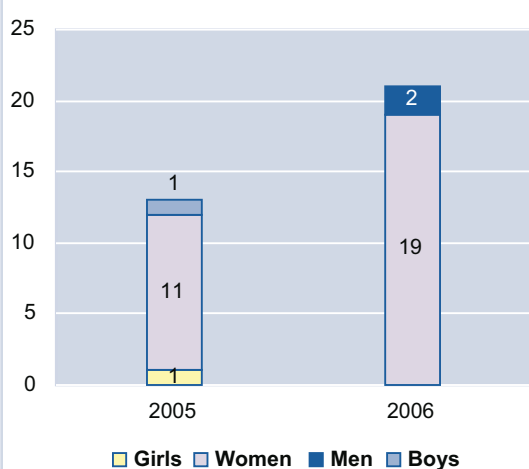
State authorities provide legal protection, temporary visas, medical and psychological support, and housing and shelter. Local NGOs provide legal assistance to victims.

Fig. 215: Persons convicted of trafficking in persons in Georgia, by form of exploitation (2005-2006)



Source: Ministry of Foreign Affairs

Fig. 216: Victims of trafficking in persons identified by State authorities in Georgia, by gender and age (2005-2006)



Source: Ministry of Foreign Affairs

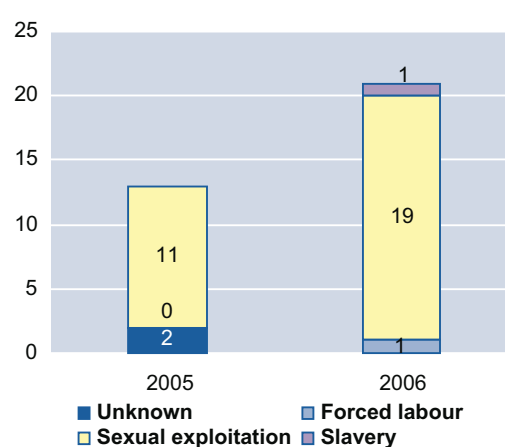
### Additional information

Most of the Georgian victims were repatriated from Southern Europe and the Middle East. Eight of these victims were subjected to internal trafficking.

During the reporting period, two shelters were in place in Georgia for victims of trafficking in persons; one in Western Georgia (Batumi, opened in 2006) and one in Tbilisi (opened in

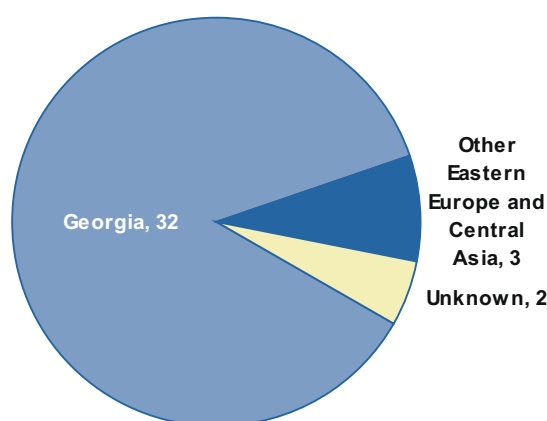
2007) that serves Eastern Georgia. Each shelter can accommodate 10 victims. Over the course of 2007, 15 persons were assisted in these shelters, including three children (whose parents were victims of trafficking); 11 of the victims were Georgian and four were citizens of other countries in the region.

Fig. 217: Victims of trafficking in persons identified by State authorities in Georgia, by form of exploitation (2005-2006)



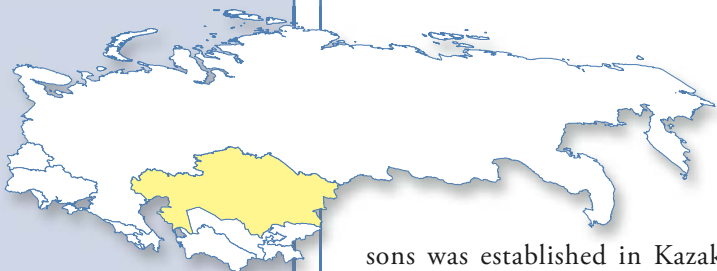
Source: Ministry of Foreign Affairs

Fig. 218: Victims of trafficking in persons identified by State authorities in Georgia, by country of citizenship (2005-2006)



Source: Ministry of Foreign Affairs

# Kazakhstan



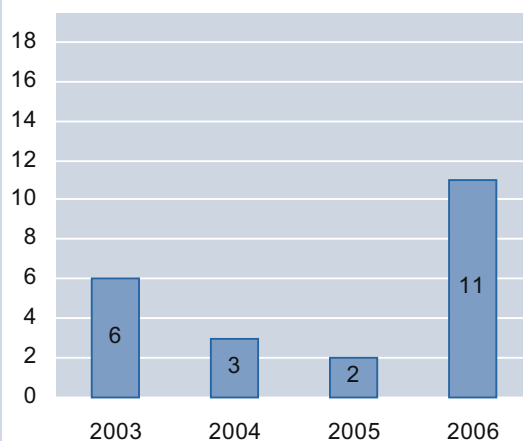
## Institutional framework

The specific offence of trafficking in persons was established in Kazakhstan in 2006. That same year, the government adopted a national action plan against trafficking in persons. Prior to 2006, Article 128 of the criminal code (“recruitment of persons for the purpose of exploitation”) and Article 133 (“trade in minors”) were used to prosecute some forms of trafficking in persons.

## Criminal justice response

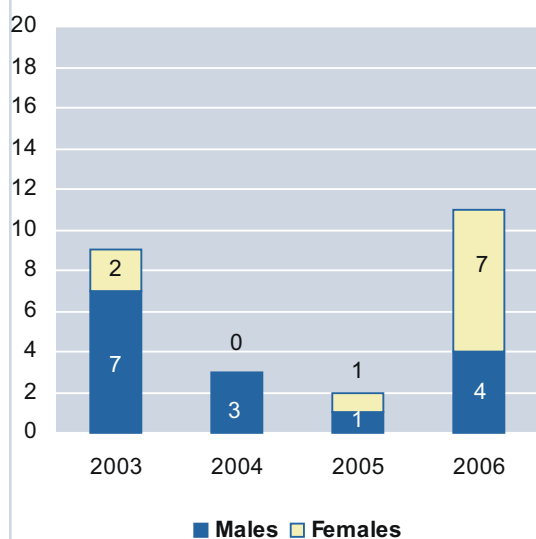
A special anti-human trafficking unit was established within the Criminal Police Committee of the Ministry of the Interior. In total, 45 officers from various police units were engaged in suppressing trafficking-related offences during the reporting period.

Fig. 220: Persons convicted of offences related to trafficking in persons in Kazakhstan (2003-2006)



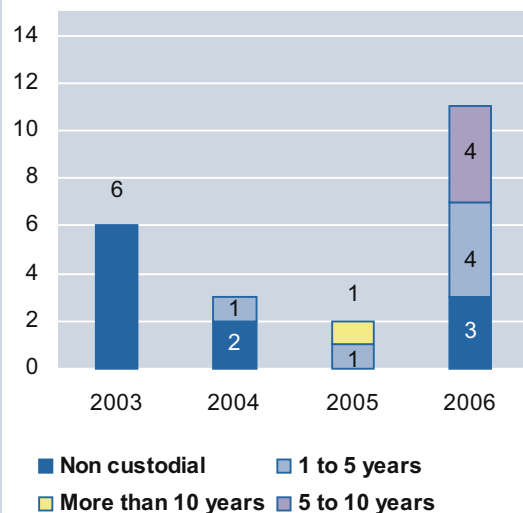
Source: Ministry of the Interior

Fig. 219: Persons prosecuted for offences related to trafficking in persons in Kazakhstan, by gender (2003-2006)



Source: Ministry of the Interior

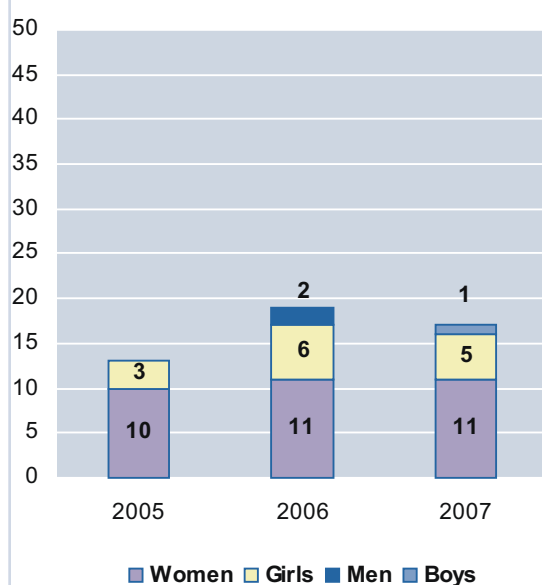
Fig. 221: Sanctions for offences related to trafficking in persons in Kazakhstan (2003-2006)



Source: Ministry of the Interior

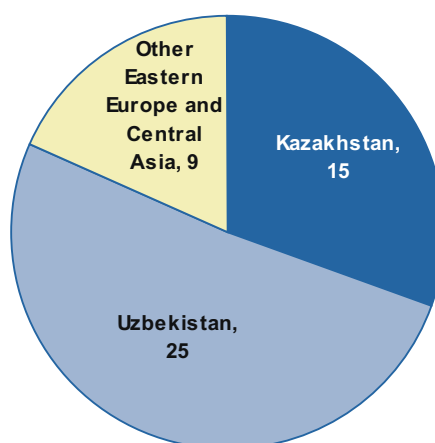


Fig. 222: Victims of trafficking in persons sheltered by the NGO Rodnik in Kazakhstan, by age and gender (2005-2007)



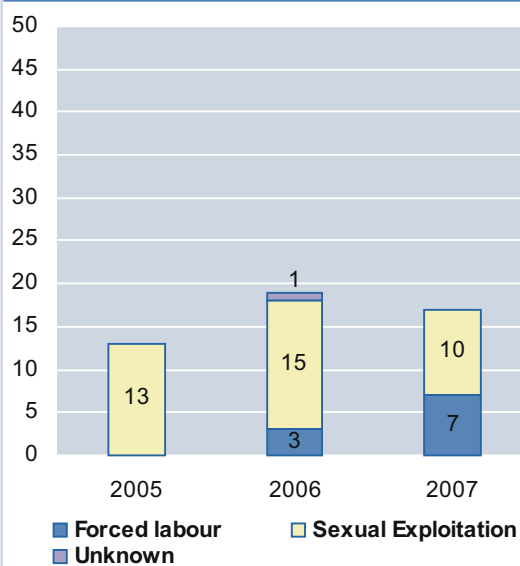
Source: Rodnik

Fig. 224: Victims of trafficking in persons sheltered by the NGO Rodnik in Kazakhstan, by country of citizenship (2005-2007)



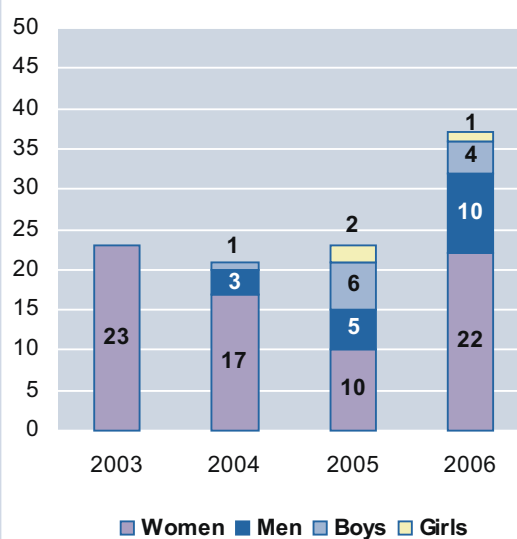
Source: Rodnik

Fig. 223: Victims of trafficking in persons sheltered by the NGO Rodnik in Kazakhstan, by form of exploitation (2005-2007)



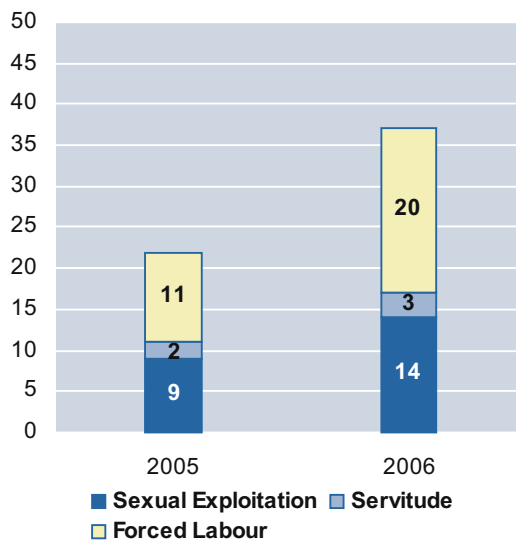
Source: Rodnik

Fig. 225: Victims of trafficking in persons sheltered by the NGO Women's Resource Centre, by age and gender (2005-2006)



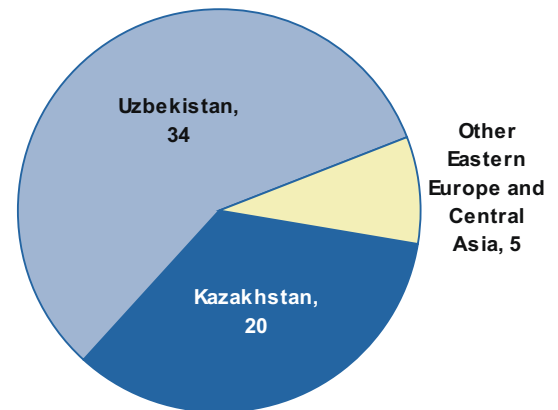
Source: Women's Resource Centre

Fig. 226: Victims of trafficking in persons sheltered by the NGO Women's Resource Centre, by country of citizenship (2005-2006)



Source: Women's Resource Centre

Fig. 227: Victims of trafficking in persons sheltered by the NGO Women's Resource Centre, by form of exploitation (2005-2006)



Source: Women's Resource Centre

### Services provided to victims

The State provides legal protection and temporary stay permits for victims of trafficking in persons. Local NGOs provide legal assistance, and medical and psychosocial support while international organizations provide legal assistance, housing and shelter, and medical and psychosocial support.

### Additional information

Eight Kazakhs were convicted of trafficking in persons in 2006, as were three more offenders from other parts of the region.

In 2005 and 2006, 14 of the Kazakh victims sheltered by two NGOs were repatriated from the Middle East and one was repatriated from Southern Europe. The other 20 victims were subject to internal trafficking. A third NGO, Sana Sezim, reportedly have sheltered six Uzbeks in the Southern Kazakhstan Oblast in 2008.

## Kyrgyzstan

### Institutional framework

The specific offence of trafficking in persons was established in Kyrgyzstan in 2003, and the legislation was amended in 2005 in order to criminalize all forms of trafficking as listed in Article 3 of the UN Trafficking Protocol. Prior to 2003, only the recruitment of persons for the purpose of sexual or other exploitation committed through deception was a criminal offence. A draft State Programme to Combat Trafficking in Persons (2008-2010) was under consideration by the government in 2008.

### Criminal justice response

A special unit to combat kidnapping, trafficking in persons and crimes against foreign nationals was established in 2004 under the Criminal Investigation Department of the Ministry of the Interior. In 2005, a special sector within the State Committee on Migration and Employment was established to combat the smuggling of and trafficking in persons.

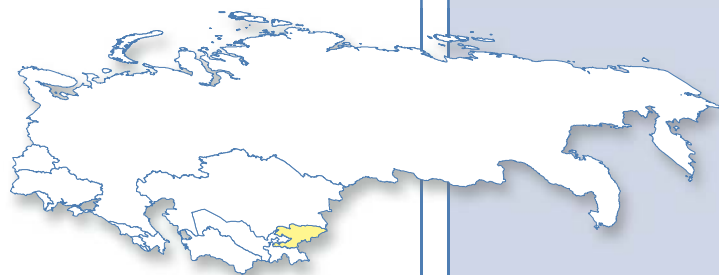
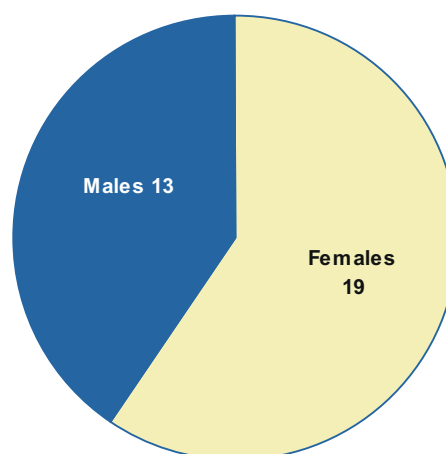
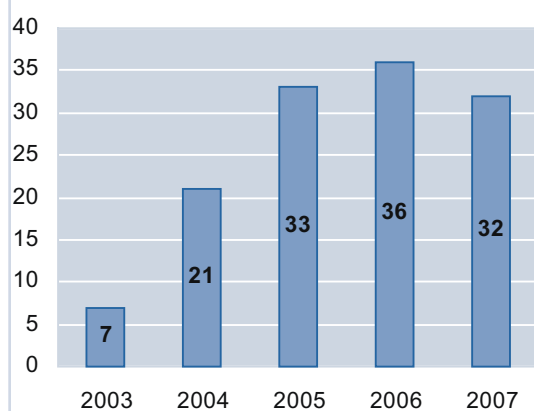


Fig. 229: Persons investigated for trafficking in persons in Kyrgyzstan, by gender (2007)



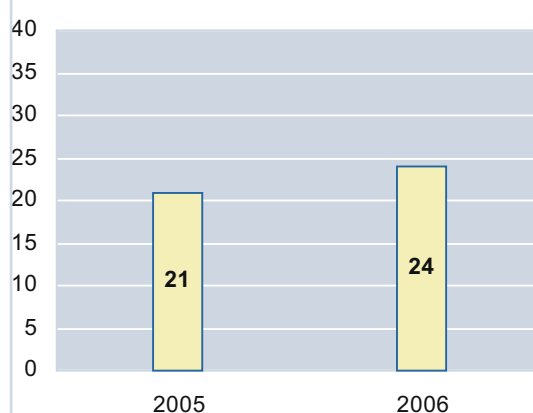
Source: Ministry of the Interior

Fig. 228: Persons investigated for trafficking in persons in Kyrgyzstan (2003-2007)



Source: Ministry of the Interior

Fig. 230: Persons prosecuted for trafficking in persons in Kyrgyzstan (2005-2006)

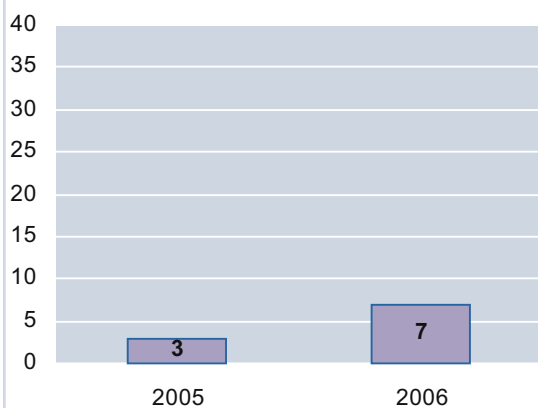


Source: Ministry of the Interior

## Services provided to victims

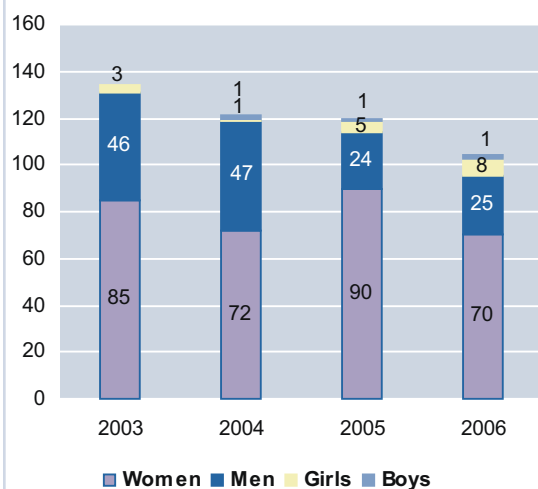
The State provides legal protection, temporary stay permits and housing for victims of trafficking in persons. Local NGOs and international organizations offer legal assistance, housing and shelter, medical and psychological support, and vocational training. Victims of trafficking are referred to relevant NGOs or shelters by IOM or its partner NGOs, law enforcement agencies or the State Committee on Migration and Employment.

Fig. 231: Persons convicted of trafficking in persons in Kyrgyzstan (2005-2006)



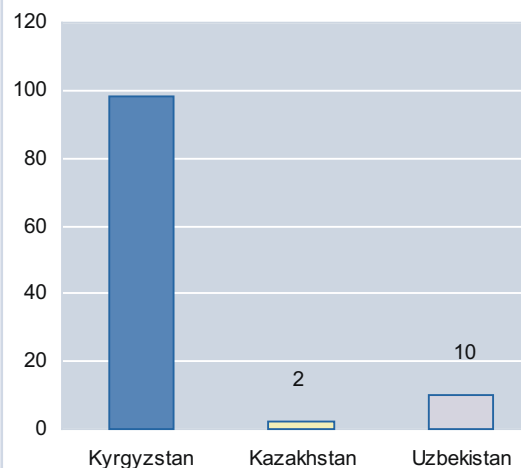
Source: Ministry of the Interior

Fig. 232: Victims of trafficking in persons identified by State authorities in Kyrgyzstan (2005-2006)



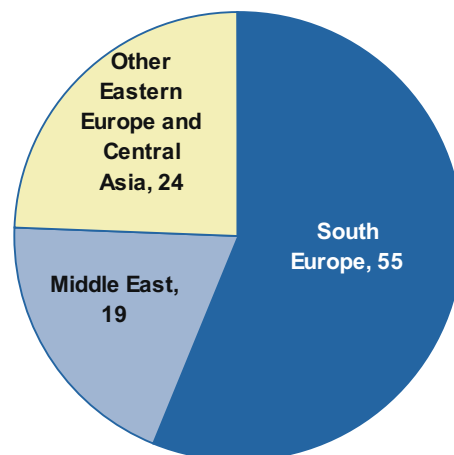
Source: IOM-Kyrgyzstan

Fig. 233: Victims of trafficking in persons sheltered by IOM, by country of citizenship (2005-2006)



Source: IOM-Kyrgyzstan

Fig. 234: Regions from which victims of trafficking in persons sheltered by IOM were returned (2005-2006)



Source: IOM-Kyrgyzstan

## Moldova

### Institutional framework

The specific offence of trafficking in persons was established in Moldova in 2001, and the legislation was amended in 2005 to criminalize all forms of trafficking as listed in Article 3 of the UN Trafficking Protocol. The amended legislation contemplates a specific provision for trafficking in children. A national action plan was adopted in 2005.

### Criminal justice response

A special section for combating trafficking in persons was established within the Ministry of the Interior in 2000. A specific unit on trafficking in persons was created in 2005 within the structure of the Office of the Prosecutor-General, and the Centre on the Fight against Trafficking in Persons was established in the same year. The centre is a specialized body of prosecutors, investigators, analysts and support personnel created to combat trafficking in persons. The total number of police personnel involved in anti-trafficking activities ranged from 50 to 100 officers in 2007.

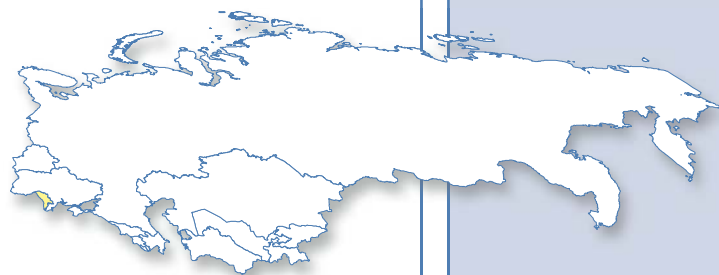
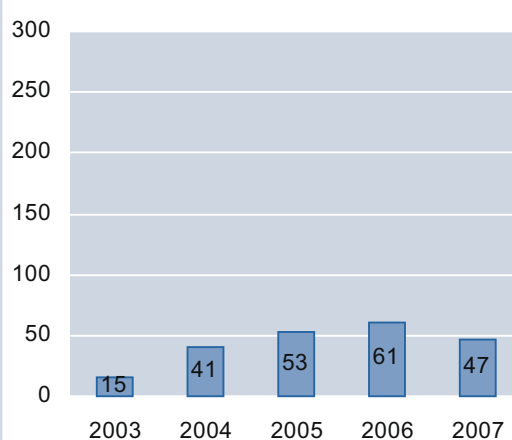
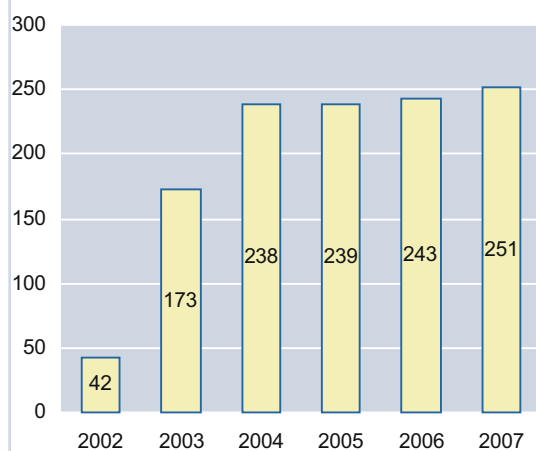


Fig. 236: Cases of Trafficking in children investigated in Moldova (2003-2007)



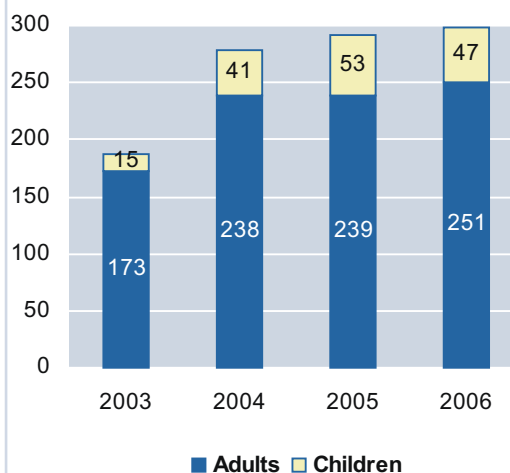
Source: Office of the Prosecutor-General

Fig. 235: Cases of trafficking in persons investigated in Moldova (2002-2007)



Source: Office of the Prosecutor-General

Fig. 237: Victims of trafficking in persons identified by State authorities in Moldova (2003-2006)



Source: Centre to Combat Trafficking in Persons

### Services provided to victims

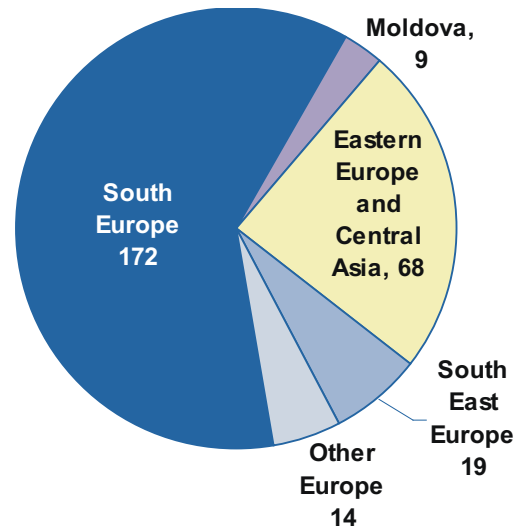
State authorities provide legal protections, medical and psychosocial support, and housing services. Local NGOs and international organizations offer housing and shelter, medical and psychosocial support, and legal assistance to the victims. The Ministry of Family, Youth and Children coordinates victim identification, reintegration and rehabilitation through multi-disciplinary teams consisting of representatives from different State authorities and NGOs set up in each district.

### Additional information

During the reporting period, about 10 cases of trafficking for the purpose of organ removal were investigated in Moldova.

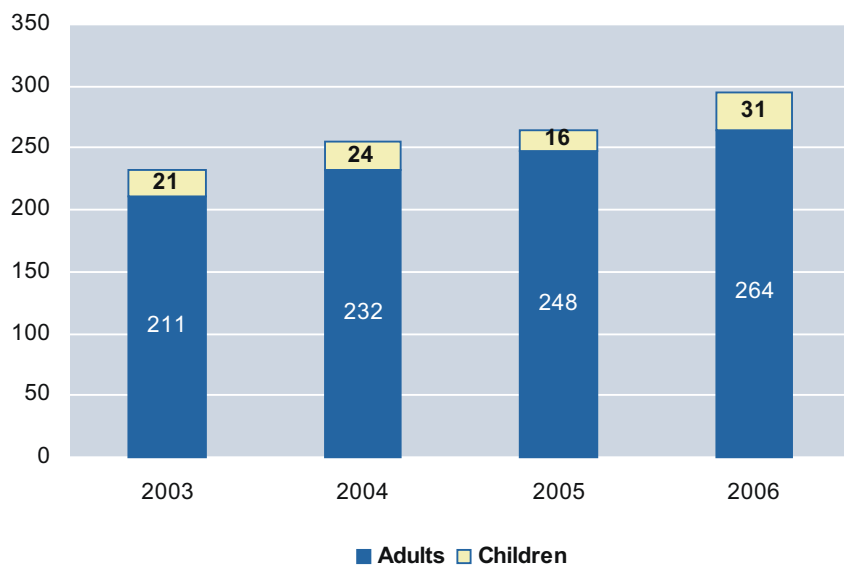
Most of the victims sheltered by IOM are women and girls. Thirteen men were sheltered in 2005-2006.

Fig. 238: Areas from which Moldavian victims identified by State authorities were returned (2007)



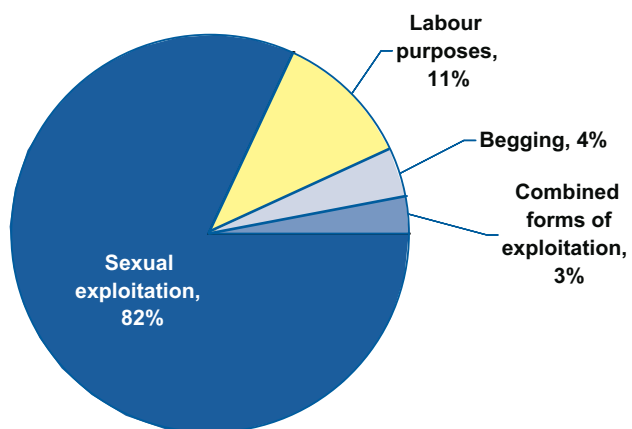
Source: Office of the Prosecutor-General

Fig. 239: Victims of trafficking in persons sheltered by IOM in Moldova (2003-2006)



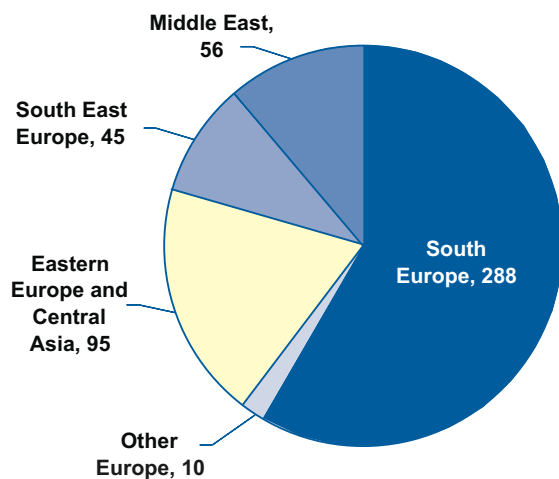
Source: IOM-Moldova

Fig. 240: Victims of trafficking in persons sheltered by IOM in Moldova, by form of exploitation (2005-2006)



Source: IOM-Moldova

Fig. 241: Areas from which Moldavian victims sheltered by IOM were returned (2005-2006)



Source: IOM-Moldova



## Russian Federation

### Institutional framework

The specific offence of trafficking in persons was established in the Russian Federation in 2003 when Article 127-1 (on trafficking in persons) and Article 127-2 (on use of slave labour) were introduced into the criminal code by Law No. 162. This offence covers all the forms of exploitation listed in Article 3 of the UN Trafficking Protocol. In 2008, a draft law amending Article 127.1 of the criminal code was submitted to the State Duma of the Federal Assembly. This draft is particularly intended to improve the definition of trafficking in persons. In addition, other articles of the criminal code are also used to prosecute cases of trafficking in persons, such as “forcing to engage in prostitution” – Article 240, and “organization of prostitution” – Article 241 and the articles criminalizing the production and distribution of illegal pornographic material – Article 242. In addition the Federal Law on State Protection of Victims, Witnesses and Other Parties to Criminal Proceedings specifically adopted in cases of trafficking in persons.

### Criminal justice response

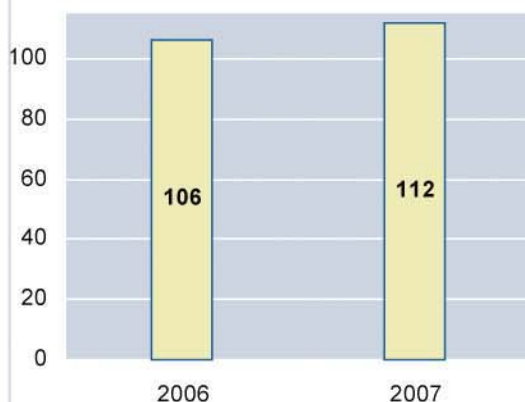
The Ministry of the Interior is the leading institution in combating trafficking in persons in the Russian Federation through the Department for Maintaining Social Order; the Department for Combating Organized Crime and Terrorism; the Department for Criminal Investigation; and the Investigations Committee.

In addition to the figures represented above, during 2006 and 2007, the competent authorities of the Russian Federation detected about 3000 cases under the offence of “organization of prostitution” and more than 6000 cases under the offences concerning the production and distribution of illegal pornographic material.

### Services provided to victims

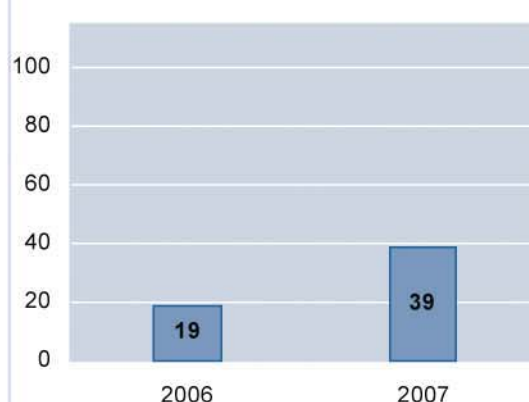
Assistance is offered to victims of violence and trafficking by government institutions and by institutions established and operated by women’s NGOs. The latter have set up 50 crisis centres in various cities across the country to provide assistance to women, working in close cooperation with law enforcement agencies and local authorities.

Fig. 242: Cases of trafficking in persons (art. 127-1) detected in the Russian Federation (2006-2007)



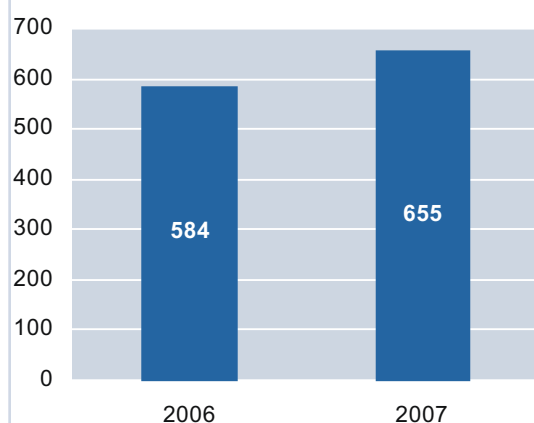
Source: Permanent Mission of the Russian Federation to the international organizations in Vienna.

Fig. 243: Cases of slave labour (art.127-2) detected in the Russian Federation (2006-2007)



Source: Permanent Mission of the Russian Federation to the international organizations in Vienna.

Fig. 244: Cases of forcing to engage in prostitution (art.240) detected in the Russian Federation (2006-2007)



Source: Permanent Mission of the Russian Federation to the international organizations in Vienna

A rehabilitation centre for victims of trafficking (Russian nationals who have returned from destination countries and citizens of Eastern Europe, Central Asia and other countries who are exploited in Russia) was opened in April 2007 in Moscow offering comprehensive medical and psychological assistance and other services. The centre is able to assist 19 persons at a time. Eleven specialists work at the centre, including a doctor/therapist, a psychologist, a social worker, a nurse and technicians.

# Tajikistan

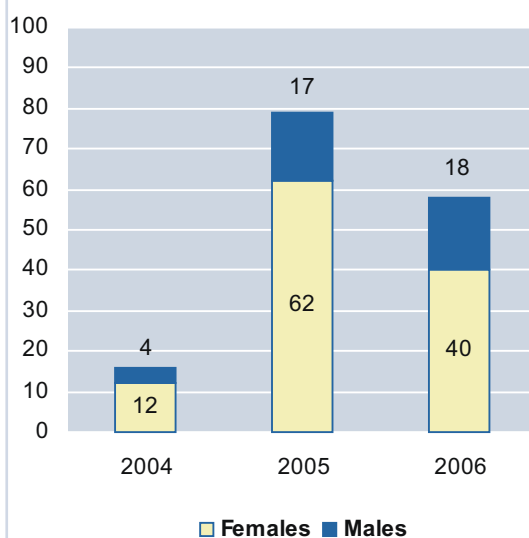
## Institutional framework

The specific offence of trafficking in persons was established in Tajikistan in 2004 and the law was amended in January 2008 to also include trafficking for the purpose of organ removal. In 2006, the government adopted a national action plan against trafficking in persons for 2006-2010.

## Criminal justice response

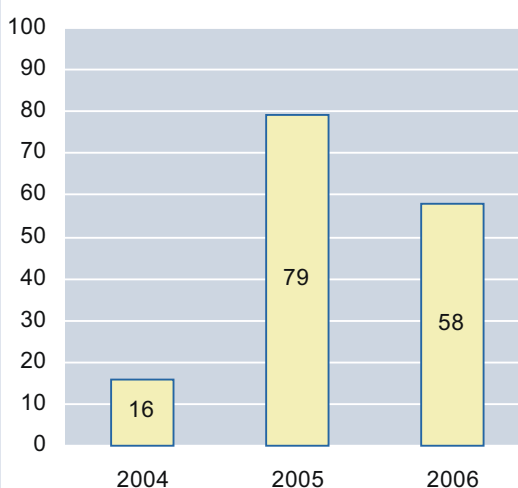
The special Unit to Combat Racketeering, Kidnapping and Human Trafficking was established in April 2004 as part of the Department for the Fight against Organized Crime within the Ministry of the Interior. In 2007, the unit had about 17 full-time police officers.

Fig. 246: Persons prosecuted for trafficking in persons in Tajikistan, by gender (2004-2006)



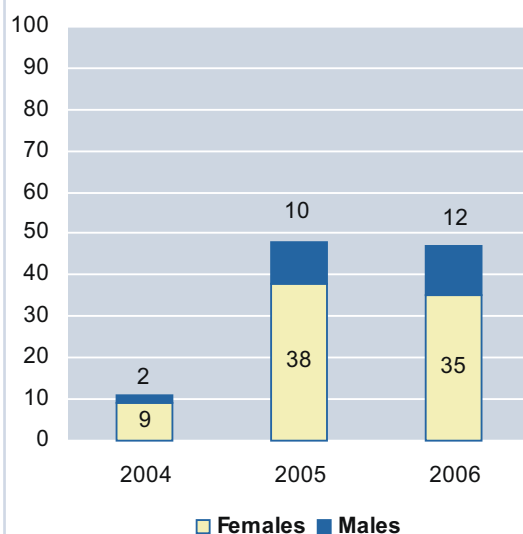
Source: Office of the Prosecutor-General

Fig. 245: Persons investigated for trafficking in persons in Tajikistan (2004-2006)



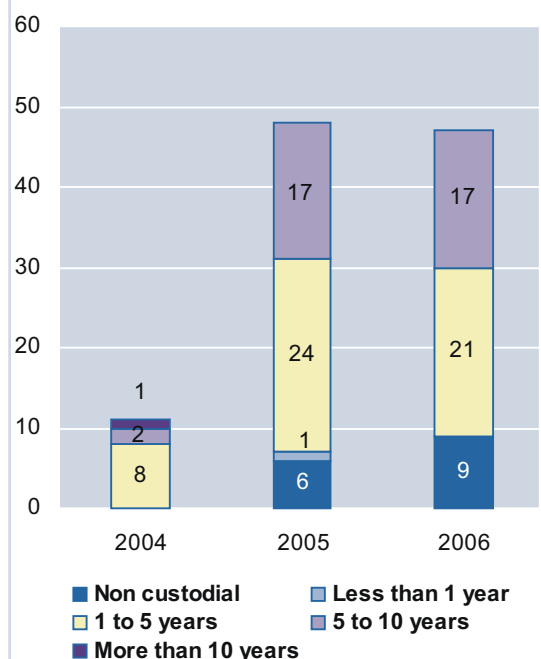
Source: Office of the Prosecutor-General

Fig. 247: Persons convicted of trafficking in persons in Tajikistan, by gender (2004-2006)



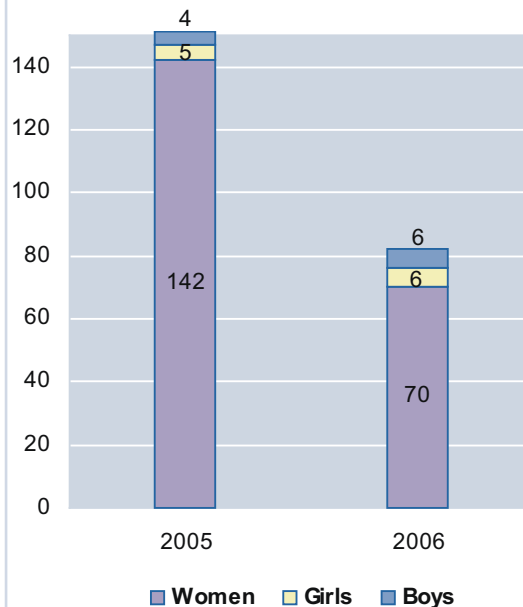
Source: Office of the Prosecutor-General

Fig. 248: Sanctions for trafficking in persons in Tajikistan (2004-2006)



Source: Office of the Prosecutor-General

Fig. 249: Victims of trafficking in persons identified by State authorities in Tajikistan, by age and gender (2005-2006)



Source: Office of the Prosecutor-General

## Services provided to victims

The State provides legal protection and medical and psychosocial support for victims of trafficking in persons. Local NGOs provide medical and psychosocial support, while international organizations provide legal assistance, housing and shelter, and medical and psychosocial support.

## Additional information

In 2005 and 2006, all those convicted of trafficking in persons offences were Tajik citizens. Victims of trafficking identified by State authorities in 2005 and 2006 were all Tajik citizens returned from the Middle East and all were vic-

tims of sexual exploitation. IOM-Tajikistan sheltered victims of trafficking in persons in 2005 and 2006; all were Tajik, mostly women but also men and children.

The Inter-Ministerial Commission on Combating Human Trafficking under the Government of Tajikistan, together with IOM and some NGO partners, recently established a provisional referral mechanism.

## Turkmenistan

### Institutional framework

A law on combating trafficking in persons was adopted in Turkmenistan and entered into force in December 2007, but the law does not specifically establish trafficking in persons as an offence.

### Criminal justice response

Turkmenistan has no specific police unit for combating trafficking in persons, though the State Service for Registration of Foreigners (SSRF) is the de facto leading agency on combating trafficking in persons.

During the reporting period, no prosecutions and no convictions for trafficking in persons were recorded in Turkmenistan. One case of sexual exploitation was prosecuted in 2005 and concluded with a conviction.

### Services provided to victims

There is no official referral mechanism in place for victims of trafficking in persons.

Between 2003 and 2006, there were no victims of trafficking in persons identified by State authorities.

A registered NGO conducted prevention and sheltering activities for trafficking victims during the reporting period. All victims sheltered in 2005 and 2006 were adult Turkmen citizens returned from abroad. Four women were sheltered in 2005, and seven women and one man in 2006. Three of them were trafficked for forced labour (in 2006) and the remaining were trafficked for sexual exploitation.

# Ukraine

## Institutional framework

The specific offence of trafficking in persons was established in Ukraine in 1998. The criminal code was amended and in 2001 the new offence of trafficking in persons was established under the article 149 of the Criminal Code. This article was amended later in 2006. A National Action Plan has been adopted for the period 2007-2010.

## Criminal justice response

The Department for Combating Human Trafficking of the Ministry of the Interior was created in 2005. Regional branches, divisions and units of the department were established in all regions of Ukraine. The National Security Service also works closely with the relevant authorities responsible for coordinating anti-trafficking activities in Ukraine.

## Services provided to victims

State authorities provide legal protection, medical and psychological support, and housing and shelter. Local NGOs and international organizations provide housing and shelter, medical and psychological support, and legal assistance to

victims. In addition, housing allowances, micro-enterprise grants, educational grants, vocational training and physical therapy also are provided by the State and NGOs as well as IOM.

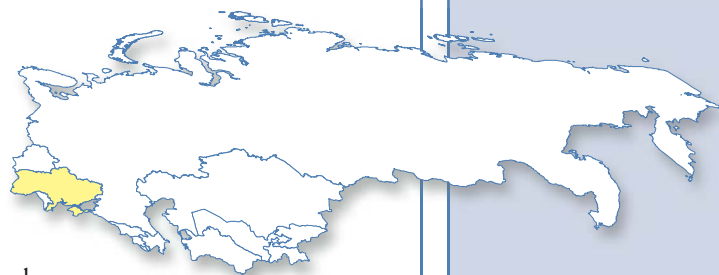
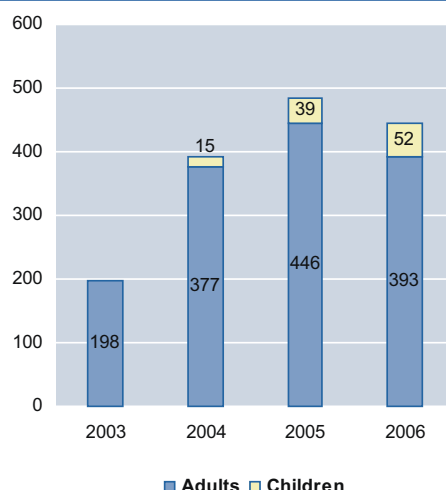
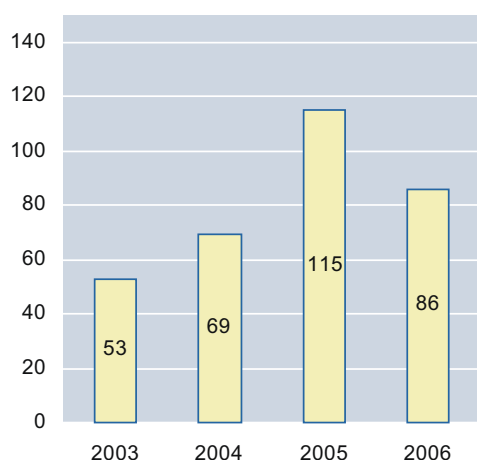


Fig. 251: Victims of trafficking in persons identified by State authorities in Ukraine, by age (2003-2006)



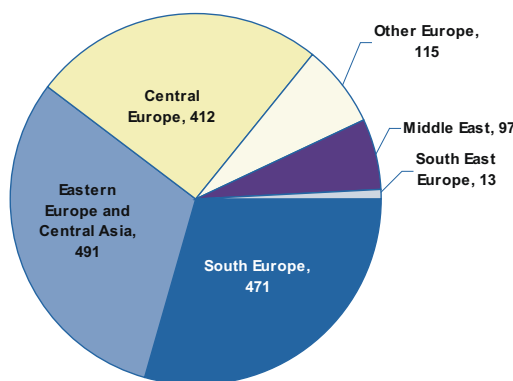
Source: Department for Combating Human Trafficking Offences, Ministry of the Interior

Fig. 250: Persons convicted of trafficking in persons in Ukraine (2003-2006)



Source: Department for Combating Human Trafficking Offences, Ministry of the Interior

Fig. 252: Ukrainian victims of trafficking in persons repatriated by IOM-Ukraine, by areas of repatriation (2005-2006)



Source: IOM-Ukraine



## Uzbekistan

### Institutional framework

The specific offence of trafficking in persons was established in Uzbekistan in April 2008. Prior to that law, Article 135 of the criminal code (1994) provided criminal liability for the “recruitment of persons for the purpose of sexual or other exploitation”. In early 2008, a draft plan of action to combat trafficking in persons was submitted to the Cabinet of Ministers for approval.

### Criminal justice response

The Special Unit to Combat the Illegal Recruitment and Exploitation of Persons was established in April 2004 within the Ministry of the Interior, with branches set up at the regional and local levels nationwide. Since its establishment, a total of 118 certified officers have worked for the unit and its branches.

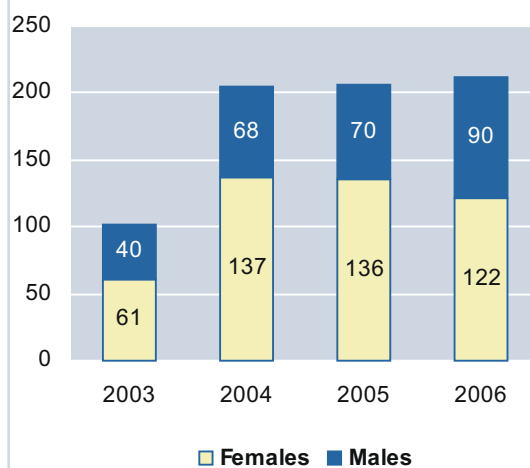
A special unit also exists within the Ministry of the Interior for the prevention of offences related to the recruitment of persons for the purposes of exploitation and offences against morality, with branches at the regional and local levels. The total number of officers working for this unit and its branches is 154.

The following statistics refer to the offence of recruitment of persons for the purpose of sexual or other exploitation.

### Services provided to victims

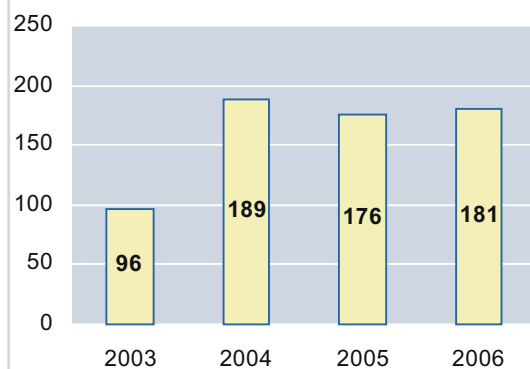
State authorities provide legal protection for victims of trafficking in persons. Local NGOs and international organizations provide legal assistance, housing and shelter, and medical and psychosocial support.

Fig. 253: Persons prosecuted for “recruitment for exploitation” in Uzbekistan, by gender (2003-2006)



Source: Ministry of the Interior

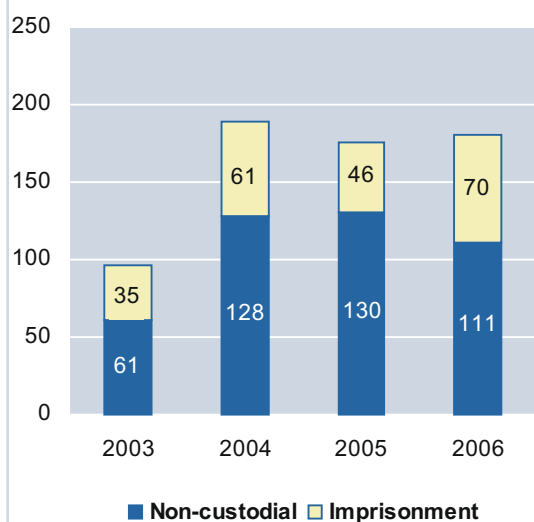
Fig. 254: Persons convicted for “recruitment for exploitation” in Uzbekistan (2003-2006)



Source: Ministry of the Interior

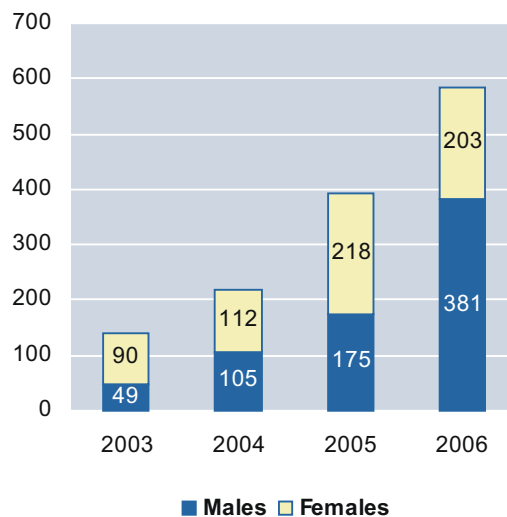


Fig. 255: Sanctions for persons convicted of "recruitment for exploitation" in Uzbekistan (2003-2006)



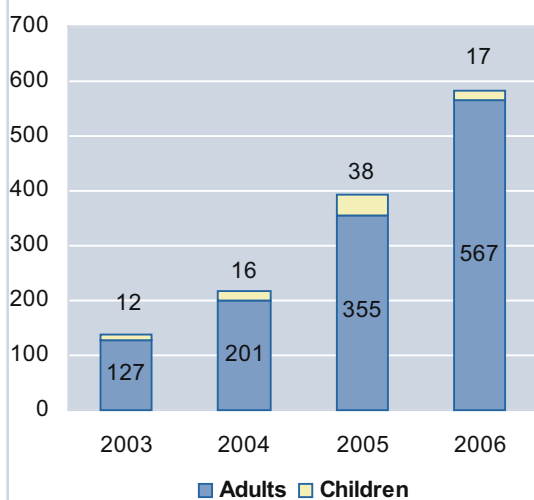
Source: Ministry of the Interior

Fig. 257: Victims of trafficking in persons identified by State authorities in Uzbekistan, by gender (2003-2006)



Source: Ministry of the Interior

Fig. 256: Victims of trafficking in persons identified by State authorities in Uzbekistan, by age (2003-2006)



Source: Ministry of the Interior

### Additional information

IOM-Uzbekistan sheltered and assisted victims of trafficking in persons between 2003 and 2006, most of whom were women and children. Sexual exploitation was the major form of exploitation, but there were also victims trafficked for forced labour.



The 38 countries and specially administered territories covered in this section are: Albania, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Montenegro, the Netherlands, Norway,

Poland, Portugal, Romania, Serbia, Kosovo (Serbia), Slovakia, Slovenia, Spain, Sweden, Switzerland, the FYR Macedonia, Turkey and the United Kingdom.

Any missing information concerning the region was either unavailable or not accessed by UNODC.

## Albania

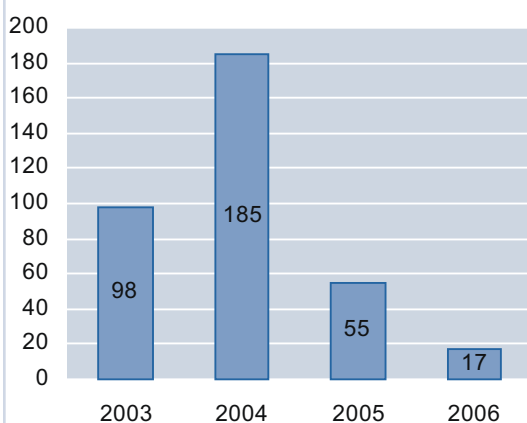
### Institutional framework

The specific offence of trafficking in persons has existed in Albania since 2001, and a national action plan on trafficking in persons was adopted in 2005.

### Criminal justice response

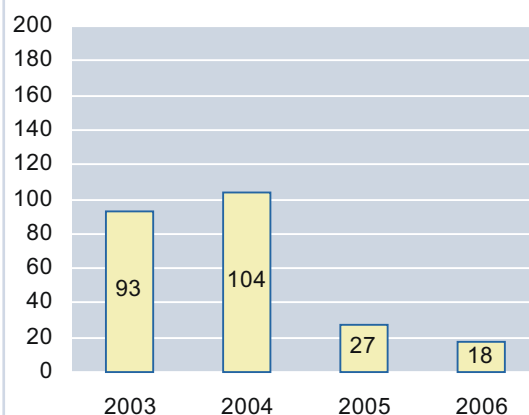
The sector against illicit trafficking within the General Directorate of the State Police deals with all forms of trafficking, including narcotics, vehicles, weapons and human trafficking. Thirteen officers were assigned full time to the policing of human trafficking in 2007.

Fig. 258: Persons investigated for trafficking in persons in Albania (2003-2006)



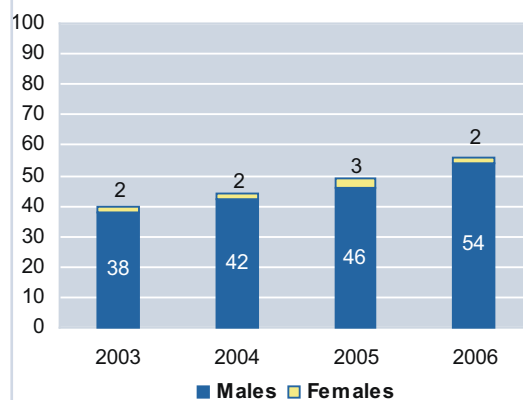
Source: The Research Directory, General Prosecutor's Office

Fig. 259: Persons arrested for trafficking in persons in Albania (2003-2006)



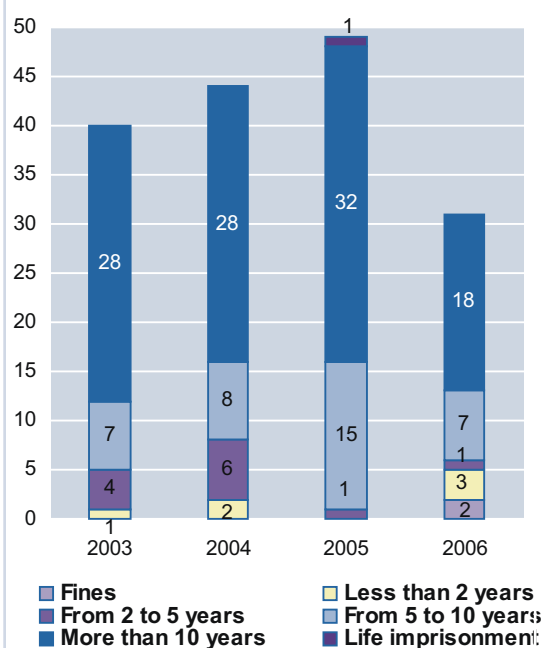
Source: The Research Directory, General Prosecutor's Office

Fig. 260: Persons convicted of trafficking in persons in Albania, by gender (2003-2006)



Source: Ministry of Justice, Albania

Fig. 261: Sanctions for trafficking in persons in Albania (2003-2006)

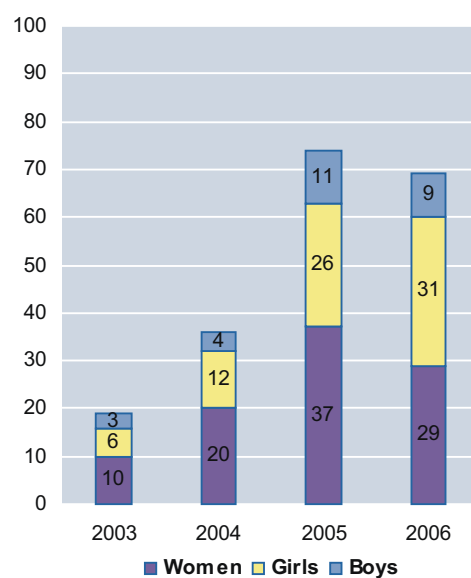


Source: Ministry of Justice, Albania

## Services provided to victims

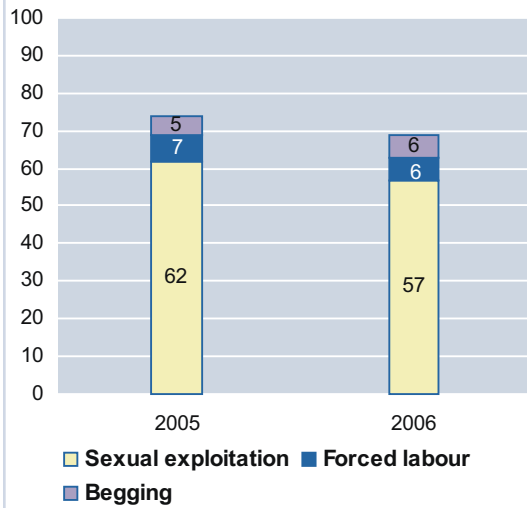
State authorities provide legal protection, temporary stay permits, medical and psychosocial services, and housing and shelter to support victims of trafficking in persons. NGOs and international organizations also offer medical and psychosocial support and housing and shelter.

Fig. 262: Victims of trafficking in persons identified by State authorities in Albania, by gender and age (2003-2006)



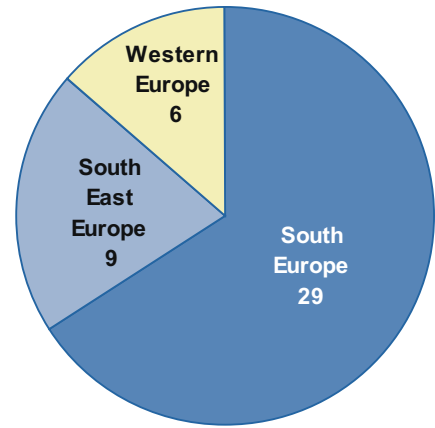
Source: National Reception Centre for Victims of Trafficking

Fig. 263: Victims of trafficking in persons identified by State authorities in Albania, by type of exploitation (2005-2006)



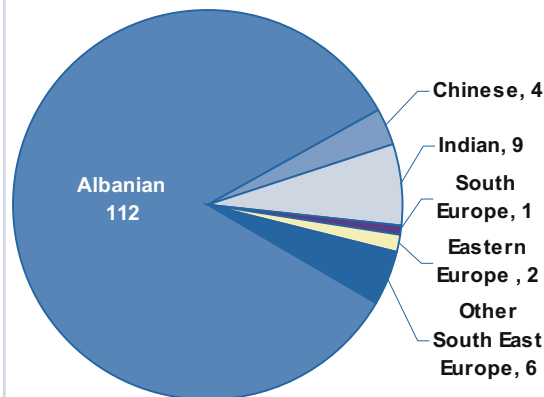
Source: National Reception Centre for Victims of Trafficking

Fig. 265: Victims of trafficking in persons identified by State authorities in Albania, by country of repatriation (2005-2006)



Source: National Reception Centre for Victims of Trafficking

Fig. 264: Victims of trafficking in persons identified by State authorities in Albania, by citizenship (2005-2006)



Source: National Reception Centre for Victims of Trafficking

### Additional information

The Albanian Government introduced new anti-trafficking structures at the national and local levels in 2006. The responsible authority for the national referral mechanism was established following a joint order of the Minister of Interior; the Minister of Foreign Affairs; and the Minister of Labour, Social Affairs and Equal Opportunities.

## Austria

### Institutional framework

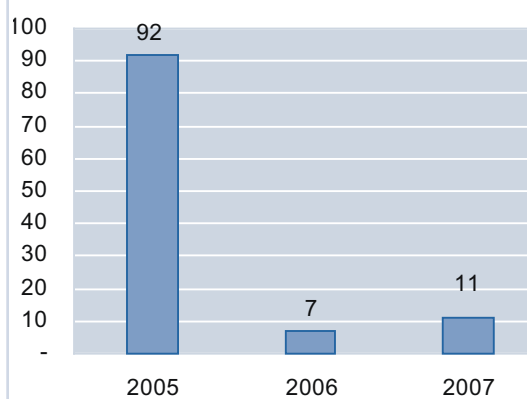
The specific offence of trafficking in persons has existed in Austria since May 2004. The offence of trafficking in human beings is specifically criminalized under article 104a of the Austrian Penal code. Some forms of trafficking in persons were prosecuted prior to 2004 under article 217 of the criminal code referred to as the offence of “exploitative human smuggling”. Before and after 2004, some forms of trafficking were also prosecuted under the offences of “Cross-border dealings in prostitution” (Article 217), “Paid negotiation of sexual contacts with minors” (Article 214), “Exploitation of an alien” (Article 166 of the Aliens Police Act) and others. The latest national action plan was adopted in 2007. It takes a comprehensive approach to combating human trafficking and includes measures for national coordination, prevention, protection of victims, prosecution and international cooperation.

### Criminal justice response

The Austrian Federal Criminal Intelligence Service (Bundeskriminalamt) has a special “Central Service for Combating Trafficking in Human Beings and Illegal Immigration” as well as an “Office for Organized Crime” which also deals with trafficking cases. The Central Service for Combating Trafficking in Human Beings and Illegal Immigration leads and coordinates services of law enforcement authorities and agencies as well as investigations in the area of criminal and security police investigations. Furthermore, regional police forces have special units to combat trafficking in persons.

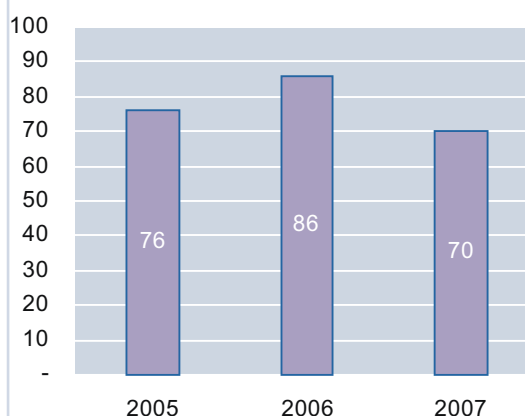


Fig. 266: Persons suspected of trafficking in persons (art.104a) in Austria, (2005-2007)



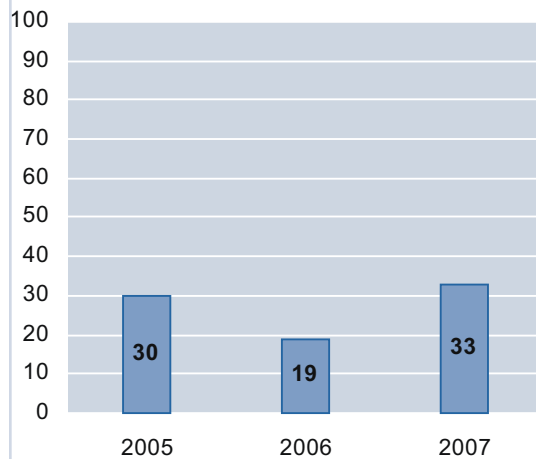
Source: Police Criminal Statistics of Austria

Fig. 267: Persons suspected of “cross-border trafficking of prostitutes” (art.217) in Austria, (2005-2007)



Source: Police Criminal Statistics of Austria

Fig. 268: Persons convicted of trafficking in persons for “cross-border trafficking of prostitutes” and “exploitation of aliens” in Austria (2005-2007)

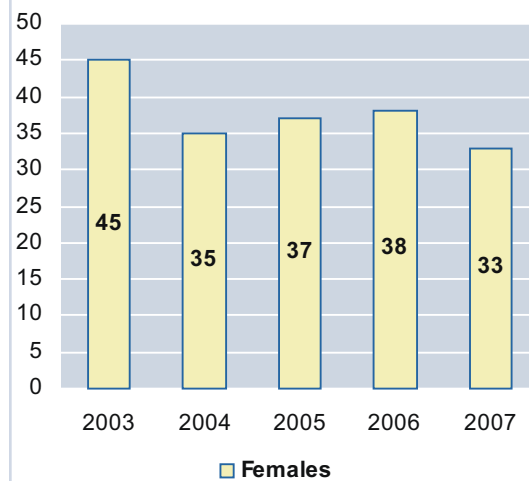


Source: Ministry of Justice, Austria

### Services provided to victims

State authorities provide temporary stay permits for victims of trafficking in persons. NGOs provide legal assistance, medical and psychosocial services, and housing and shelter to support victims.

Fig. 269: Victims of trafficking in persons sheltered by NGOs in Vienna (2003-2007)



Source: NGO LEFÖ-IBF

About 130 victims per year are taken care of by the NGO LEFÖ-IBF, although these victims are not necessarily sheltered.

Children, both boys and girls, sheltered by State authorities in Vienna ranged from 100 to 700 per year during the reporting period. The authorities estimated that approximately two thirds of the sheltered children were victims of human trafficking. South Eastern Europeans, East Asians and other nationalities were recorded among the sheltered persons.



# Belgium

## Institutional framework

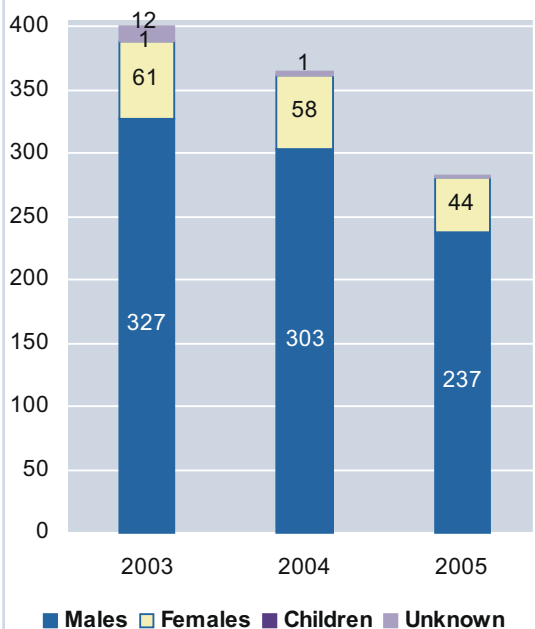
The specific offence of “trafficking in and smuggling of human beings” has existed in Belgium since 1995. The law was amended in 2005 to make a clearer distinction between smuggling and trafficking in human beings. Under the new law, trafficking in human beings became an autonomous offence in the Belgium Criminal Code.

## Criminal justice response

A Central Unit on Trafficking in Human Beings was created in 1992 and integrated into the Federal Judicial Police and the Directorate General of Federal Judicial Police. This unit is part of the Directorate of Crimes against (the integrity of) Persons. A Board of Prosecutors General was set up by the Law of 4 March 1997 in order to coordinate the implementation of the criminal policies indicated by the directives of the Minister of Justice.

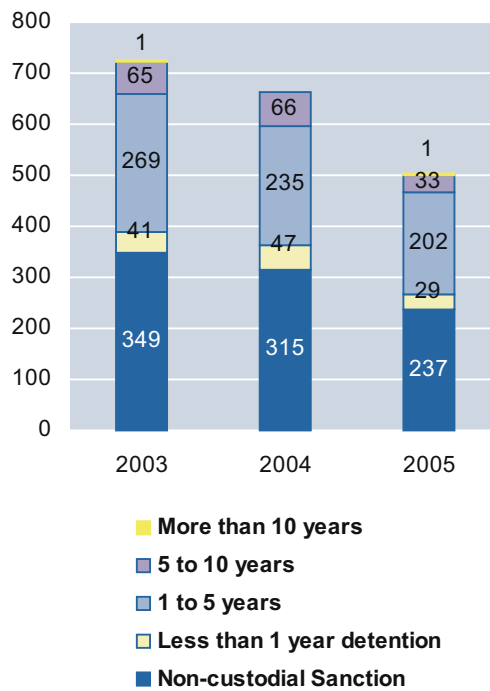
Criminal justice statistics concerning trafficking in persons and the smuggling of migrants were aggregated into a single databank. Consequently, it is necessary to handle this data with caution because information on cases of trafficking in human beings and cases of smuggling in human beings is mixed.

Fig. 270: Persons convicted of trafficking in persons and smuggling of migrants in Belgium, by gender and age (2003-2005)



Source: Databank of the condemnations – Federal Public Service of Justice

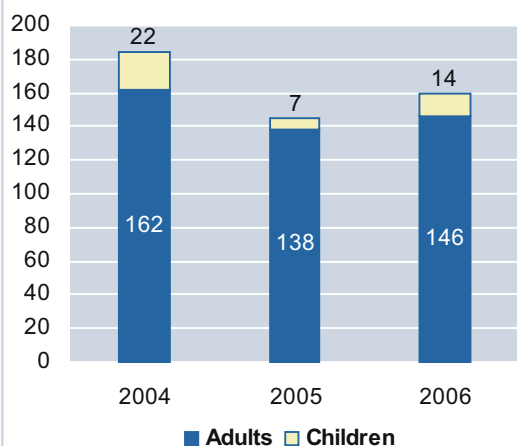
Fig. 271: Sanctions for trafficking in persons in Belgium (2003-2005)



Source: Databank of the condemnations – Federal Public Service of Justice

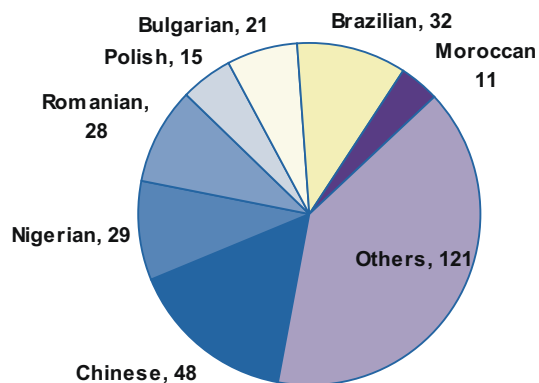


Fig. 272: Victims of trafficking in persons and smuggled migrants identified by State authorities in Belgium, by age (2004-2006)



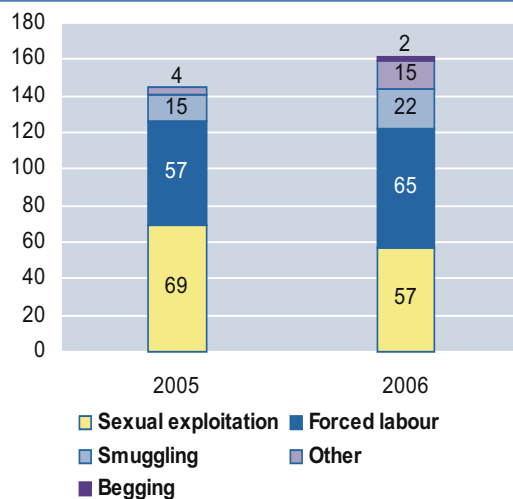
Source: Immigration Office – Federal Public Service of Home Affairs

Fig. 274: Victims of trafficking in persons and smuggled migrants identified by State authorities in Belgium, by citizenship (2005-2006)



Source: Immigration Office – Federal Public Service of Home Affairs

Fig. 273: Victims of trafficking in persons and smuggled migrants identified by State authorities in Belgium, by exploitation (2005-2006)



Source: Immigration Office – Federal Public Service of Home Affairs

### Services provided to victims

State authorities provide legal temporary/unlimited stay permits to victims on certain conditions. NGOs, funded by the State authorities, provide medical and psychosocial services, legal support and housing and shelter.

### Additional information

According to the Immigration Office, in 2006, 73 males and 87 females were identified as victims. The statistics on the victims reported above includes migrants smuggled as well as trafficking victims. The number of smuggled migrants is clearly stated in the chart on exploitation.

## Bosnia and Herzegovina

### Institutional framework

The specific offence of trafficking in persons has existed in Bosnia and Herzegovina since 2003. The definition of trafficking in human beings was amended in 2005. Three State Action Plans have been developed in Bosnia and Herzegovina since 2001. The current action plans cover the period 2008-2012.

### Criminal justice response

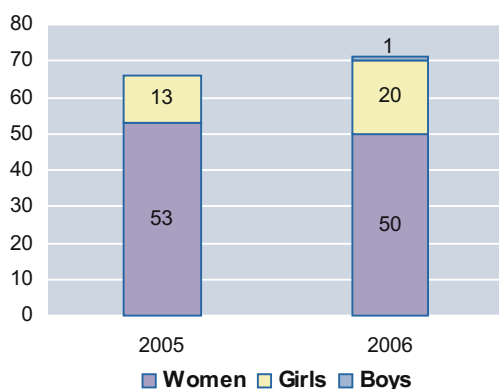
A specialized team dedicated to investigating cases of trafficking in human beings was established within the State Investigation and Protection Agency in 2004. Thirty-two officers were assigned full time to the policing of human trafficking in 2007.

In 2005, 17 persons were indicted for trafficking in persons. In 2006, 23 persons were convicted in first instance for trafficking in persons.

### Services provided to victims

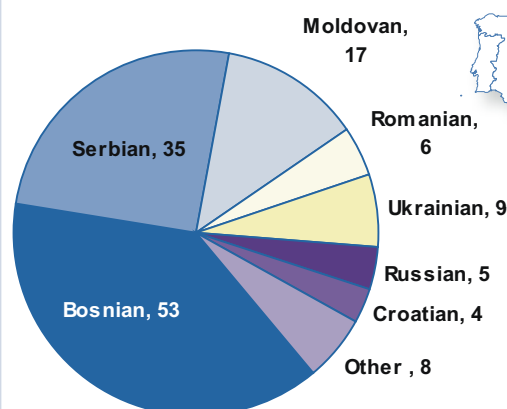
State authorities provide legal protection and temporary stay permits for foreign victims of human trafficking. Medical and psychosocial services, housing and shelter are provided by authorized NGOs, with the financial support of the State.

Fig. 275: Victims of trafficking in persons identified by the Police plus victims assisted by NGOs in Bosnia and Herzegovina, by gender and age (2005-2006)



Source: Office of the State Coordinator for the Fight against Trafficking in Human Beings

Fig. 276: Victims of trafficking in persons identified by the Police plus victims assisted by NGOs in Bosnia and Herzegovina, by citizenship (2005-2006)



Source: Office of the State Coordinator for the Fight against Trafficking in Human Beings

### Additional information

All the victims identified in 2005 and 2006 were trafficked for the purpose of sexual exploitation, with the exception of three victims who were exploited for forced labour. Only one of the Bosnian victims identified in the reporting period was repatriated. That victim was trafficked in Western Europe.

The number of victims identified by the police and sheltered by NGOs was around 50 in 2003 and slightly more in 2004. During the reporting period, the authorities recorded a slightly decreasing trend in the number of foreign victims and a drastic increase in domestic trafficking.

# Bulgaria

## Institutional framework

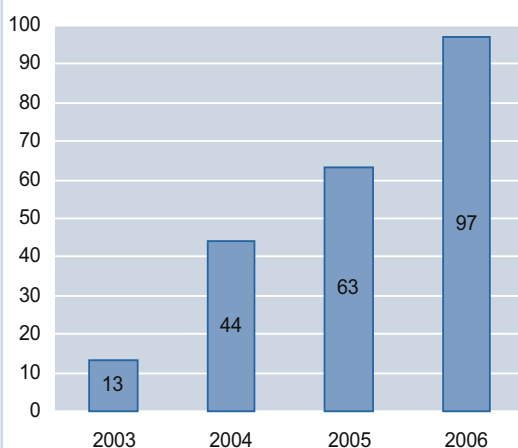
In 2002 amendments to the Bulgarian Penal Code special section, entitled “Trafficking in human beings” was added under the chapter “Crimes against the persons”. This section criminalizes specifically trafficking in human beings for sexual exploitation forced labour and for other purposes. In 2006, the offence of trafficking of pregnant women for the purposes of selling babies was introduced in the Penal Code (art.159a). A National Programme for Prevention and Counteraction of Trafficking in Human Beings and Protection of Victims is adopted every year.

## Criminal justice response

A specialized trafficking in human beings section was set up within the Chief Directorate Combating Organized Crime (CDCOC). Thirteen police officers were assigned full time to address trafficking in persons in 2008.

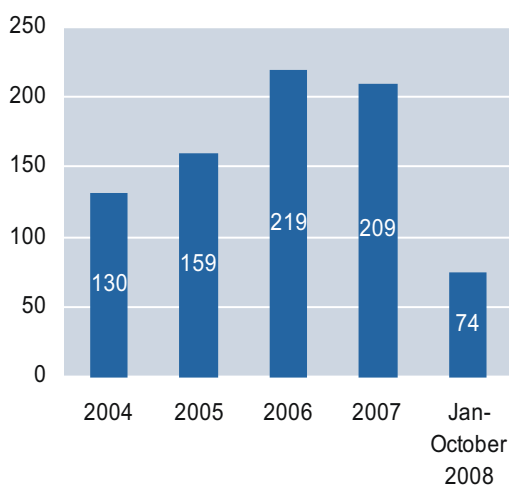


Fig. 278: Persons indicted for trafficking in persons in Bulgaria (2003-2006)



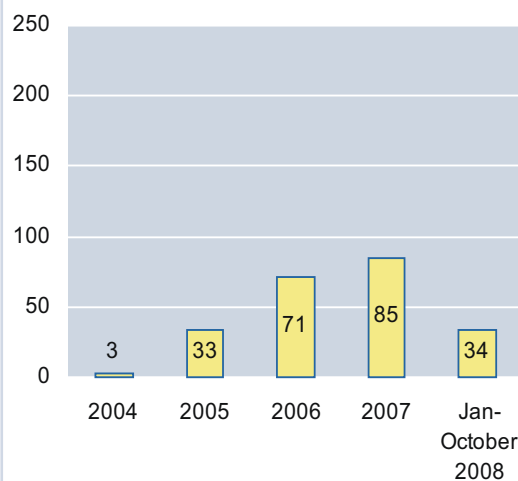
Source: The Supreme Cassation Prosecutor Office in Bulgaria

Fig. 277: Persons investigated for trafficking in persons in Bulgaria (2004-2008)



Source: The Supreme Cassation Prosecutor Office in Bulgaria

Fig. 279: Persons sentenced for trafficking in persons in Bulgaria (2004-2008)

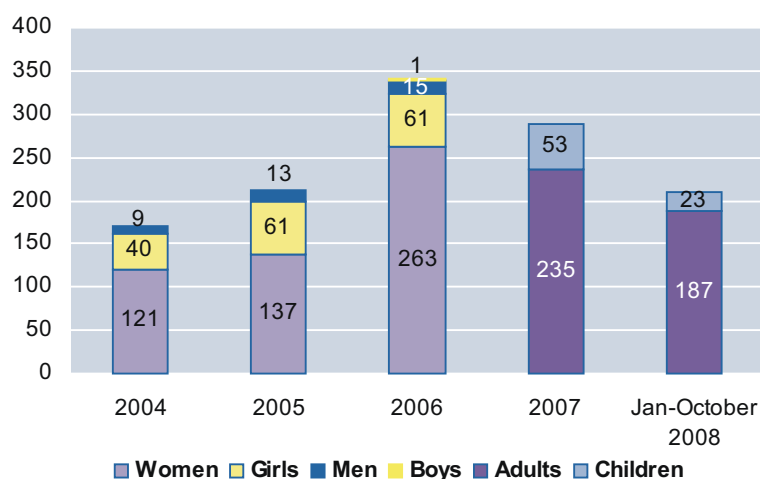


Source: The Supreme Cassation Prosecutor Office in Bulgaria

## Services provided to victims

Legal protection, temporary stay permits, medical and psychosocial services, and housing and shelter are provided by the State to support victims of trafficking in persons. Medical and psychosocial support and housing services also are provided by NGOs and international organizations.

Fig. 280: Victims of trafficking in persons identified by State authorities in Bulgaria, by gender and age (2004-2006)



Source: The National Commission for Combating Trafficking of Human Beings

## Additional information

A national referral mechanism for victims of trafficking is under development in Bulgaria. The National Commission for Combating Trafficking in Human Beings maintains a central database on trafficking victims.

About 50 of the traffickers convicted in 2006 received a sentence of up to three years of imprisonment and nine received a sentence of from three to 15 years in prison.

There are currently three State-run shelters for child victims of trafficking in Bulgaria. Each of these shelters has the capacity to house up to 10 children.

## Croatia

### Institutional framework

The specific offence of trafficking in persons has existed in Croatia since 2004. The provisions concerning this offence were amended in 2007 to broaden the criminal liability of offenders. The National program for suppression of trafficking in human beings 2005-2008 was adopted in 2004. Each year a yearly National Action Plan on Human Trafficking is adopted by the government.

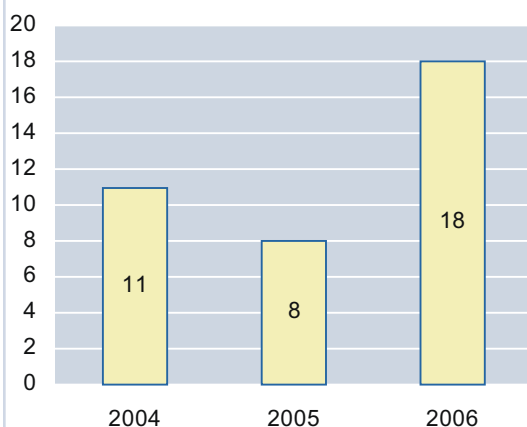
### Criminal justice response

All 20 police districts in Croatia have specialized police officers dealing with trafficking in human beings.

According to the Croatian Government's Office for Human Rights, 20 persons were prosecuted for trafficking in persons and slavery (16 from Croatia, three from Bosnia and Herzegovina and one person without citizenship).

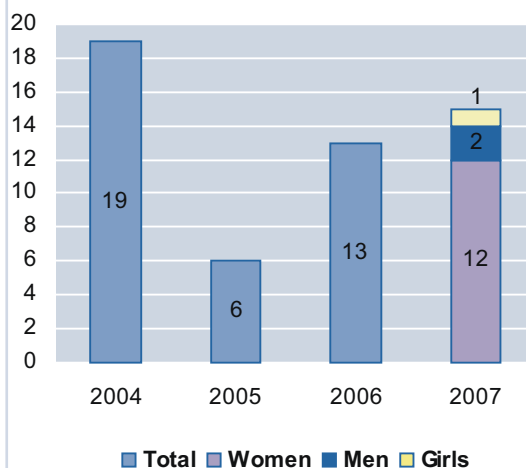
### Services provided to victims

Fig. 281: Offenders in trafficking in persons cases in Croatia (2004-2006)



Source: European Commission, Council of Europe

Fig. 282: Victims of trafficking in persons identified by State authorities in Croatia (2004-2007)



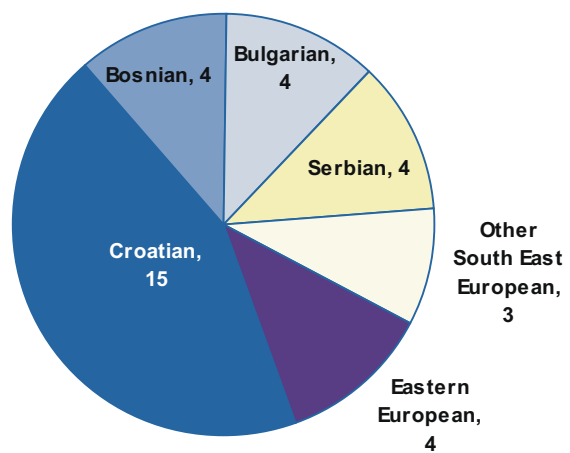
Source: Croatian Government's Office for Human Rights

### Additional information

In December 2007, a Cooperation Agreement was signed between the Office for Human Rights and the PETRA Network. In June 2008, within the CARDS 2004 Project "Combating Trafficking in Human Beings", a Cooperation Protocol was signed between the Ministry of Interior, Ministry of Health and Social Welfare and civil society organizations, with a view of providing assistance and protection to the victims of human trafficking.

IOM's *Second Annual Report on Victims of Trafficking in South-Eastern Europe 2005* reported that, during 2003-2004, 27 victims were assisted by IOM in Croatia. Fourteen of the victims were trafficked for sexual exploitation, three for forced labour, eight suffered mixed exploitation and two were forced to perform illegal activities. These IOM figures included foreign and Croatian trafficking victims identified and assisted in Croatia and voluntarily returned to their countries of origin.

Fig. 283: Victims of trafficking in persons identified by State authorities in Croatia, by citizenship (2005-2007)



Source: Croatian Government's Office for Human Rights

# Cyprus

## Institutional framework

The specific offence of trafficking in persons for sexual exploitation has existed in Cyprus since 2000. New legislation was adopted in 2007 covering all of the other forms of trafficking listed in Article 3 of the UN Trafficking Protocol. Prior to 2007, some forms of trafficking in persons were prosecuted under other offences such as sexual exploitation, and procuring and living off the earnings of prostitution. A Plan of Action for the Coordination of Actions on Combating Trafficking in Human Beings and Sexual Exploitation of Children was adopted in 2005.

## Criminal justice response

The Office of Combating Trafficking in Human Beings has been operating since 2004 at the headquarters of the Cyprus police. Four officers were assigned full time in 2007 to the policing of trafficking in persons.

The following statistics refer to offences related to trafficking: sexual exploitation, and procuring and living off the earnings of prostitution.

## Services provided to victims

State authorities provide legal protection, temporary stay permits for victims or witnesses, medical and psychosocial services, and housing and /shelter to support victims of trafficking in persons.

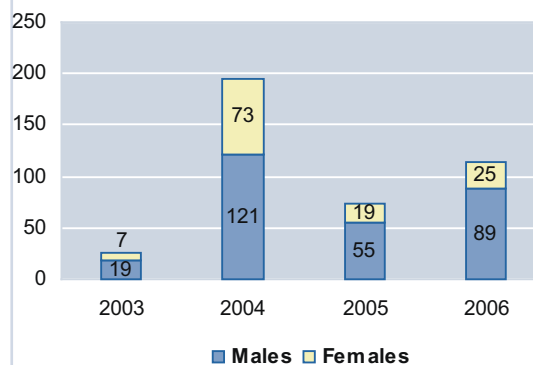
## Additional information

All victims sheltered in 2004–2006 were women trafficked for sexual exploitation because the law at that time referred only to sexual exploitation as a form of trafficking.

Six residential facilities were available for victims of trafficking in persons in Cyprus in 2005 and 2006, and the number of beds for victims available in government-run residential facilities was 25 in each year.

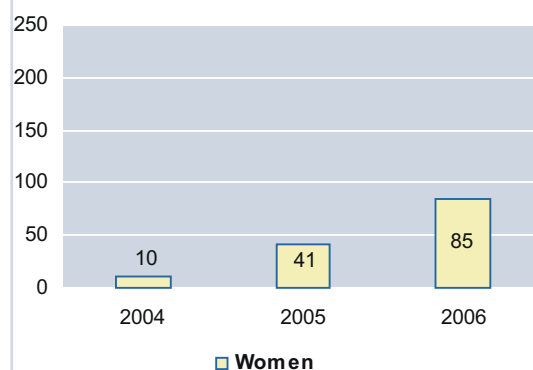


Fig. 284: Persons investigated for offences related to trafficking in persons (2003-2006)



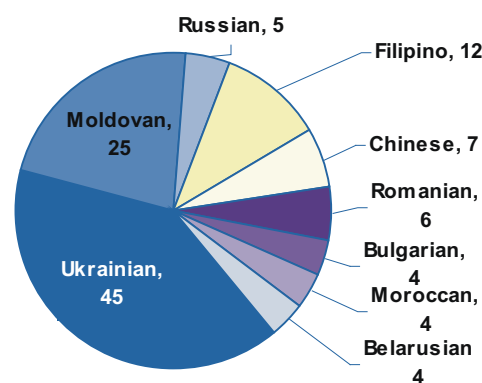
Source: Police Headquarters, Cyprus

Fig. 285: Number of sheltered victims in Cyprus (2004-2006)



Source: Social Welfare Services

Fig. 286: Number of sheltered victims in Cyprus, by citizenship (2005-2006)



Source: Social Welfare Services



## Czech Republic

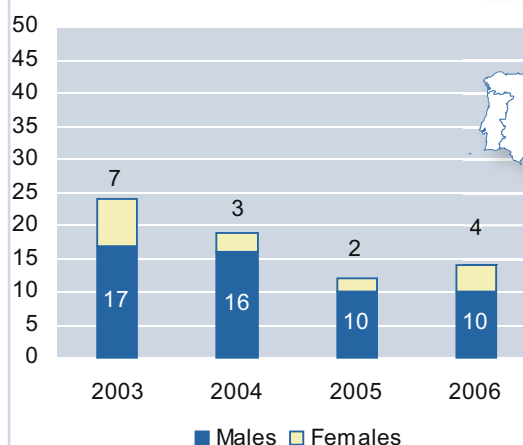
### Institutional framework

The specific offence of trafficking in persons has existed in the Czech Republic since 2002. The criminal code was amended in 2004 to include trafficking for forced labour as well as for other forced services.

### Criminal justice response

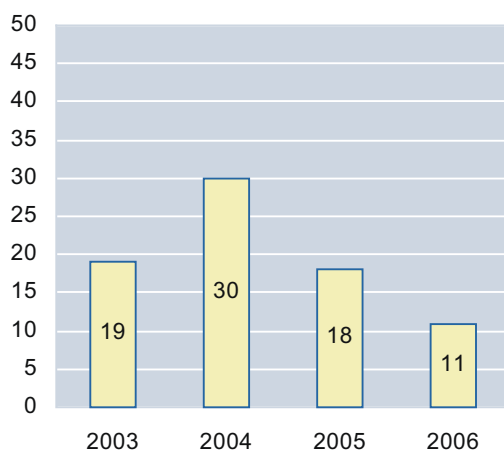
A special Human Trafficking Department in the Organized Crime Unit of the Criminal Police and Investigation Service Office of the Police of the Czech Republic dedicated to investigating human trafficking has been in operation since 1996. A special Forced Labour Section was created in 2006. In 2007, there were 50 officers assigned full time to the policing of human trafficking within the Human Trafficking Department and Forced Labour Sections.

Fig. 288: Persons prosecuted for trafficking in persons in the Czech Republic, by gender (2003-2006)



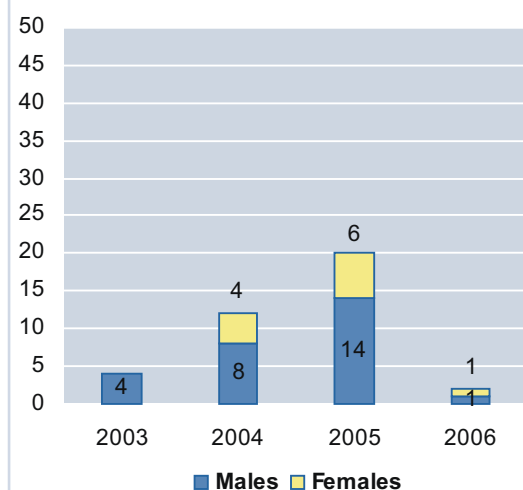
Source: Ministry of Justice

Fig. 287: Persons investigated for trafficking in persons in the Czech Republic (2003-2006)



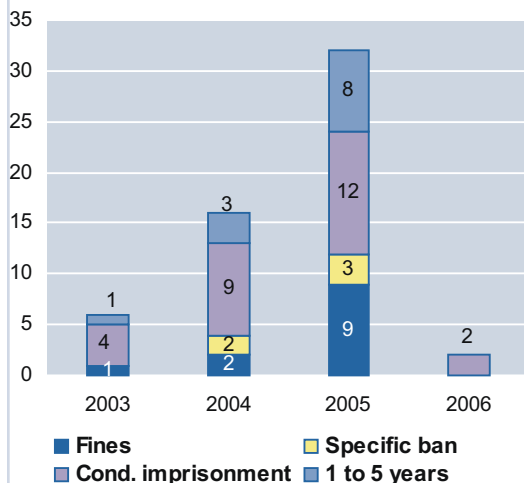
Source: Czech Police statistics, Ministry of Justice

Fig. 289: Persons convicted of trafficking in persons in the Czech Republic, by gender (2003-2006)



Source: Ministry of Justice

**Fig. 290: Sanctions imposed on persons convicted of trafficking in the Czech Republic, by gender (2003-2006)**

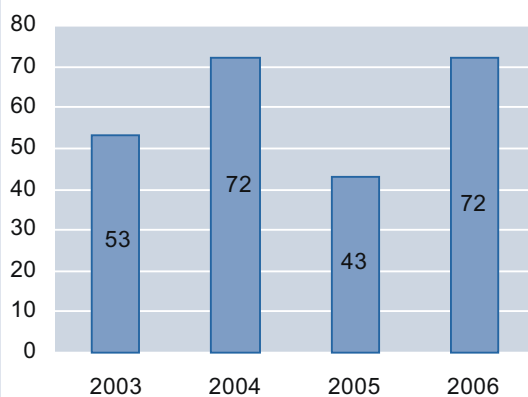


Source: Ministry of Justice

### Services provided to victims

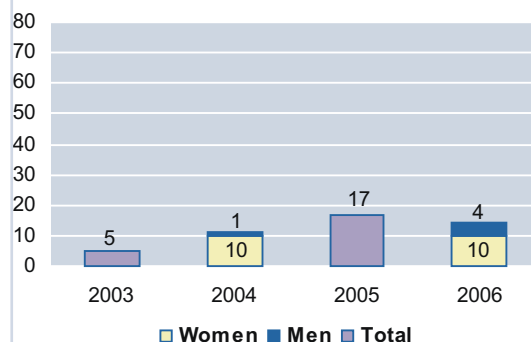
A special programme to support and protect victims of trafficking in human beings was created in 2003. This system provides care and protection, including shelter, alimentation, legalization of stay, medical, psychological, legal and educational assistance, and work permits. The Social Services Act (in force since January 2007) also provides the possibility of services such as shelter, which are usually provided by NGOs.

**Fig. 291: Victims of trafficking in persons identified by State authorities in the Czech Republic (2003-2006)**



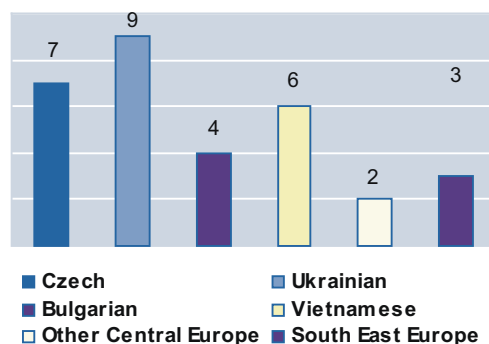
Source: Czech Police statistics

**Fig. 292: Victims of trafficking in persons assisted by the Programme to Support and Help Victims of Trafficking in Human Beings in the Czech Republic (2003-2006)**



Source: Programme to Support and Help Victims of Trafficking in Human Beings

**Fig. 293: Victims of trafficking in persons assisted by the Programme to Support and Help Victims of Trafficking in Human Beings in the Czech Republic, by citizenship (2005-2006)**



Source: Programme to Support and Help Victims of Trafficking in Human Beings

### Additional information

A referral mechanism for those identified as victims of trafficking in persons has been operating since 2003 with the participation of the Ministry of the Interior, various police units, NGOs, IOM and asylum facilities.

All persons convicted of trafficking in 2005-2006 subjected their victims to sexual exploitation. Of the victims of trafficking in persons assisted by the Programme to Support and Help Victims of Trafficking in Human Beings, 17 were subjected to sexual exploitation in 2005. In 2006, 10 victims suffered sexual exploitation and four were subjected to forced labour.

## Denmark

### Institutional framework

The specific offence of trafficking in persons was established in Denmark in 2002. The latest action plan to combat human trafficking was adopted in 2007 to cover the period 2007–2010. This plan includes all victims of trafficking in persons, whereas the previous action plan focused only on women trafficked for sexual exploitation.

### Criminal justice response

The Domestic Investigative Centre of the Danish National Police carries out national and systematic monitoring of, among other crimes, trafficking in human beings.

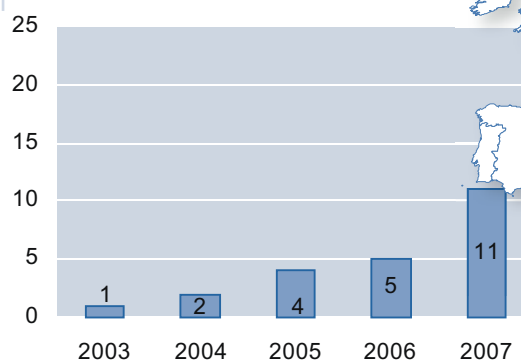
### Services provided to victims

Victims trafficked for prostitution have the option of staying in a crisis centre that suits their specific situation, and they are granted a reflection period to consider whether to cooperate with the police. The Danish Immigration Service, in collaboration with the Centre for Human Trafficking, offers health treatment, psychological support, legal assistance and social-pedagogical assistance to victims during their stay. NGOs offer health, legal and social services, and support for the safe return of victims.

### Additional Information

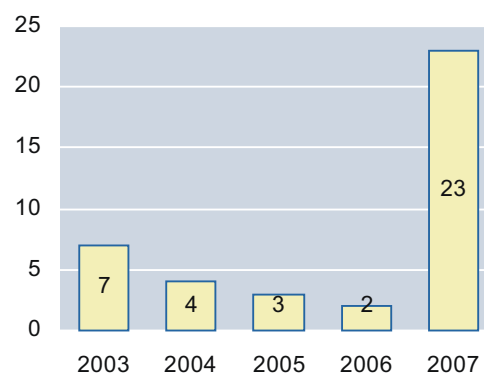
According to national authorities, most of the trafficking that takes place in Denmark is trafficking in women for prostitution. However, a few examples of trafficking in children also have been noted. Authorities recorded no instances of trafficking for forced labour during the reporting period.

Fig. 294: Number of reported trafficking offences in Denmark (2003-2007)



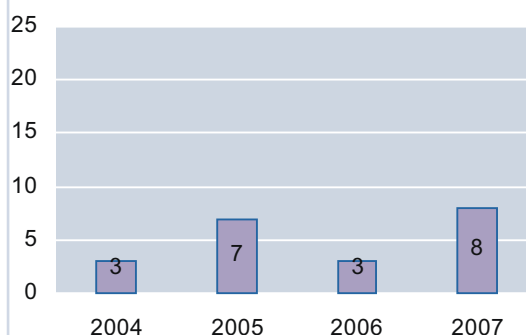
Source: Danish National Police

Fig. 295: Number of persons charged for trafficking in persons in Denmark (2003-2007)



Source: Danish National Police

Fig. 296: Number of persons convicted of trafficking in Denmark (2004-2007)



Source: Danish National Police

## Estonia

### Institutional framework

The specific offence of trafficking in persons does not exist in the legislation of Estonia.

Other articles in the penal code, such as enslaving, abduction, unlawful deprivation of liberty, aiding prostitution (pimping) and removal of organs, are used to criminalize some forms of trafficking. A

national action plan (development plan) dealing with trafficking in persons was adopted in 2006.

### Criminal justice response

A specific police unit within the Northern Police Prefecture deals with offences related to trafficking in human beings. Given that there is no legislation specifically criminalizing trafficking in persons, no prosecutions and no convictions were recorded during the reporting period.

According to the statistics, the police in Estonia registered 135 cases in 2006 and 136 cases in 2007 related to human trafficking. In 2006, 84 persons were convicted of committing crimes related to human trafficking; 77 persons in 2007; and 76 persons in the first half of 2008.

### Services provided to victims

Trafficked women as well as victims of forced prostitution are assisted by social and psychological rehabilitation centres. Victim support programmes/services include temporary residence permits provided by the State, and legal protection, medical and psychological support, and housing and shelter provided by NGOs.

Three shelters for trafficking victims were opened in 2007, one in Tallin, one in Tartu and one in Jõhvi. Each shelter can house two victims at a time. In 2007 these shelters assisted six trafficking victims. As overall, Estonian NGOs have identified about 52 victims of trafficking during the first 9 months of 2008.

Exact data on the number of victims of human trafficking is not available due to the lack of specific anti-trafficking legislation.

### Additional information

Anti-trafficking hotline is in operation since 2004. It advises around 300 people each year on how to work/study safely abroad, how to avoid trafficking, etc.

## Finland

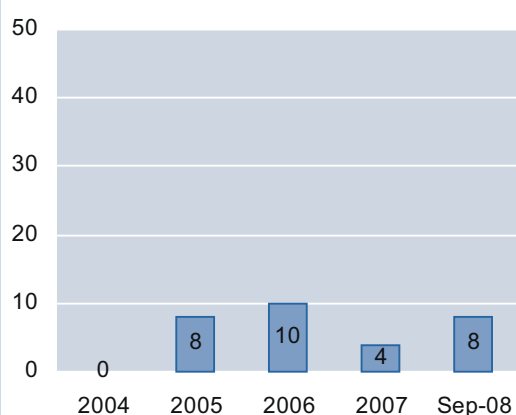
### Institutional framework

The specific offence of trafficking in persons was established in Finland in 2004. Some forms of trafficking were prosecuted under “aggravated pandering”, “aggravated arrangement of illegal entry” and “usury type of discrimination at work”. The first National Action Plan against Trafficking in Human Beings was adopted in 2005. A revised version was adopted on 25 June 2008.

### Criminal justice response

The National Bureau of Investigation has specific officers dealing full time with cases of trafficking in persons. The first prosecutions for trafficking in persons during the reporting period occurred in 2006 in one case against seven persons, two of whom were Finnish citizens and five of whom were Estonians (six males and one female). All seven persons were convicted in 2006, with each found guilty in district court of at least aggravated trafficking in persons for sexual exploitation. Another male was found guilty of pandering in the same case. The sentences varied from one to five years of imprisonment.

Fig. 297: Persons investigated for trafficking in persons in Finland (2004-September 2008)



Source: Statistics Finland

### Services provided to victims

State authorities (two state reception centers) provide legal and other counseling, crisis therapy, social and health care services, interpreter services and other support services, accommodation or housing, social assistance and other necessary care, and support for a safe return. State authorities also provide reflection periods as well as temporary and continuous residence permits. The reception centers may organize the services and support measures themselves or outsource them from a public or private service provider, e.g. NGOs. NGOs can also claim government subsidy for outreach and counseling work concerning victims of trafficking. They have also run state-subsidized projects focused on victims of trafficking. Furthermore, municipalities are responsible for victims having official residence in the municipality. Also municipalities can claim government subsidy for the costs of special services required because of victimization for a person resident in the municipality.

### Additional information

There has been an assistance system for victims of trafficking since 2005 coordinated and provided by two reception centres (maintained by the State) for asylum seekers. The system was formalised by an amendment to the Act on the Integration of Immigrants and Reception of Asylum Seekers (493/1999) in the beginning of 2007. Data exists from 2005 onwards.

Since 2005, a total of 20 victims have been assisted by the coordination of the Joutseno Reception Centre and 11 (minors) by the Oulu Reception Centre. They had been exploited for forced labour and sexual purposes and some of the victims had been in transit. The victims were from East Asia, East and Central Europe, the Middle East, Africa and South America.



## France

### Institutional framework

The specific offence of trafficking in persons was established in France in 2003 through Article 225-4-1 of the French Criminal Code. The definition of the offence criminalizes all forms of trafficking indicated in Article 3 of the UN Trafficking Protocol, with the exception of trafficking for the purpose of the removal of organs and for servitude.

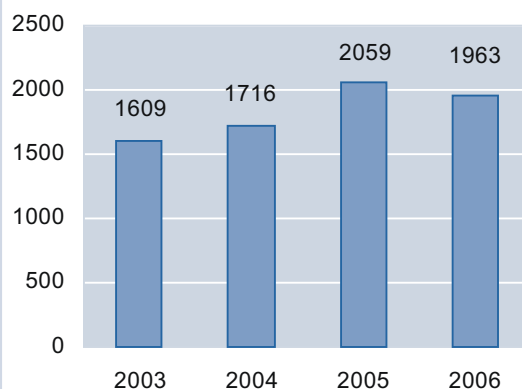
French authorities also use other articles in the criminal code to prosecute trafficking cases, in particular the offence of soliciting prostitution (Articles 225-5 to 225-12 of the French Criminal Code), and the offences of “labour and living conditions against human dignity” (Articles 225-13 to 225-16 of the French Criminal Code).

### Criminal justice response

According to the French authorities the number of cases of trafficking in persons prosecuted through the offence of trafficking in human beings (Article 225-4-1) is very limited. Human Trafficking cases are mostly prosecuted through the offences of “soliciting prostitution” in cases of sexual exploitation and of “labour and living condition against human dignity” in the cases of trafficking for forced labour.

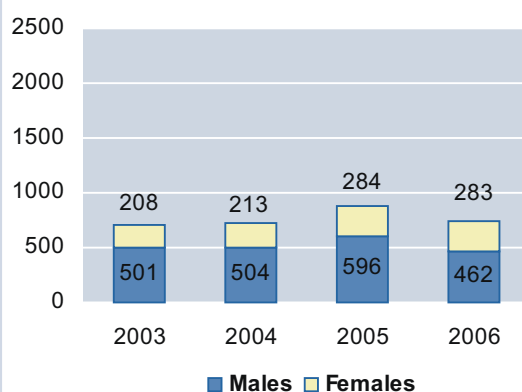
The - Office Central pour la Répression de la Traite des Êtres Humains (OCRTEH) - handles trafficking in persons cases for sexual exploitation and prostitution. OCRTEH had 32 officers assigned full time to the policing of trafficking in persons in 2007.

Fig. 298: Persons investigated for “soliciting prostitution” (Art. 225-5 to 225-12) in France (2003-2006)



Source: OCRTEH - French National Statistics

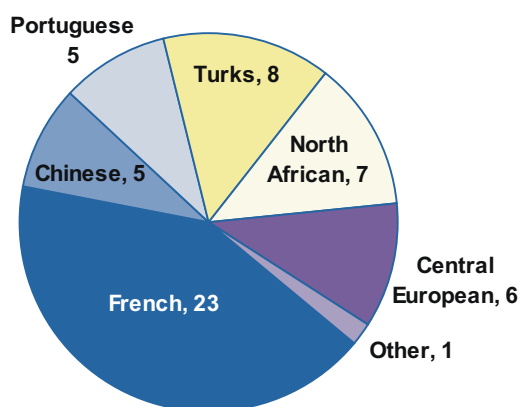
Fig. 299: Persons prosecuted for “soliciting prostitution” (Art. 225-5 to 225-12) in France, by gender (2003-2006)



Source: OCRTEH - French National Statistics

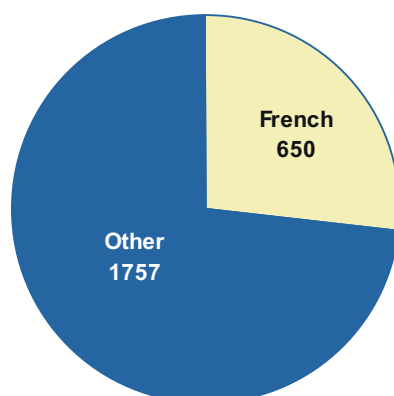
The - Office Central de Lutte contre le Travail Illégal (OCLTI) - handles cases of trafficking in persons for forced labour under the offences of “labour and living conditions against human dignity”. About 100 cases were investigated per year for various forms of trafficking for forced labour in 2006 and 2007. From January to September 2008, 32 cases have been investigated under this offence, involving 55 presumed offenders.

Fig. 300: Persons suspected of “labour and living conditions against human dignity” (Articles 225-13 to 225-16) in France, by citizenship (January-September 2008)



Source: OCLTI and Gendarmerie Nationale

Fig. 302: Victims of “soliciting prostitution” (Art. 225-5 to 225-12) registered by OCRTEH in France, by citizenship (2005-2006)

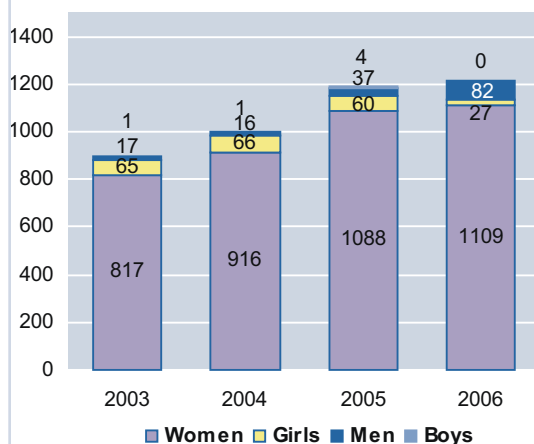


Source: OCRTEH - French National Statistics

### Services provided to victims

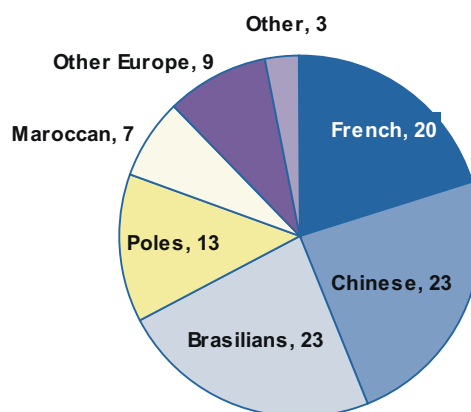
Legal protection and temporary stay permits for victims and witnesses of trafficking are provided by the State. NGOs offer medical and psychosocial support and housing and shelter.

Fig. 301: Victims of “soliciting prostitution” (Art. 225-5 to 225-12) registered by OCRTEH in France, by gender and age (2003-2006)



Source: OCRTEH - French National Statistics

Fig. 303: Victims of “labour and living conditions against human dignity” (Articles 225-13 to 225-16) in France, by citizenship (January-September 2008)



Source: OCLTI and Gendarmerie Nationale

### Additional information

Authorities reported that the “Other” origin regions for victims of “soliciting prostitution” were mainly South-East Europe and West-Central Africa. About 40 of the persons prosecuted during the reporting period were minors.



# Germany

## Institutional framework

The specific offence of trafficking in persons has existed in Germany since 1973. The criminal code was amended in 2005 to include the exploitation of persons as workers within the existing definition of human trafficking.

## Criminal justice response

The investigation of human trafficking cases is the responsibility of the State (*Länder*) police units. Prosecutors who specialize in organized crime also handle human trafficking cases.

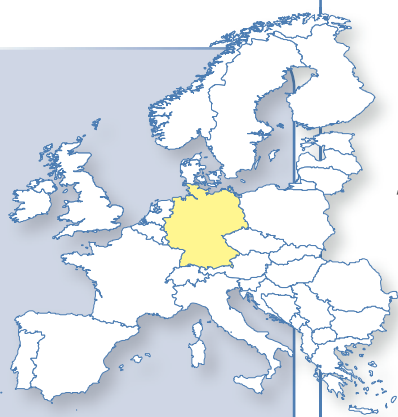
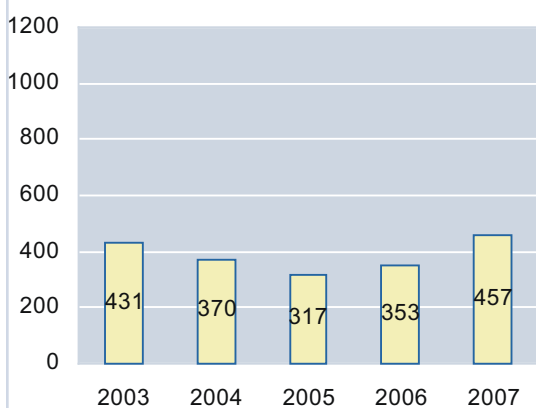
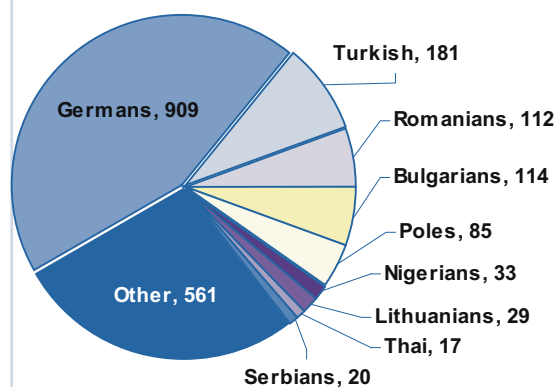


Fig. 304: Investigations for human trafficking for the purpose of sexual exploitation in Germany (2003-2007)



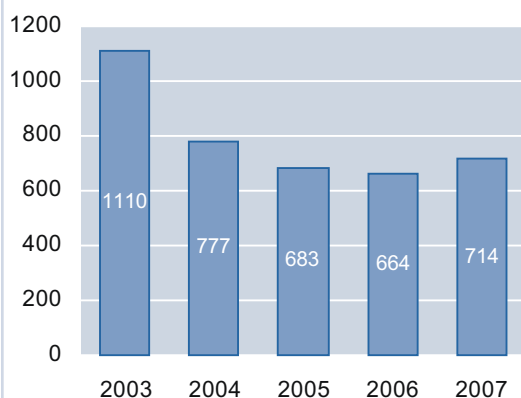
Source: Bundeskriminalamt Trafficking in Human Beings

Fig. 306: Persons suspected of human trafficking for the purpose of sexual exploitation in Germany, by citizenship (2005-2007)



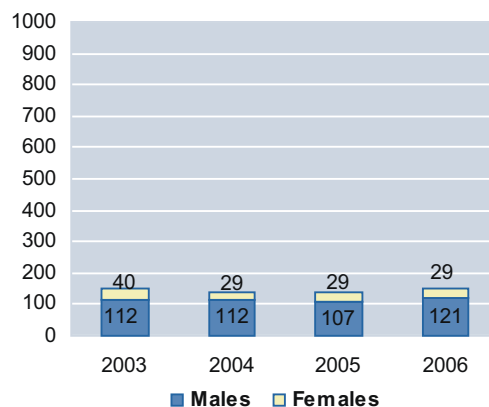
Source: Bundeskriminalamt Trafficking in Human Beings

Fig. 305: Persons suspected of human trafficking for the purpose of sexual exploitation in Germany (2003-2007)



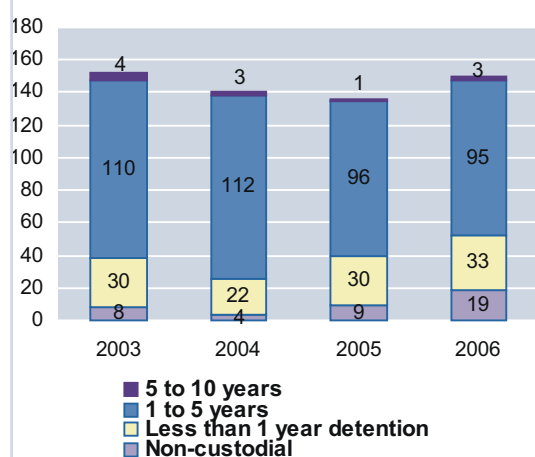
Source: Bundeskriminalamt Trafficking in Human Beings

Fig. 307: Persons convicted of trafficking in persons in the former Republic of Germany (West Germany) and East Berlin, by gender (2003-2006)



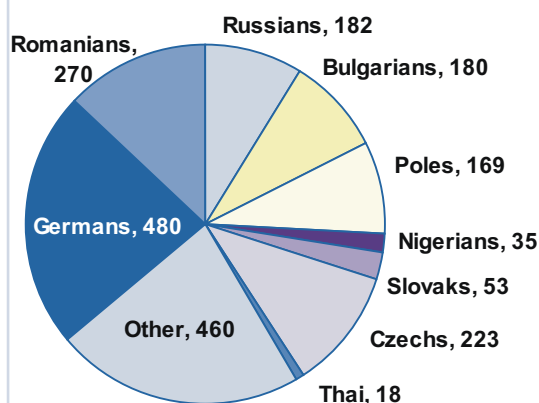
Source: Federal Statistical Office, Conviction Statistics

**Fig. 308: Sanctions imposed on persons convicted of trafficking in persons in the former Republic of Germany (West Germany) and East Berlin (2003-2006)**



Source: Federal Statistical Office, Conviction Statistics

**Fig. 310: Victims of trafficking in persons identified by State authorities in Germany, by citizenship (2005-2007)**

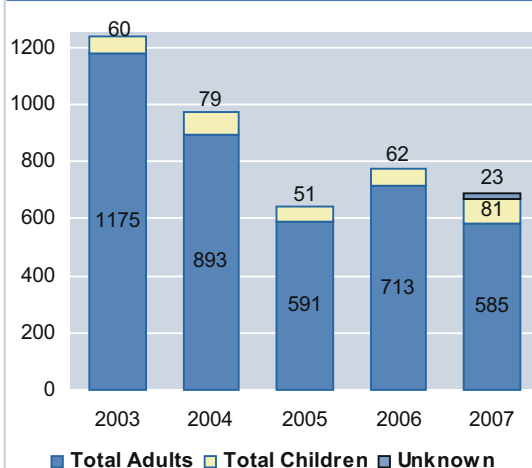


Source: Bundeskriminalamt Trafficking in Human Beings

### Services provided to victims

Legal protection for victims of trafficking is provided by the State and NGOs.

**Fig. 309: Victims of trafficking in persons identified by State authorities in Germany, by age (2003-2007)**



Source: Bundeskriminalamt Trafficking in Human Beings

### Additional information

The above statistics on convictions relate to final decisions where trafficking in persons was the most serious offence (after appeal possibilities were exhausted). Additionally, the statistics refer only to the former Republic of Germany plus East Berlin. Eleven of the persons convicted in 2006 were guilty of trafficking for forced labour, with the remainder involved in trafficking for sexual exploitation. In 2005 and 2006, all victims identified were subjected to sexual exploitation.

The three main NGOs active in the field of human trafficking are the Federal Association against Trafficking in Women and Violence against Women in the Migration Process (KOK), Agisra and SOLWODI. KOK is an umbrella organization with 37 members that provide services, such as counselling centres and shelters, for victims of trafficking.

## Greece

### Institutional framework

The specific offence of trafficking in persons was established in Greece in 2002. A national action plan to combat trafficking in human beings was adopted in 2006.

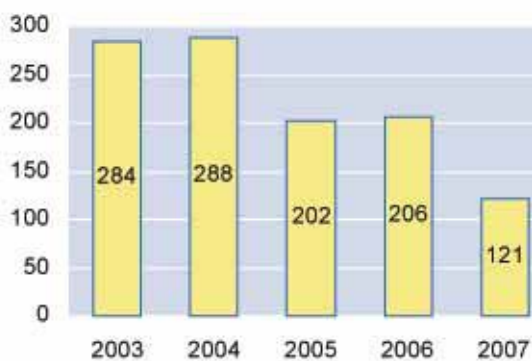
### Criminal justice response

At the central, strategy level, an anti-trafficking group has been operating within the Public Security Division of the Hellenic Police Headquarters since 2002. At the operational level, regional level, the Hellenic Police counts up to 16 anti-trafficking groups, one in each General Police Division of the country and 2 Sections to Combat Trafficking in Human Beings in the Security Divisions of Attica and Thessaloniki, which constitutes the 3rd Section of the Suppression of Organized Crime Sub-Division.

### Services provided to victims

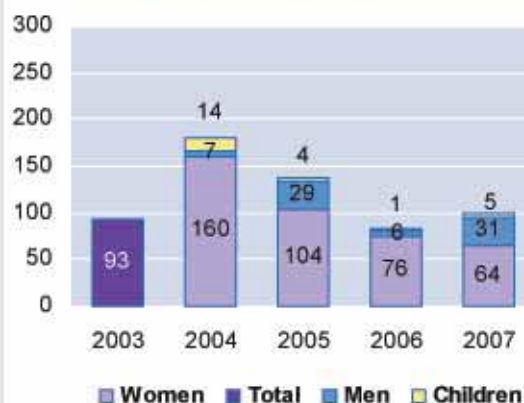
State authorities provide legal protection, temporary stay permits, medical and psychosocial services, and housing and shelter to support victims of trafficking in persons. NGOs also offer medical and psychosocial support and housing and shelter.

Fig. 311: Persons arrested for trafficking in persons in Greece (2003-2007)



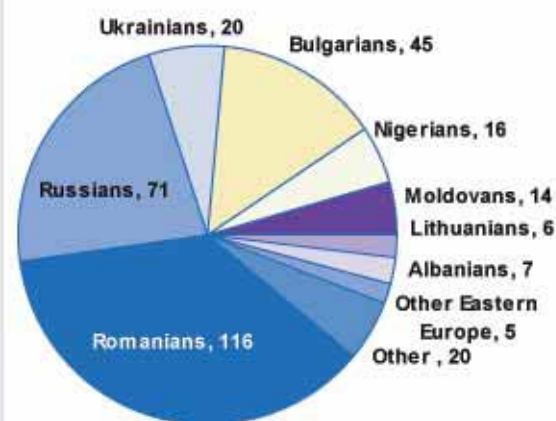
Source: Ministry of Public Order

Fig. 312: Victims of trafficking in persons identified by State authorities in Greece, by gender and age (2003-2007)



Source: Hellenic Police Headquarters

Fig. 313: Victims of trafficking in persons identified by State authorities in Greece, by citizenship (2005-2007)



Source: Hellenic Police Headquarters

### Additional information

The shelters of the National Centre for Social Solidarity (E.K.K.A.) provided accommodation to 18 trafficking victims in 2005 and one victim during the first semester of 2006. Overall, the E.K.K.A. services helped 72 trafficking victims from the beginning of 2005 to mid-2006.

## Hungary

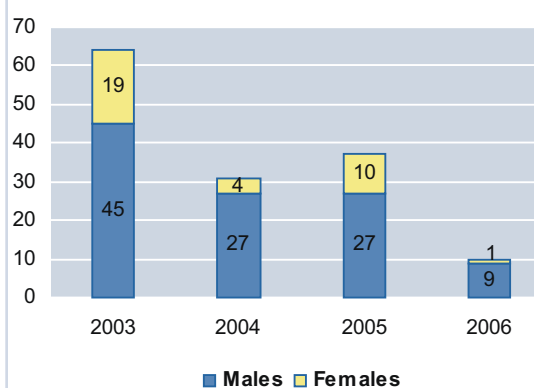
### Institutional framework

The specific offence of trafficking in persons has existed in Hungary since 1998.

### Criminal justice response

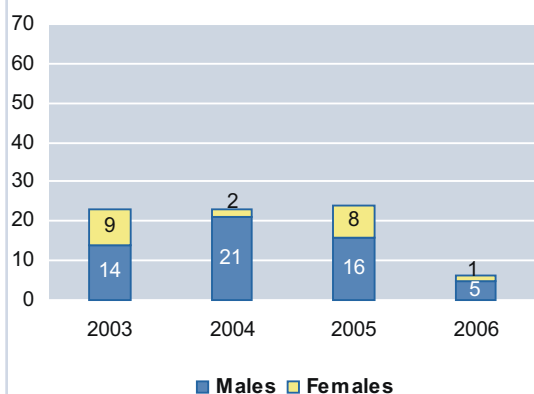
The National Investigation Bureau is a special unit responsible for handling cases of trafficking in human beings, terrorism, drug trafficking, money-laundering and other economic crimes. Twenty officers were assigned full time to the policing of human trafficking in 2007.

Fig. 314: Persons investigated for trafficking in persons in Hungary, by gender (2003-2006)



Source: Ministry of Justice and Law Enforcement, Department of Statistics

Fig. 315: Persons convicted of trafficking in persons in Hungary, by gender (2003-2006)

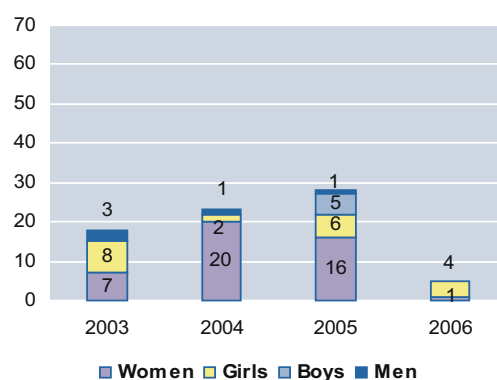


Source: Ministry of Justice and Law Enforcement, Department of Statistics

### Services provided to victims

State authorities provide legal protection, temporary stay permits, financial support for schooling, repatriation assistance, medical and psychosocial services, and housing and shelter to support victims of trafficking in persons. NGOs also offer shelter and housing support. All victims identified in 2005 and 2006 were Hungarian.

Fig. 316: Victims of trafficking in persons identified by State authorities in Hungary, by age and gender (2003-2006)



Source: Ministry of Justice and Law Enforcement, Department of Statistics

### Additional information

There is an official system for referring identified victims of trafficking in persons to the Victim Support Authority, which is responsible for support services.

There is one residential facility available for sheltering victims of human trafficking, with a capacity of 50 beds. Six victims, including one minor, were sheltered by this facility in 2005, while 15 people, including six minors, made use of the services in 2006. There is no information available on the gender of the sheltered victims, but they were all trafficked for the purpose of sexual exploitation. Five out of six sheltered victims in 2005 were Hungarian and one was Romanian; in 2006, 14 victims who received shelter were Hungarian and one was Romanian. Five persons convicted for trafficking in persons during the reporting period were minors.



## Iceland

### Institutional framework

Iceland's General Penal Code criminalized trafficking in persons in 2003 (Article 227a). The Minister of Justice submitted a new bill in 2007 to the Icelandic Parliament, and a new provision on trafficking in human beings is under consideration in accordance with the UN Trafficking Protocol. This bill is awaiting a second reading in Parliament and is planned for approval in 2008.

### Criminal justice response

The Sexual Crime Unit of the Metropolitan Police investigates cases of trafficking in persons. No prosecutions and no convictions for human trafficking were recorded in Iceland during the reporting period.

### Services provided to victims

There is no *de jure* provision for government assistance to victims of human trafficking. Municipal social services and medical care are available to victims just as they are to other citizens and foreigners. In cases involving unaccompanied children, municipal and State child protection services are responsible for providing assistance. The national and local governments also may refer victims to NGOs that provide shelter, legal advice and health care.

## Ireland

### Institutional framework

Ireland has had specific provisions on international child trafficking as part of its criminal code since 1998. A human trafficking bill entered into force in 2007 with a definition of trafficking in persons that criminalizes all forms of trafficking as indicated in Article 3 of the UN Trafficking Protocol.

### Criminal justice response

The Garda National Immigration Bureau has an investigation unit that focuses specifically on trafficking in persons cases.

### Services provided to victims

State authorities provide medical and psychosocial support and housing and shelter to victims of trafficking in persons.

### Additional information

According to authorities, very few victims of trafficking have been identified so far. The NGO Ruhama provides assistance to women involved in or seeking to exit prostitution.





## Italy

### Institutional framework

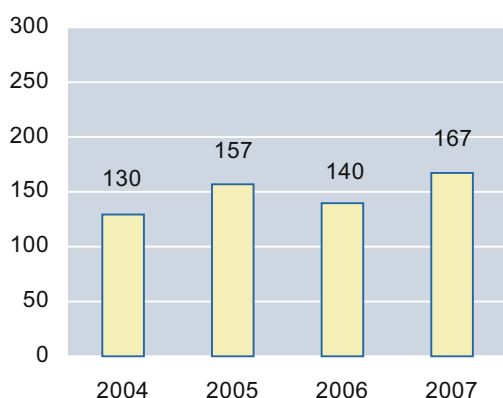
The specific offence of trafficking in persons was established in Italy in 2003 (Article 601 of the penal code). Before and after 2003, some forms of trafficking in persons were prosecuted through the offences of “slavery” (Article 600) and “trade of slaves” (Article 602).

### Criminal justice response

According to the Italian criminal procedure code, investigations on human trafficking are conducted by the local anti-mafia bureaus (Direzioni Distrettuali Anti-mafia), and coordinated by the national anti-mafia bureau (Direzione Nazionale Anti-mafia).

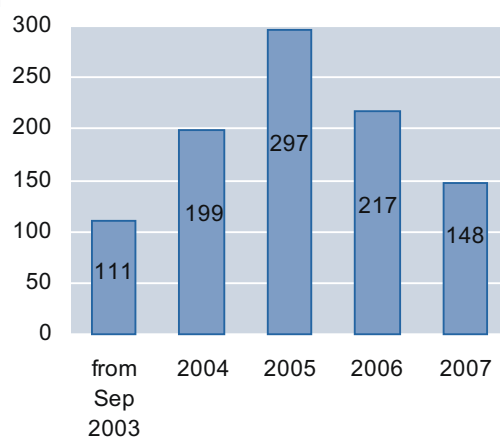
According to competent authorities, trafficking in persons cases have been prosecuted through the offences of “trafficking in persons” (Article 601), “slavery” (Article 600) and “trade of slaves” (Article 602). During the reporting period, the same offenders might have been prosecuted for multiple charges simultaneously. As a consequence, the population of offenders likely overlaps to an unknown extent.

Fig. 317: Persons arrested for “trafficking in persons” (Art. 601) in Italy (2004-2007)



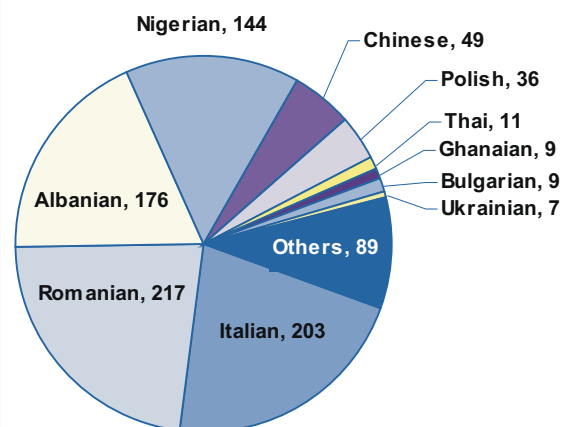
Source: Direzione Centrale Polizia Criminale

Fig. 318: Persons against whom prosecutions were initiated for “trafficking in persons” (Art. 601) in Italy (September 2003-2007)



Source: National Anti-Mafia Bureau

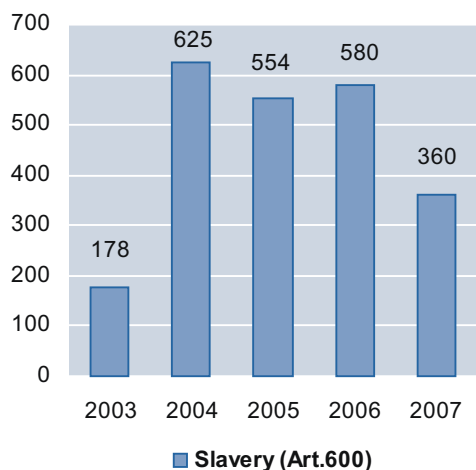
Fig. 319: Persons against whom prosecutions were initiated for “trafficking in persons” (Art. 601) in Italy, by citizenship (2003-2007)



Source: National Anti-Mafia Bureau

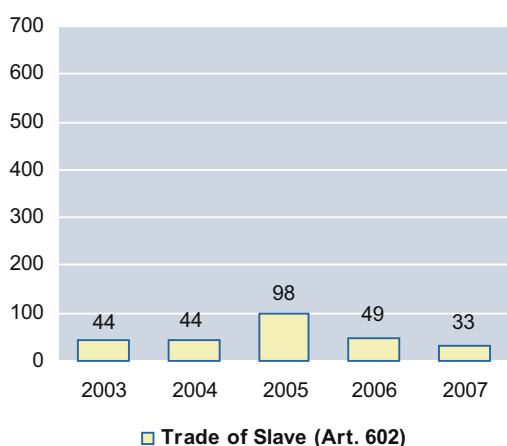


**Fig. 320: Persons against whom prosecutions were initiated for “slavery” (Art. 600) in Italy (2003-2007)**



Source: National Anti-Mafia Bureau

**Fig. 321: Persons against whom prosecutions were initiated for “trade of slaves” (Art. 602) in Italy (2003-2007)**

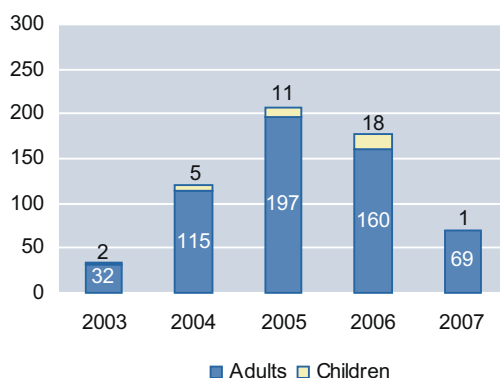


Source: National Anti-Mafia Bureau

## Services provided to victims

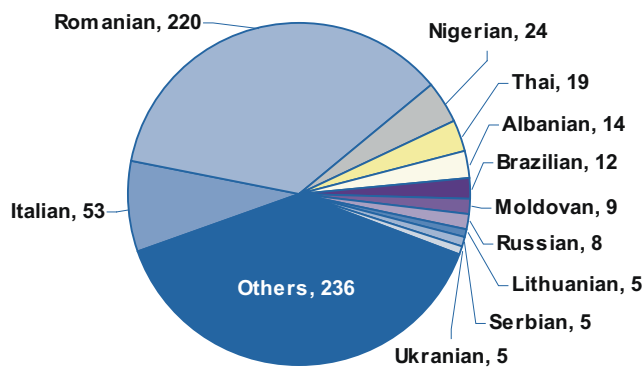
Legal protection, temporary stay permits for victims and witnesses, medical and psychosocial services, and housing are provided by the State. NGOs and international organizations provide legal protection; medical and psychosocial support; housing and shelter; vocational, education and language training; and job placement.

**Fig. 322: Victims of trafficking in persons identified by law enforcement authorities in Italy, by age (2003-2007)**



Source: National Anti-Mafia Bureau

Fig. 323: Victims of trafficking in persons identified by law enforcement authorities in Italy, by citizenship (2003-2007)



Source: National Anti-Mafia Bureau

### Additional information

The victims discussed above refer only to those identified by law enforcement authorities under the offence of “trafficking in persons” (Article 601). Additionally, about 300 adult and 50 child victims per year were identified under “slavery” (Article 600) during the reporting period, and about five to 20 victims per year were identified under “trade of slaves” (Article 602). Through the Immigration law (legislative decree 286/98), the Social Assistance and Integration Programme for trafficked persons was put in place under the Ministry for Equal Opportunity in 2000. Even though no official national referral mechanism is currently functioning, an operational system for the referral of identified victims has been established by the authorities (Municipalities, Provinces and Regions) and accredited NGOs that provide a wide range of assistance and support services within the abovementioned programme. According to the Immigration law (Article 18), once a victim is identified as such by the competent authorities, she or he can pursue either the judicial procedure (“judicial path”) or the social procedure (“social path”). While the first entails the cooperation with the law enforcement agencies, the latter requires only the submission of a “statement” (containing provable key-informa-

tion) by an accredited NGO or by the social services of a local authority on behalf of the victim. Both procedures grant the issuance of a renewable temporary residence permit for humanitarian reasons that can be eventually converted into a residence permit for education or for work.

Between 2003 and 2006, about 950 foreign victims per year were granted a residence permit for humanitarian reasons.

Due to the lack of a central national database on victims of trafficking, the recorded cases of trafficking might overlap to an unknown extent. A central database on victims of trafficking in persons has been designed by the EU-funded project *Osservatorio Tratta* (led by the NGO *Associazione On the Road*) and is planned to be soon adopted to harmonize the different Italian sources of information.

## Latvia

### Institutional framework

The specific offence of trafficking in persons was established in Latvia in 2002. In addition, the offence of sexual exploitation of women abroad was already criminalized in 2000 when the section on “compelling engaging in prostitution” and “sending a person for sexual exploitation” were introduced in the Latvian Penal Code. A national action plan was adopted for the years 2004-2008.

### Criminal justice response

A specialized police unit was established in 2003 to investigate cases of trafficking in human beings and 19 officers within the unit were assigned full time to the policing of human trafficking in 2008.

In 2006, 26 persons (12 males and 14 females) were brought into initial formal contact with the police and criminal justice system for the offence of trafficking in persons. Prosecutions against all 26 commenced in 2006 with all the cases relating to trafficking for the purpose of sexual exploitation. In addition, 36 cases of trafficking for sexual exploitation resulted in a sentence in 2006.

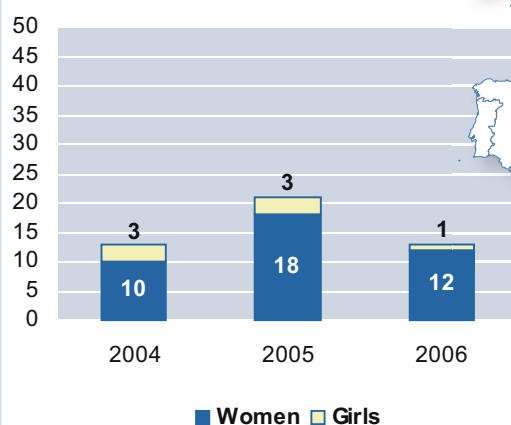
### Services provided to victims

Legal protection, temporary stay permits, medical and psychosocial support, and housing and shelter are available for victims of trafficking in persons and are provided by the State and NGOs. Medical, psychosocial and other necessary care, protection and support as well as housing and the return of victims are financed from the State budget and are provided by NGOs. Twelve victims of human trafficking have received state funded social rehabilitation in 2007.

### Additional information

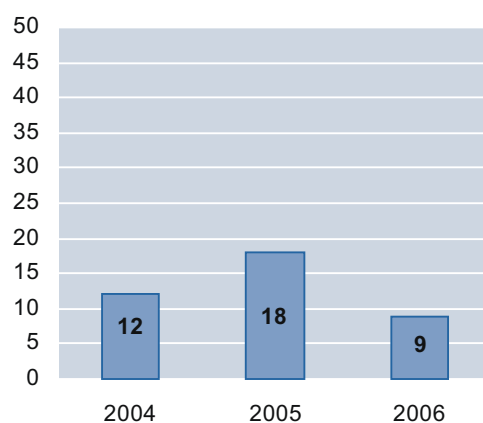
MARTA, a resource centre for women, provided State-funded social rehabilitation in 2006 and 2007. In 2008, the NGO Shelter Safe House provided State-funded services for victims, and IOM has allocated finances for anti-trafficking

Fig. 324: Victims of trafficking in persons sheltered in Latvia, by gender and age (2004-2006)



Source: Ministry of Welfare

Fig. 325: Victims of trafficking in persons sheltered in Latvia who have been repatriated (2004-2006)



Source: Ministry of Welfare

programmes run by NGOs. There is an official system for referring identified victims of human trafficking to institutions providing special support services.

All of the victims serviced in these programmes were Latvian and were subjected to sexual exploitation. Most victims were repatriated from Western, Northern and Southern Europe. Those who were unrepatriated might have been victims of domestic trafficking.

# Lithuania

## Institutional framework

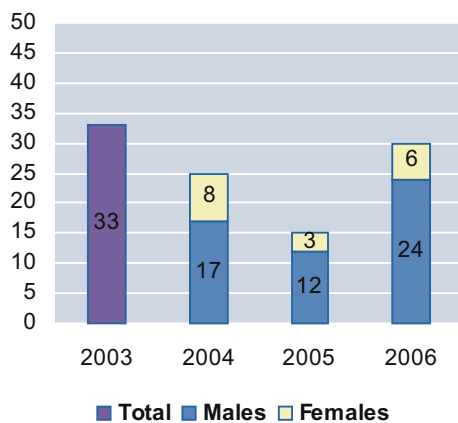
The specific offence of trafficking in persons was established in Lithuania in 1998. The Programme for the Prevention and Control of Trafficking in Human Beings for the period 2005-2008 was adopted in 2005, and follows the previous Programme covering the period 2002-2004. The Programme covering the period 2009-2012 was under preparation in 2008.

## Criminal justice response

The Criminal Police Bureau investigates cases of trafficking in persons.

By the end of 2007, prosecutors had supervised 28 investigations related to human trafficking in Lithuania.

Fig. 326: Persons suspected of trafficking in persons in Lithuania, by gender (2003-2006)

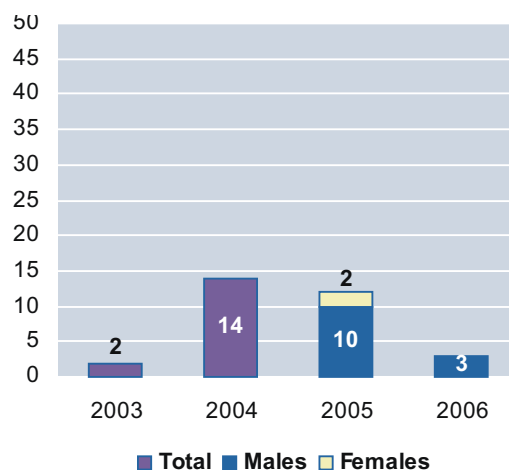


Source: Ministry of the Interior

## Services provided to victims

Legal protection, temporary stay permits for victims and witnesses, medical and psychosocial support, and housing and shelter services are provided to victims of trafficking.

Fig. 327: Persons convicted of trafficking in persons in Lithuania, by gender (2003-2006)



Source: Ministry of the Interior

Fig. 328: Victims of trafficking in persons identified by State authorities in Lithuania, by age (2004-2006)



Source: Ministry of the Interior

## Additional information

A central database on victims of trafficking is administered by the Ministry of the Interior.

## Luxembourg

### Institutional framework

The specific offence of trafficking in persons was established in Luxembourg in 2005, but not all forms of exploitation listed in Article 3 of the UN Trafficking Protocol are considered in the legislation. The inclusion in the penal code of trafficking for forced labour, removal of organs and child trafficking was under consideration by the Parliament in 2008.

### Criminal justice response

Nine cases of trafficking were investigated and prosecuted during the reporting period, all concerning sexual exploitation. Five of these cases concluded with a sentence, and one of these five involved a child victim.

### Services provided to victims

Only a few victims of trafficking have been identified in Luxembourg. Most female victims are from South-East Europe and West Africa. No minors were encountered during police investigations.



# Malta

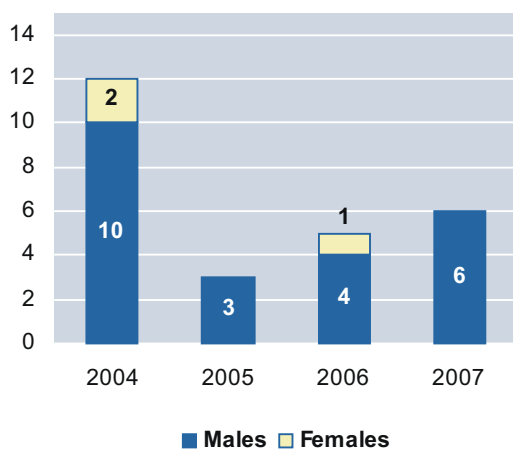
## Institutional framework

The specific offence of trafficking in human beings was established in Malta in 2002. The articles 248A et seq. of the Criminal Code, Chapter 9 of the Laws of Malta addresses trafficking for sexual exploitation, forced labour and other forms of trafficking, with no restriction concerning the profile of the victim.

## Criminal justice response

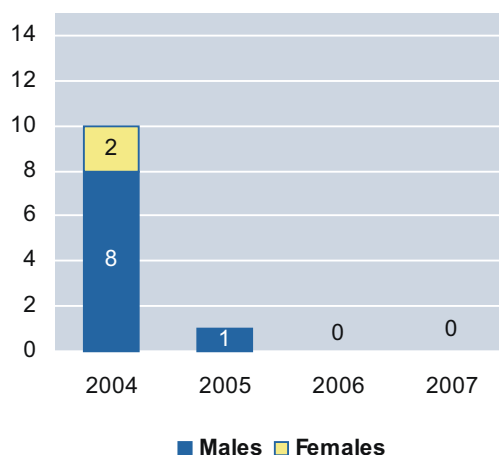
Issues regarding trafficking in persons for the purpose of exploitation in the production of goods or provision of services, in prostitution or in the removal of organs are dealt with by the Criminal Investigation Department.

Fig. 329: Persons prosecuted for trafficking in persons in Malta (2004-2007)



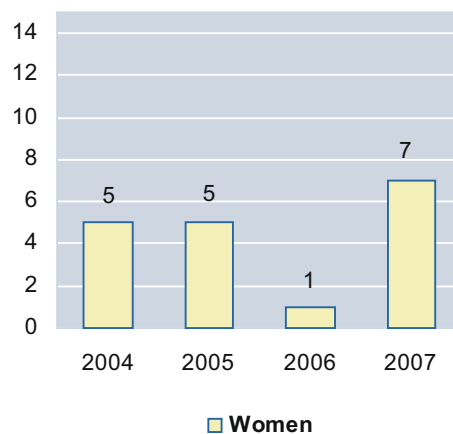
Source: Police Data-Malta

Fig. 330: Persons convicted for trafficking in persons in Malta (2004-2007)



Source: Police Data-Malta

Fig. 331: Victims of trafficking in persons identified by State authorities in Malta (2004-2007)



Source: Police Data-Malta

## Services provided to victims

The State provides legal protection, temporary stay permits, medical/psychosocial support and housing/shelter exist to support victims of trafficking in persons who cooperate with the law enforcement authorities.

## Additional information

All the victims identified in 2006 and 2007 were trafficked for sexual exploitation. Victims originated from Eastern Europe and South East Europe.

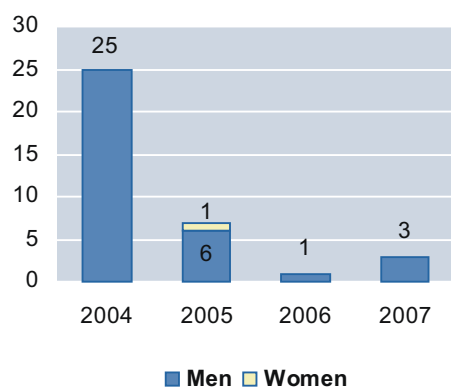
## Montenegro

### Institutional framework

The specific offence of trafficking in persons was established in Montenegro in 2003, through the article 444 of the National Criminal Code. In addition, the articles 445 and 446 criminalize accordingly the trafficking in children for adoption and submission to slavery.

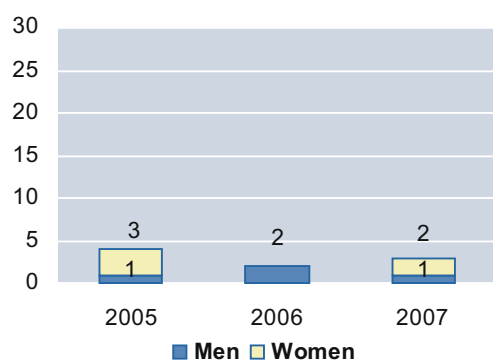
### Criminal justice response

Fig. 332: Persons prosecuted for trafficking in persons in Montenegro, by gender (2004-2007)



Source: Office of the National Coordinator for the Fight against Trafficking - Police Directorate and Supreme State Prosecutor Office

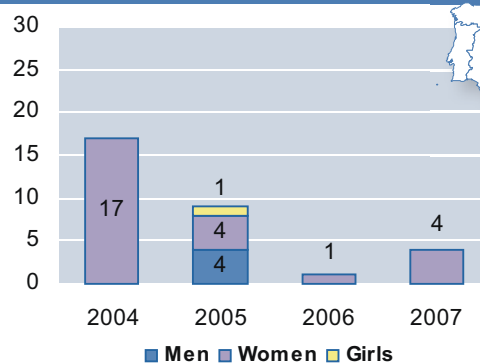
Fig. 333: Persons convicted of trafficking in persons in Montenegro, by gender (2004-2007)



Source: Office of the National Coordinator for the Fight against Trafficking in Human Beings- Supreme Court

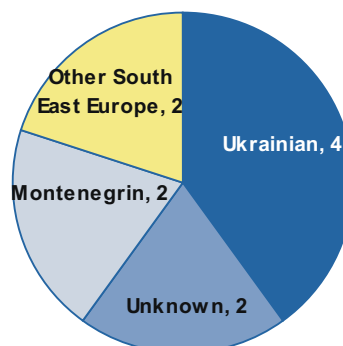
### Services provided to victims

Fig. 334: Victims of trafficking in persons identified by State authorities in Montenegro, by gender and age (2004-2007)



Source: Office of the National Coordinator for the Fight against Trafficking in Human Beings

Fig. 335: Victims of trafficking in persons identified by State authorities in Montenegro, by citizenship (2005-2006)



Source: Office of the National Coordinator for the Fight against Trafficking in Human Beings

### Additional information

The Office of the National Coordinator for the Fight against Trafficking in Human Beings, in cooperation with the OSCE, signed a revised agreement on mutual cooperation with the Supreme State Prosecutor, the Ministry of Labour, Health and Social Welfare, the Ministry of Education and science, the Police Directorate and with three local NGOs to improve the cooperation in the field of prevention, education and prosecution of traffickers and the protection of potential victims of trafficking in human beings.



## The Netherlands

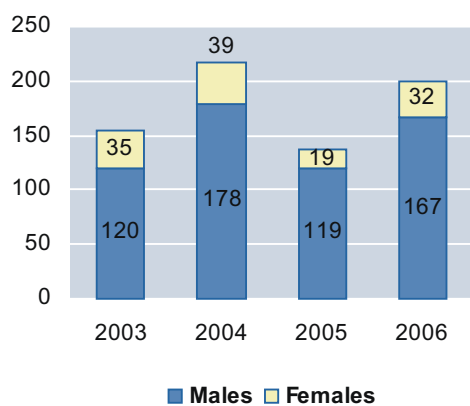
### Institutional framework

Trafficking in persons was criminalized in the Netherlands in 1911. The previous Article 250a of the Dutch Criminal Code was replaced by a new and extended Article 273a on 1 January 2005 that criminalizes all the forms of trafficking listed in the UN Trafficking Protocol and more. A national action plan on trafficking in persons was adopted in 2005.

### Criminal justice response

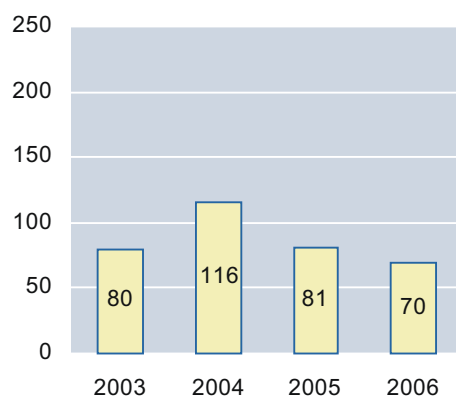
A specific anti-human trafficking law enforcement agency, the National Trafficking in Human Beings Expert Group (LEM), was established within the National Police Project on prostitution and trafficking in human beings in 1997.

Fig. 336: Persons prosecuted for trafficking in persons in the Netherlands (2003-2006)



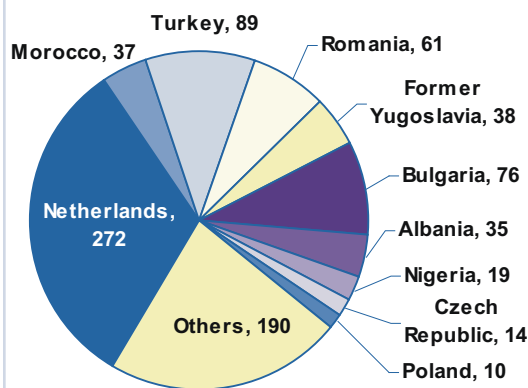
Source: The Bureau Nationaal Rapporteur Mensenhandel (BNRM)

Fig. 338: Persons convicted of trafficking in persons in the Netherlands (2003-2006)



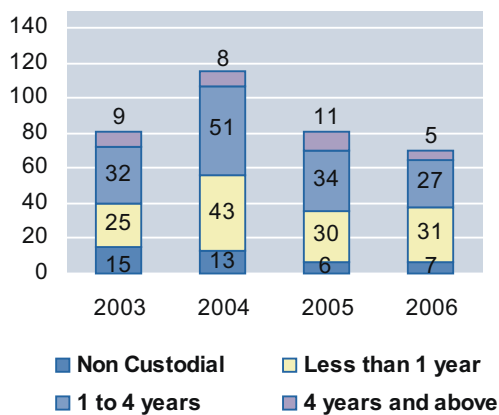
Source: The Bureau Nationaal Rapporteur Mensenhandel (BNRM)

Fig. 337: Country of Citizenship at birth of suspects of trafficking in persons in the Netherlands (2001-2005)



Source: The Bureau Nationaal Rapporteur Mensenhandel (BNRM)

Fig. 339: Sanctions for trafficking in persons in the Netherlands (2003-2006)



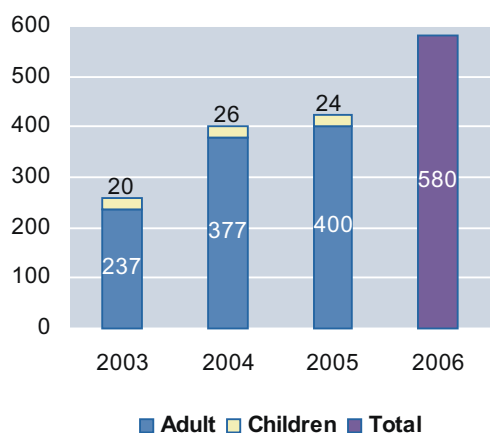
Source: The Bureau Nationaal Rapporteur Mensenhandel (BNRM)

## Services provided to victims

State authorities provide legal protections, temporary visas, medical and psychological support, and housing and shelter for victims. Local NGOs provide housing and shelter, empowering programmes and job training.

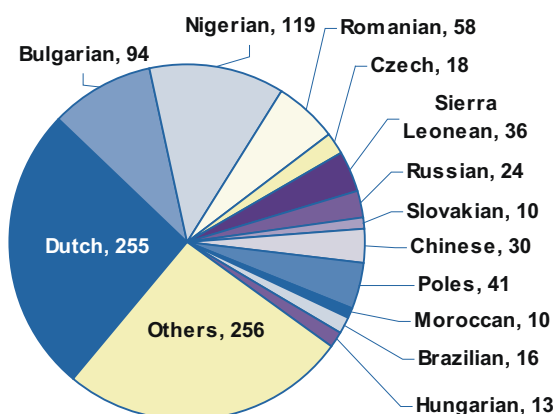
The following data concern victims identified by the Foundation against Trafficking in Human Beings (Stichting tegen Vrouwenhandel/STV) that has the formal task of national victim registration in the Netherlands.

Fig. 340: Victims (possible) registered with the Foundation against THB (STV) in the Netherlands, by age (2003-2006)



Source: STV reports/The Bureau Nationaal Rapporteur Mensenhandel (BNRM)

Fig. 341: Nationality of (possible) victims registered with the Foundation against THB (STV) in the Netherlands (2005-2006)



Source: STV reports/The Bureau Nationaal Rapporteur Mensenhandel (BNRM)

## Additional information

The Foundation against Trafficking in Human Beings (STV) coordinates referrals to shelters and has the official task of collecting data on identified victims. In 2008, STV changed its name to Comensha.

About 25 minors were prosecuted during the reporting period. All the persons convicted, as indicated in the chart above, were involved in trafficking in persons for the purpose of sexual exploitation. Most of the victims identified were female (women or girls). One male victim was identified in 2004, two males in 2005 and 30 males were identified in 2006.

The National Rapporteur on Trafficking in Human Beings in the Netherlands was established in 2000. The rapporteur's main task is to report on the nature and extent of human trafficking in the Netherlands and on the effects of the anti-trafficking policy. The reports contain information on relevant regulations and legislation, as well as information on prevention, criminal investigations regarding human trafficking, the prosecution of perpetrators and victim support.

## Norway

### Institutional framework

The specific offence of trafficking in persons comes under section 224 of the penal code in Norway. This provision, introduced in 2003, is based on the UN Trafficking Protocol and covers exploitation for the purpose of prostitution, forced labour, including begging, or trade in human organs. Human trafficking for the removal of organs is covered by other articles of the Penal Code.

The latest action plan to combat human trafficking adopted in Norway covers the period 2006-2009. Human trafficking for prostitution is the dominant area in the plan of action, but compared to earlier plans there is a stronger emphasis on the children's perspective in human trafficking and a wish to focus more strongly on the victims of organ removal and forced labour.

### Criminal justice response

Eight cases of trafficking for sexual exploitation were investigated in 2005. In 2006, 29 cases of trafficking for sexual exploitation were investigated and one case of trafficking for forced labour/servitude/labour exploitation was investigated. Seven persons were convicted of trafficking in 2005-2007. Among these convictions, three were Norwegians and the others were foreigners.

The authorities report that in practice people involved in human trafficking will often have contravened several provisions in the Penal Code, such as section 202 (the procurement section), section 222 (coercion), section 223 (deprivation of liberty) and section 225 (slavery), section 227 (threats), section 228 et seq. (physical abuse), section 192 et seq. (sexual crime) and section 47 of the Immigration Act.

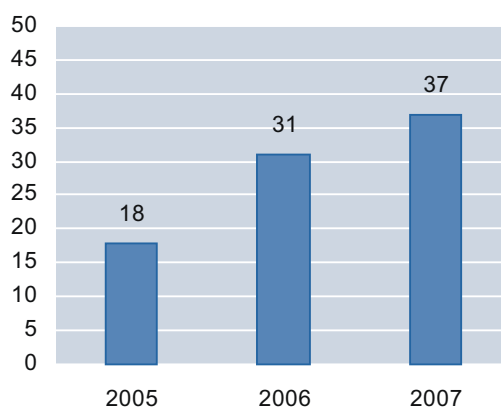
### Services provided to victims

State authorities and NGOs provide legal protection, temporary stay permits, medical and psychosocial assistance, housing and shelter, and other services to the victims of trafficking in persons. In 2006, the Government extended the reflection period so that assumed victims of

human trafficking now may be granted a temporary residence and work permit for up to six months. A new temporary work permit for one year is possible if the person has broken away from the people responsible for human trafficking and a police investigation is initiated against the perpetrators.

The Ministry of Justice designated the ROSA project as the national coordinator for assistance for female victims of trafficking. ROSA was established in January 2005 as a part of the 2003-2005 National Action Plan against Trafficking. During the reporting period, ROSA provided safe shelters, help, information and guidance for female victims of trafficking. All women are provided with money for living, health care and legal aid.

Fig. 342: Victims of trafficking in persons in Norway assisted by ROSA (2005-2007)



Source: ROSA project

### Additional information

Two of the 37 trafficking victims in 2007 were males. The assistance of ROSA is mainly meant for female victims of trafficking who are exploited for prostitution. Several female and male victims received other accommodation financed by municipal authorities, and some applied for asylum and live at reception centres. There are 51 shelters all over the country for female victims of violence. During the reporting period, assistance for victims of trafficking was given in 20 of these shelters.

## Poland

### Institutional framework

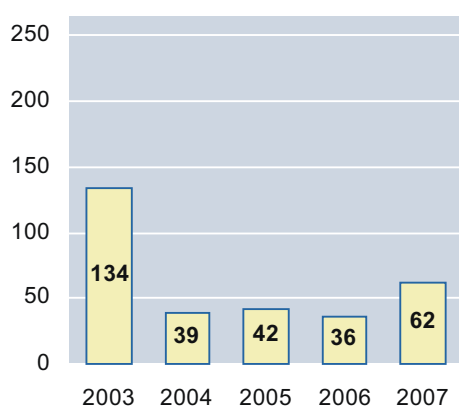
Trafficking in persons is specifically criminalized in Poland by the article 253 of the Polish Penal Code. This article does not define trafficking in persons, and in practice the judiciary adopt the UN Trafficking Protocol definition. In addition, trafficking in persons for prostitution is criminalized by the article 204, of the penal code, whereas illegal adoption is criminalized by the article 253, paragraph 2. A National Programme for Combating and Preventing Trafficking Human Beings was adopted in 2007, following a first Programme adopted in 2003.

### Criminal justice response

The Central Team for Combating Trafficking in Human Beings was established in 2006 as a special unit in the police headquarters. Special local police units also deal with human trafficking offences.

About 500 police officers were assigned to this unit full time for the policing of human trafficking and related crimes in 2008.

Fig. 343: Persons charged for trafficking in persons in Poland (2003-2007)

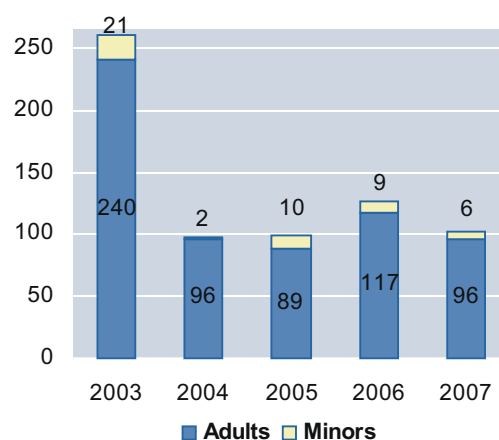


Source: National Public Prosecutor's Office

### Services provided to victims

Legal protection and temporary stay permits are provided by the State, while medical and psychosocial support and housing are offered by NGOs.

Fig. 344: Victims of trafficking in persons identified by State authorities in Poland, by age (2003-2007)



Source: National Public Prosecutor's Office

According to the Ministry of Interior, during the period 1995-2007 there were 245 trafficking victims from Belarus; 198 from Ukraine; 28 from Bulgaria; 18 from Romania; 17 from Moldova; and 12 from Russia, among others.

Fig. 345: Victims of trafficking in persons sheltered by La Strada (2004-November 2008)

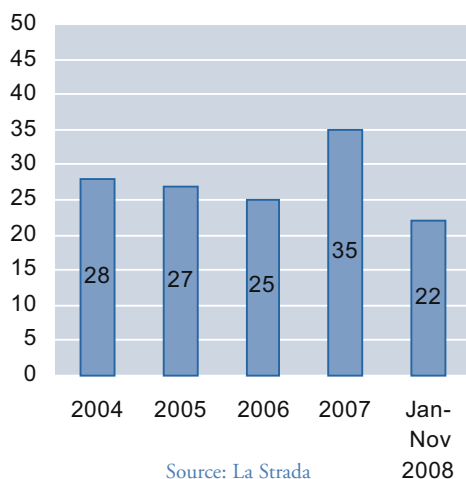
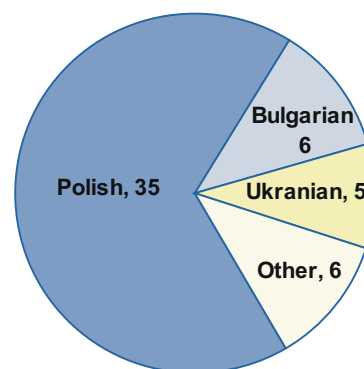


Fig. 346: Victims of trafficking in persons sheltered by La Strada, by citizenship (2005-2006)



Source: La Strada

### Additional information

An official mechanism was established in Poland for referring identified victims of human trafficking to NGOs (mainly La Strada) that offer special support services.

Minors, as referred to in the charts above, are victims below the age of 18. La Strada only provides shelter for adult women, so all of the victims reported above are adults. Most of the sheltered victims were subjected to sexual exploitation.

The Programme for Support and Protection of Victims/Witnesses of Trafficking in Human Beings was implemented on 1 January 2006 to aid foreign nationals, following an agreement between the Minister of Interior and Administration and the La Strada Foundation against Trafficking in Women.

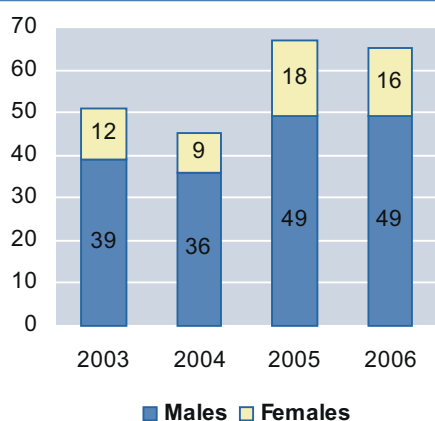
## Portugal

### Institutional framework

Trafficking for sexual exploitation was criminalized in Portugal in 1995. The trafficking law was amended in 2007 to include trafficking for forced labour, removal of organs and other forms of trafficking. In November 2006, the Portuguese Government launched the First National Plan against Human Trafficking for 2007-2010.

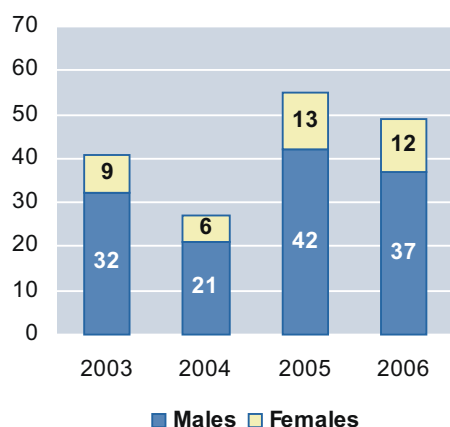
### Criminal justice response

Fig. 347: Persons prosecuted for trafficking in persons and sexual exploitation in Portugal, by gender (2003-2006)



Source: Comissão para a Cidadania e Igualdade de Género

Fig. 348: Persons convicted for trafficking in persons and sexual exploitation in Portugal, by gender (2003-2006)



Source: Comissão para a Cidadania e Igualdade de Género

### Services provided to victims

State authorities provide legal protection, medical and psychosocial services, and housing and shelter to support victims of trafficking in persons.

About 25 adult victims of trafficking in persons and sexual exploitation were identified by State authorities during 2003-2007. Almost all these victims were women; one man was identified in 2005; and two men in 2007. During the same period, 12 children – almost all girls – were identified by State authorities as victims of trafficking in persons and sexual exploitation; two boys were identified in 2003; and one boy in 2007. About five Portuguese victims were identified during 2005-2007.

### Additional information

The First National Plan includes four strategic intervention areas, including one for “knowledge and dissemination of information”. The first national monitoring system, called the Observatory for Permanent Security, was established to monitor trafficking in human beings and other socio-criminal phenomena.

In 2005 and 2006, most persons convicted of trafficking were Portuguese, and about 15 were nationals from other countries. Authorities report that the numbers presented above concern figures dealing with the crime of trafficking in persons (Article 160 of the penal code) and sexual exploitation (lenocínio, Article 169 of the penal code), because these two articles belong to the same statistical category.



## Romania

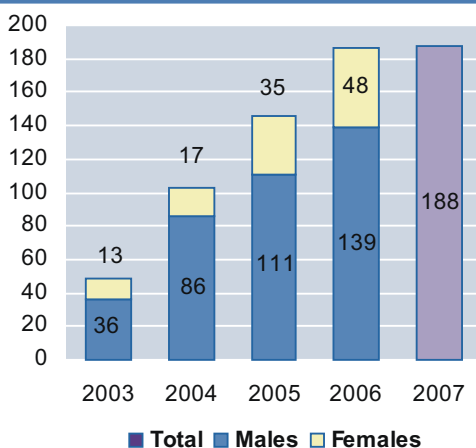
### Institutional framework

The specific offence of trafficking in persons was established in Romania in 2001, and the law came into force in 2002. The law punishes all forms of trafficking listed as minimum requirement in the Article 3 of the UN Trafficking Protocol. A National Strategy for Combating Human Trafficking in Persons for 2006-2010 was adopted in 2006.

### Criminal justice response

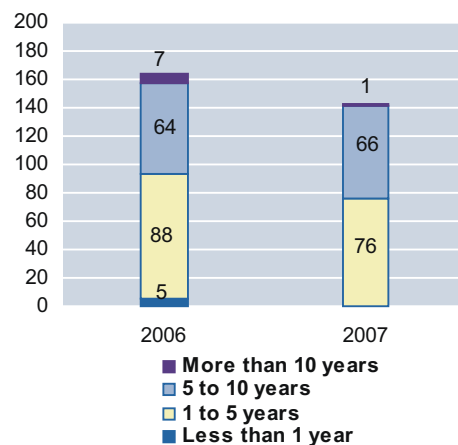
The Directorate for the Investigation of Organized Crime and Terrorism Offences (DIOCTO) was set up in 2004, with the Prosecutor's Office attached to the High Court of Cassation and Justice. Within DICTO, the Bureau to Combat Trafficking in Human Beings was set up during the reporting period. Additionally, within the General Directorate for Combatting Organized Crime (within the General Romanian Police Inspectorate), a special unit to deal with Trafficking in Persons cases was established during the reporting period.

Fig. 349: Persons convicted of trafficking in persons in Romania, by gender (2003-2007)



Source: Resource Centre for Combating Trafficking in Persons of the Inspectorate General of Romanian Police and Directorate for the Investigation of Organized Crime and Terrorism

Fig. 350: Sanctions for trafficking in persons in Romania (2006-2007)

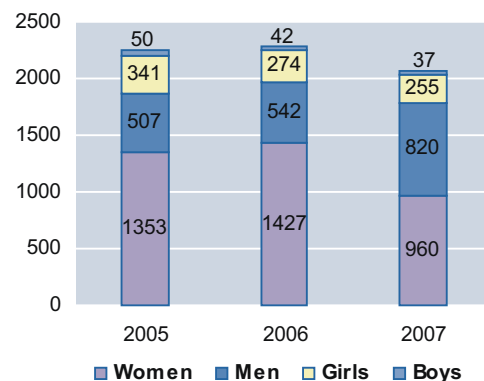


Source: Resource Centre for Combating Trafficking in Persons of the Inspectorate General of Romanian Police and Directorate for the Investigation of Organized Crime and Terrorisms

### Services provided to victims

Legal protection, medical and psychosocial services, and housing and shelter are provided by the State and NGOs to support victims of trafficking in persons. Since 2005, the State also has offered legal assistance and temporary stay permits for victims and witnesses.

Fig. 351: Victims of trafficking in persons identified by the police in Romania, by gender and age (2005-2007)

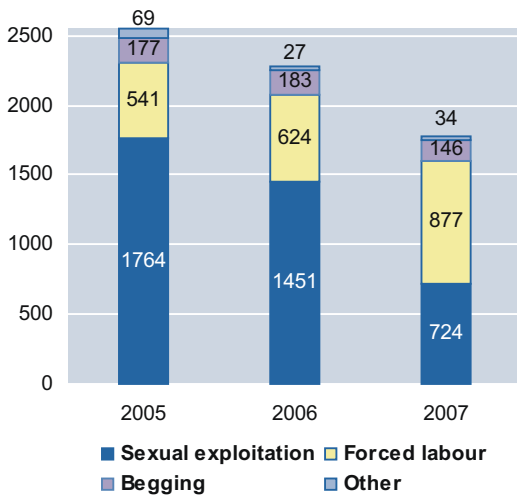


Source: Resource Centre for Combating Trafficking in Persons of the Inspectorate General of Romanian Police



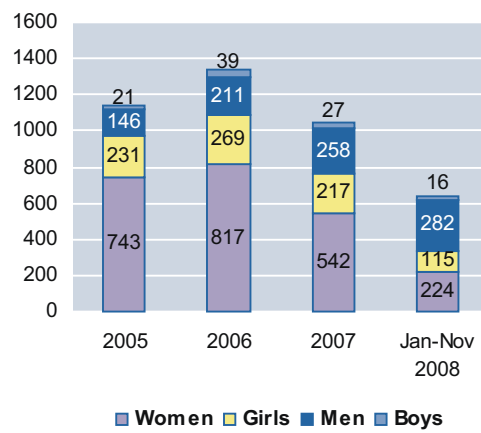
Different figures have been provided by different authorities concerning the number of victims identified.

**Fig. 352: Victims of trafficking in persons identified by the police in Romania, by form of exploitation (2005-2007)**



Source: Resource Centre for Combating Trafficking in Persons of the Inspectorate General of Romanian Police

**Fig. 354: Victims of trafficking in persons identified by the Public Ministry in Romania, by gender and age (2005-November 2008)**



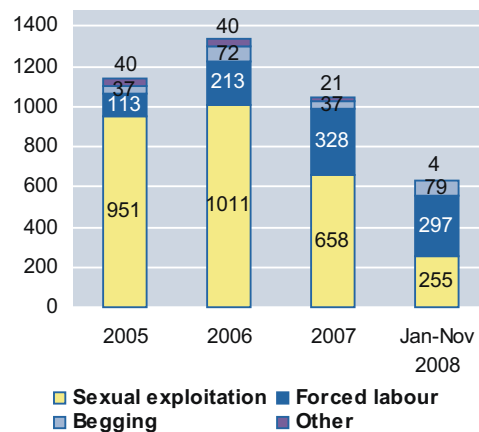
Source: Directorate for the Investigation of Organized Crime and Terrorism

**Fig. 353: Victims of trafficking in persons identified by State authorities in Romania, by type of trafficking (2007)**



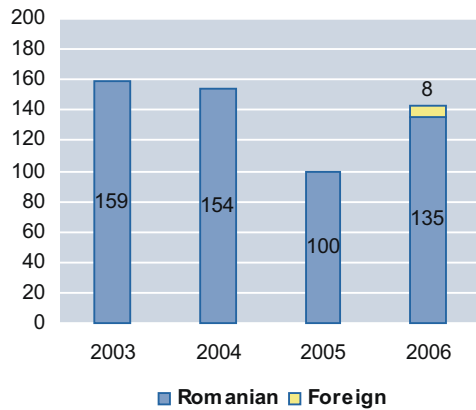
Source: Resource Centre for Combating Trafficking in Persons of the Inspectorate General of Romanian Police

**Fig. 355: Victims of trafficking in persons identified by the Public Ministry in Romania, by form of exploitation (2005-November 2008)**



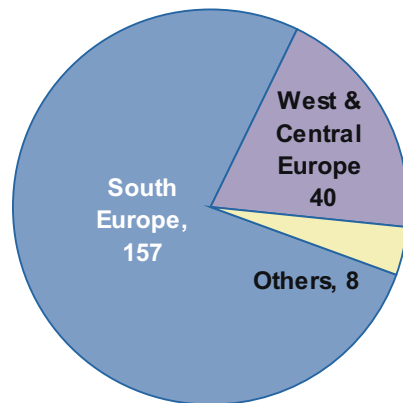
Source: Directorate for the Investigation of Organized Crime and Terrorism

**Fig. 356: Victims of trafficking returned to Romania by IOM (2003-2006)**



Source: IOM

**Fig. 357: Areas from which victims of trafficking were returned to Romania by IOM (2005-2006)**



Source: IOM

### Additional information

The National Agency against Trafficking in Persons is responsible for monitoring and elaborating the national strategy and the application of policies concerning trafficking in persons. Regional centres, which are under the control of the agency, refer victims to specialized structures such as NGOs or other public authorities. The National Agency against Trafficking in Persons also is responsible for maintaining a central database on the victims of human trafficking.

All the persons convicted of trafficking in 2005 and 2006 were Romanian. Out of 82 appeals in 2006, convictions were upheld in 62 cases; the sentences for 18 of the convicted persons were increased; the punishment was reduced for 23; the sentence remained the same for 21; convictions were overturned in eight cases and a retrial was ordered; and 12 cases had other non-specified outcomes. Five of the 82 people convicted were minors.

Many of the Romanian victims identified by State authorities and reported above were repatriated, with some repatriation conducted by IOM.

# Serbia

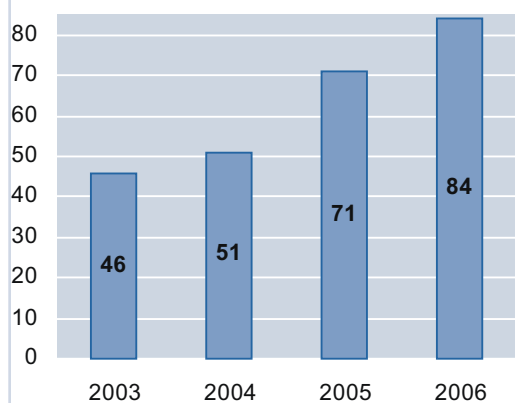
## Institutional framework

The specific offence of trafficking in persons was established in Serbia in 2003. A national action plan was adopted in 2005.

## Criminal justice response

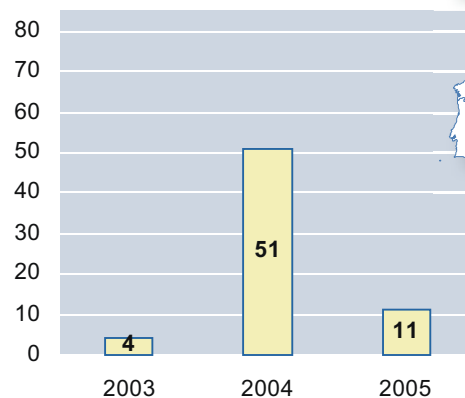
A specific section for combating illegal immigration and trafficking in human beings was established within the Directorate of the Border Police. Other law enforcement special divisions also deal with trafficking issues.

Fig. 358: Persons suspected of trafficking in persons in Serbia (2003-2006)



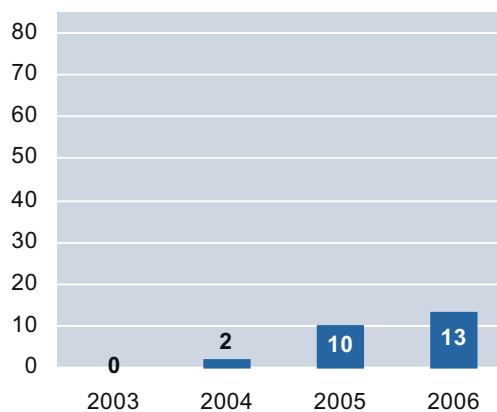
Source: Serbian Statistics Office

Fig. 359: Persons prosecuted for trafficking in persons in Serbia (2003-2005)



Source: Serbian Statistics Office

Fig. 360: Persons convicted of trafficking in persons in Serbia (2003-2006)

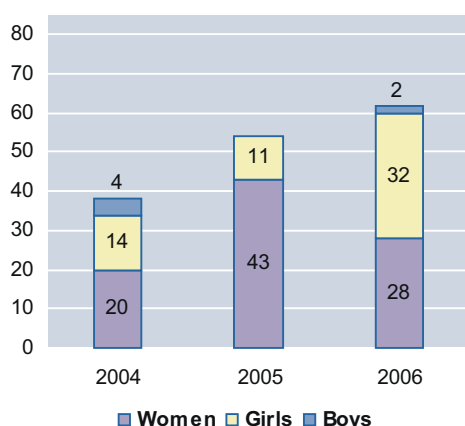


Source: Serbian Statistics Office

### Services provided to victims

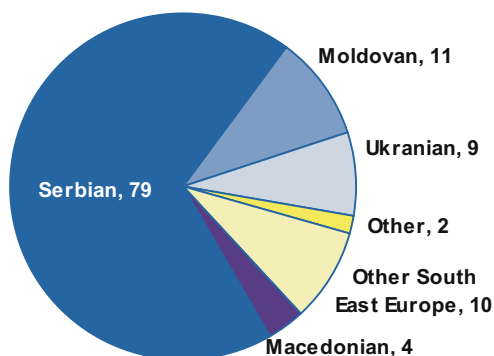
State authorities and NGOs provide legal protection, temporary stay permits, medical and psychosocial services, and housing and shelter to support victims of trafficking in persons.

**Fig. 361: Victims of trafficking in persons identified by State authorities in Serbia, by gender and age (2004-2006)**



Source: Agency for the Coordination of Protection of Victims of Trafficking in Human Beings

**Fig. 362: Victims of trafficking in persons identified by State authorities in Serbia, by citizenship (2005-2006)**



Source: Agency for the Coordination of Protection of Victims of Trafficking in Human Beings

### Additional information

The Agency for the Coordination of Protection of Victims of Trafficking in Human Beings coordinates the protection of victims of trafficking, but clear mandates and cooperation with other actors have not yet been formalized.

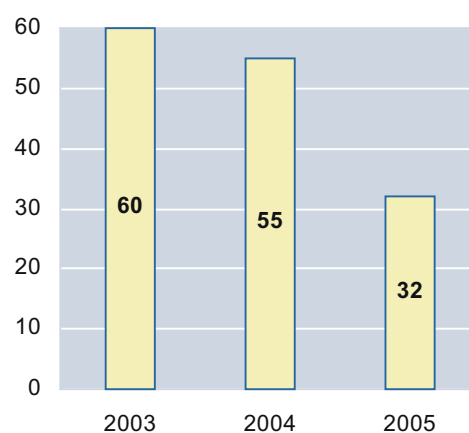
Two facilities are available for sheltering victims of trafficking. These shelters assisted 30 to 40 victims per year during the reporting period. In 2006, 30 of the victims identified above were trafficked for sexual exploitation, three for forced labour, three for begging and three for forced marriage.

### Kosovo (Serbia)

#### Criminal justice response

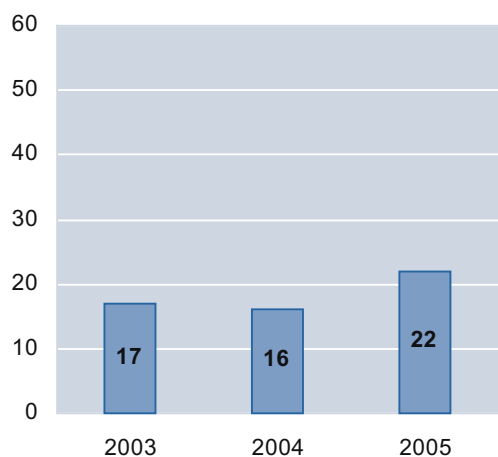
During the reporting period, investigations on trafficking in human beings in Kosovo were performed by the Trafficking in Human Beings Section (THBS) of the United Nations Mission in Kosovo Police (UNMIK Civpol). Twenty-six officers from the Kosovo Police Service (KPS) and 26 UNMIK Civpol officers were assigned to this unit in 2005.

**Fig. 363: Persons prosecuted for trafficking in persons in Kosovo (Serbia) (2003-2005)**



Source: Kosovo Police

Fig. 364: Persons convicted of trafficking in persons in Kosovo (Serbia) (2003-2005)



Source: Kosovo Police

### Services provided to victims

Legal protection, medical and psychosocial services, and housing and shelter exist to support victims of trafficking in persons. A national action plan was adopted in 2005.

According to the Kosovo Police, 85 victims were identified in 2004 and 63 in 2005. About 66 victims were Kosovar Albanian, 22 were Albanian, 16 were Bulgarian, 28 were from Moldova, nine were from other countries in South-East Europe and seven were from other areas.

# Slovakia

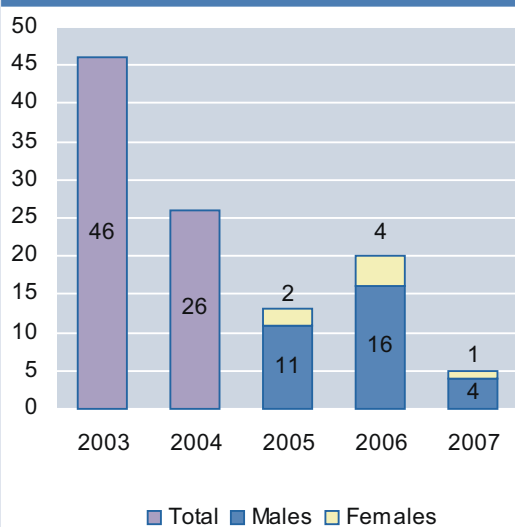
## Institutional framework

The specific offence of trafficking in persons has existed in Slovakia since 2002. In 2005, the legislation was amended, and the new Article 179 was made part of the penal code. The latest national action plan was adopted in 2006.

## Criminal justice response

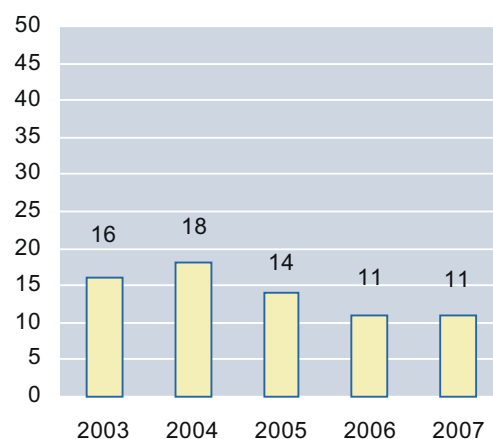
A special anti-trafficking police unit was established in 2004 in Slovakia, and 10 officers worked full time on trafficking in persons in 2007.

Fig. 365: Persons suspected of trafficking in persons in Slovakia, by gender (2003-2007)



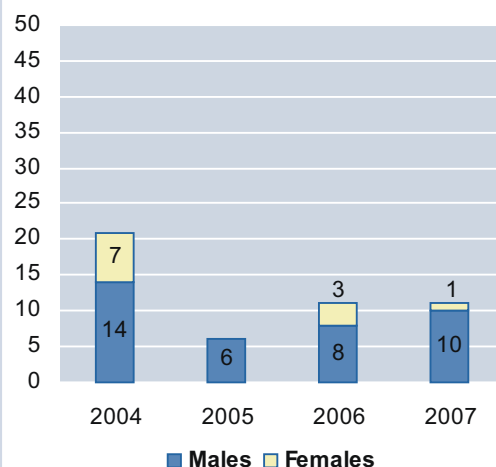
Source: Ministry of the Interior

Fig. 366: Cases of trafficking in persons investigated in Slovakia (2003-2007)



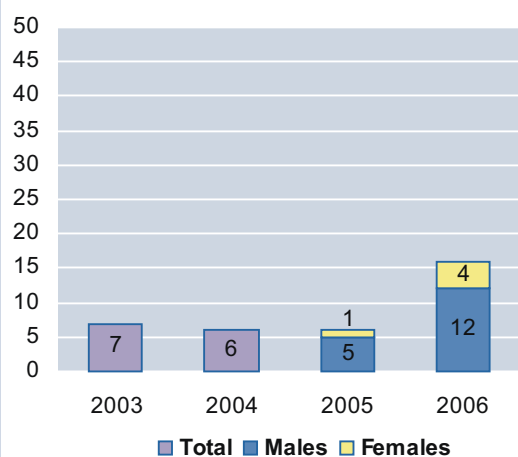
Source: Ministry of the Interior

Fig. 367: Persons prosecuted for trafficking in persons in Slovakia, by gender (2004-2007)



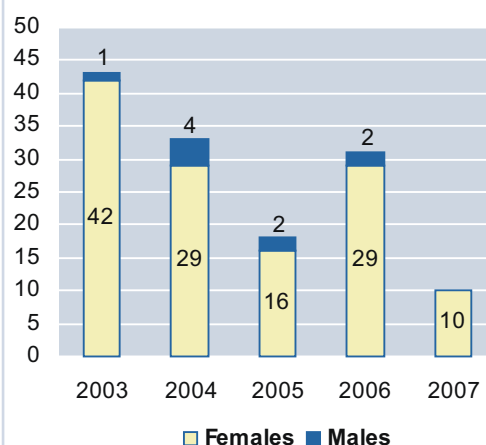
Source: Department of Trafficking in Human Beings

Fig. 368: Persons convicted of trafficking in persons in Slovakia, by gender (2003-2006)



Source: Ministry of Justice

Fig. 369: Victims of trafficking in persons identified by State authorities in Slovakia, by gender (2003-2007)



Source: Department of Trafficking in Human Beings

## Services provided to victims

Legal protection for victims is offered by the State and NGOs, and temporary stay permits for victims and witnesses are provided by the State. NGOs provide housing and shelter and, together with international organizations, make available medical and psychosocial and other services such as interpretation for victims of trafficking.

## Additional information

During the reporting period, an official system was put in place for referring identified victims of trafficking to institutions that provide support services. A central database on victims is operated and maintained by the Department of Trafficking in Human Beings, Sexual Exploitation and Support of Victims in the Organized Crime Bureau of the police headquarters.

One conviction was registered during the reporting period under the new Article 179. The other trafficking convictions were carried out under Article 246 of the penal code.

Note: According to the terminology adopted in Slovakia's Penal Code, the concept of "victim" is more adequately expressed by the term "damaged person".



## Slovenia

### Institutional framework

The specific offence of trafficking in persons was established in Slovenia in 2004. The offences of “abuse of prostitution” and “placing in a slavery condition” have been used to prosecute some forms of human trafficking before and after the legislative change in 2004. The Slovenian Government adopted several action plans proposed by the National Working Group for the Fight against Trafficking in Human Beings for the period of 2004-2006, 2007 and 2008-2009.

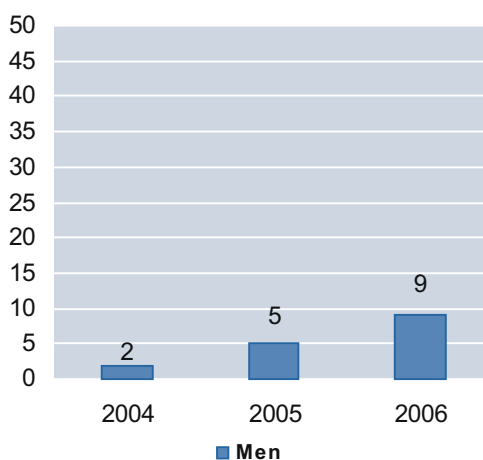
### Criminal justice response

Offences related to trafficking in human beings and exploitation of prostitution are investigated by anti-organized crime police units. Fifteen officers were assigned full time to the policing of human trafficking in 2007, and at least one investigator at each of the 11 regional police directorates is responsible for the coordination of activities related to human trafficking and exploitation of prostitution.

Seven Slovenian citizens were convicted of trafficking in persons in 2006; three received a non-custodial sanction; four received five to 10 years of imprisonment; and one received more than

10 years imprisonment. All of those convicted were found guilty of trafficking in persons for the purpose of sexual exploitation, and three of those persons were convicted of trafficking for slavery as well as sexual exploitation.

Fig. 371: Persons prosecuted for trafficking in persons in Slovenia, by gender (2004-2006)

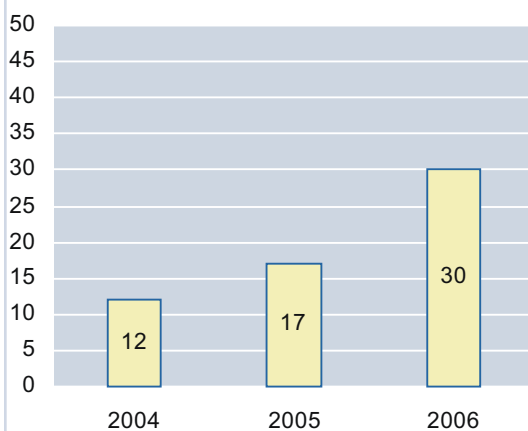


Source: Slovenian Police

### Services provided to victims

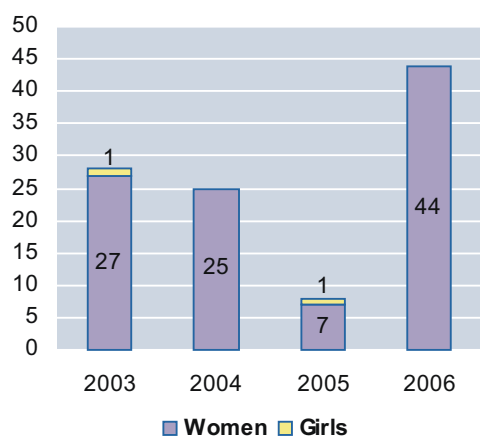
State authorities and NGOs provide legal protection, temporary stay permits, medical and psycho-social services and housing, which include appropriate shelters or other type of accommodation to support victims of trafficking in persons. Victims of trafficking in persons also have access to employment in accordance with the legislation covering the labour relations and employment, as well as employment of foreign nationals.

Fig. 370: Persons investigated for trafficking in persons in Slovenia (2004-2006)



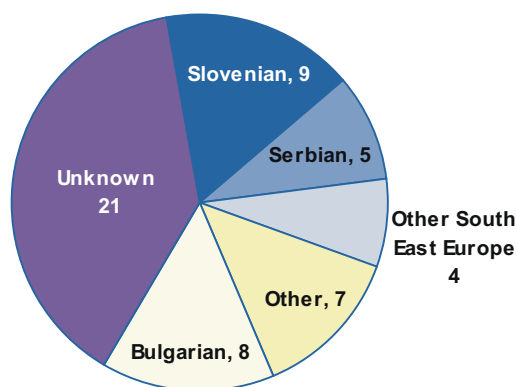
Source: Slovenian Police

Fig. 372: Victims of trafficking in persons identified by State authorities in Slovenia, by age (2003-2006)



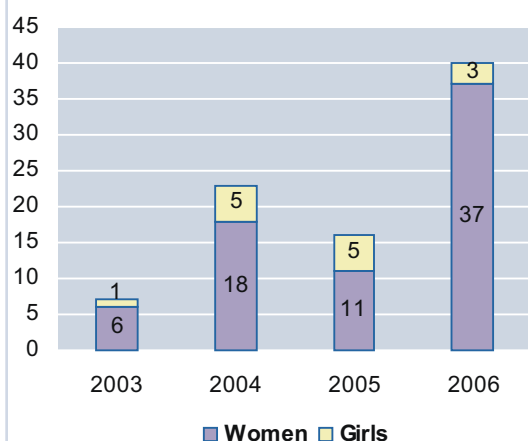
Source: Interdepartmental Working Group for the Fight against Trafficking in Persons

Fig. 374: Victims of trafficking in persons sheltered in Slovenia, by citizenship (2005-2006)



Source: Interdepartmental Working Group for the Fight against Trafficking in Persons

Fig. 373: Victims of trafficking in persons sheltered in Slovenia, by age (2003-2006)



Source: Interdepartmental Working Group for the Fight against Trafficking in Persons

### Additional information

In 2005, six of the identified victims of human trafficking were trafficked for the purpose of sexual exploitation, and one was subjected to slavery. In 2006, forty-one victims were subjected to sexual exploitation and three to slavery.

Two residential facilities were available for sheltering victims of trafficking during the reporting period. Fifteen victims of human trafficking who received shelter had suffered sexual exploitation, while one was exposed to forced labour. In 2006, 41 sheltered victims of human trafficking had been subjected to sexual exploitation and three to forced labour.

The three year project "Introduction of mechanism to connect help and protection of victims of trafficking in human beings and/or sexual violence in asylum procedures in Slovenia" (PATS), was conducted in the asylum home in Ljubljana by the Ministry of Interior, in cooperation with the NGO Društvo Ključ, and by the Centre for Psycho-social Help for Refugees of the Slovene Philanthropy. The number of users was 35 in 2006 and 96 in 2005. The project targeted populations at risk of human trafficking (asylum applicants) by proposing awareness raising messages in their own languages. The project PATS developed into a regional effort by expanding to other countries in South-East Europe.

# Spain

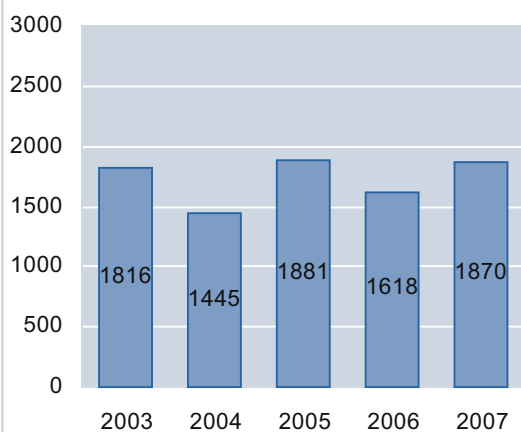
## Institutional framework

The specific offence of trafficking in persons was established in Spain in 2008. The new legislation criminalizes sexual exploitation, forced labour and other forms of exploitation. Before the introduction of the new law, forms of trafficking in persons were criminalized through the crimes against freedom, sexual integrity and the rights of the labourer established in the 1995 Penal Code. The Spanish penal code was amended in 1999, 2000, 2003 and 2007 to expand the areas related to human trafficking covered by national legislation. The Spanish Government adopted a National Action Plan against the Sexual Exploitation of Children and Adolescents (the second edition covering 2006-2008).

## Criminal justice response

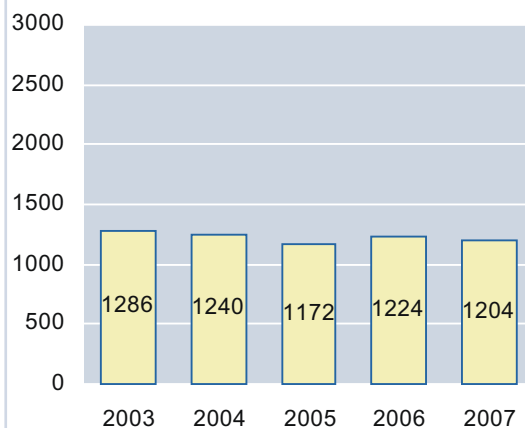
The Judicial Police are in charge of investigating cases of human trafficking.

**Fig. 375: Persons suspected of offences related to trafficking in persons in Spain (2003-2007)**



Source: Centro de Inteligencia contra el Crimen Organizado

**Fig. 376: Persons arrested for offences related to trafficking in persons in Spain (2003-2007)**

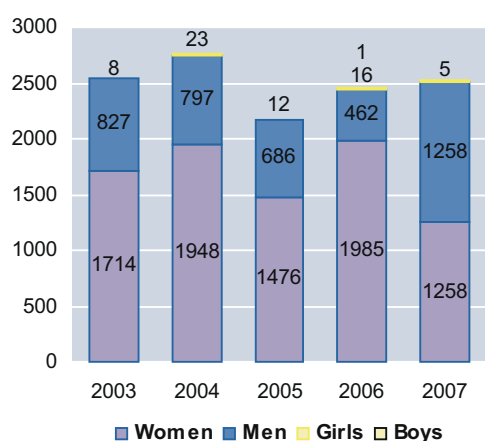


Source: Centro de Inteligencia contra el Crimen Organizado

## Services provided to victims

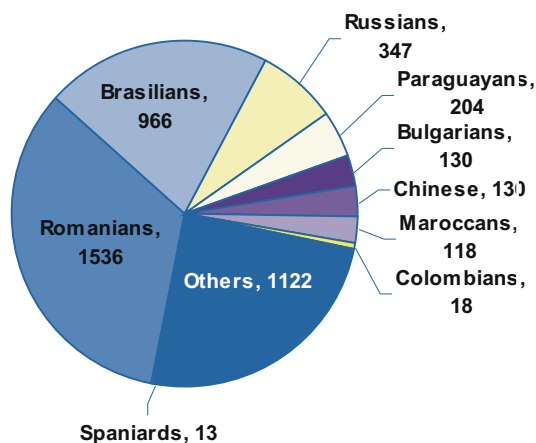
State authorities provide temporary stay permits, legal assistance, medical and psychosocial services, and housing and shelter to support victims of trafficking in persons. NGOs provide medical and psychosocial support and housing and shelter.

Fig. 377: Victims of trafficking in persons-related offences identified by State authorities in Spain, by gender and age (2003-2007)



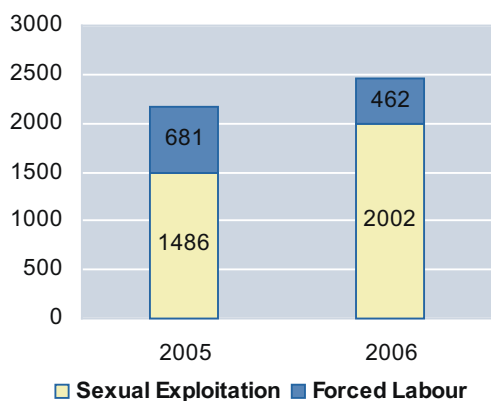
Source: Centro de Inteligencia contra el Crimen Organizado

Fig. 379: Victims of trafficking in persons-related offences identified by State authorities in Spain, by citizenship (2005-2006)



Source: Centro de Inteligencia contra el Crimen Organizado

Fig. 378: Victims of trafficking in persons-related offences identified by State authorities in Spain, by form of exploitation (2005-2006)



Source: Centro de Inteligencia contra el Crimen Organizado

### Additional information

The Centro de Inteligencia contra el Crimen Organizado (CICO) has developed a system for administrating human trafficking data related to sexual exploitation and forced labour. This system will integrate information on trafficking victims and offenders from different bodies within Spanish law enforcement.

## Sweden

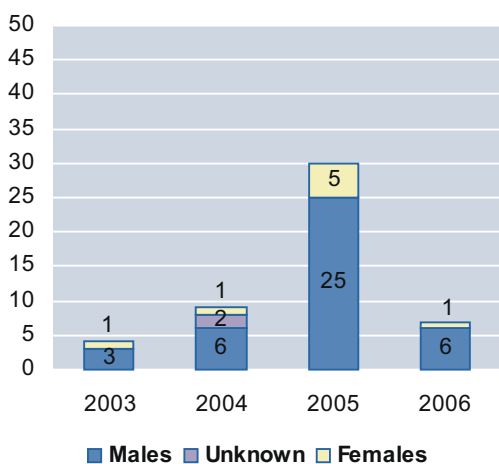
### Institutional framework

Legislation establishing criminal liability for trafficking in human beings for sexual purposes entered into force in Sweden in 2002. In 2004, the legislation was amended to criminalize all forms of trafficking in persons, including trafficking within national borders and for the purpose of forced labour and the removal of organs. The Swedish Government adopted a national action plan for combating prostitution and trafficking for sexual purposes in July 2008.

### Criminal justice response

A specific anti-human trafficking unit within the police was established at the national level as well as on the district levels in two counties (Gothenburg and Stockholm). Sweden also

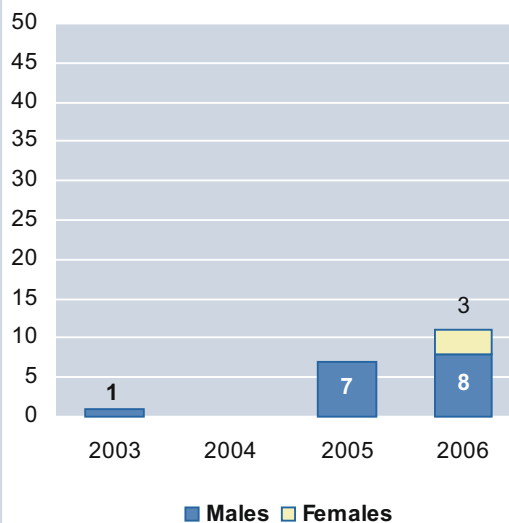
Fig. 380: Persons suspected of trafficking in persons in Sweden, by gender (2003-2006)



Source: National Council for Crime Prevention

established a national rapporteur on trafficking in persons.

Fig. 381: Persons convicted of trafficking in persons in Sweden, by gender (2003-2006)



Source: National Council for Crime Prevention

### Services provided to victims

Since October 2004, victims of trafficking can be granted temporary stay permits during the preliminary investigation of their cases and the trials. Medical and psychosocial support to victims of trafficking is provided by Social Services when there is an ongoing trial against perpetrators. Women's shelters also offer help to women subjected to violence, such as victims of trafficking, and housing and shelter may be provided by Social Services.

### Additional information

Of the convictions recorded during 2005-2006, 11 offenders were sentenced to two to four years detention, and six others were sentenced to more than four years. All were convicted of trafficking for sexual exploitation with the exception of one offender who was involved in trafficking for other purposes.

## Switzerland

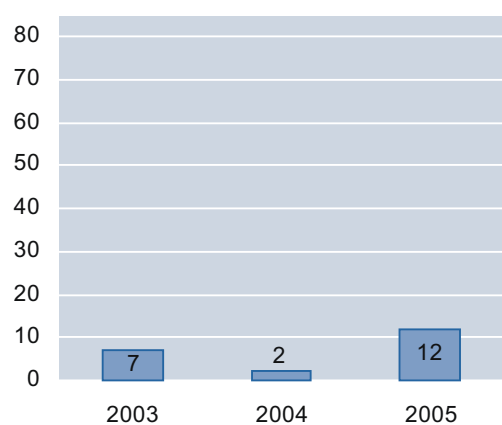
### Institutional framework

Human trafficking is a criminal offence in Switzerland. The law on human trafficking (old provision, Article 196 SCC; new provision, Article 182 SCC) was revised in 2006 and adapted to the international definition of human trafficking as found in the UN Trafficking Protocol.

### Criminal justice response

The Swiss Coordination Unit against the Trafficking in Persons and the Smuggling of Migrants (KSMM) was established at the beginning of 2003 through an initiative of the Federal Department of Justice and Police (FDJP).

**Fig. 382: Persons convicted of trafficking in persons (Art. 196 SCC) in Switzerland (2003-2005)**

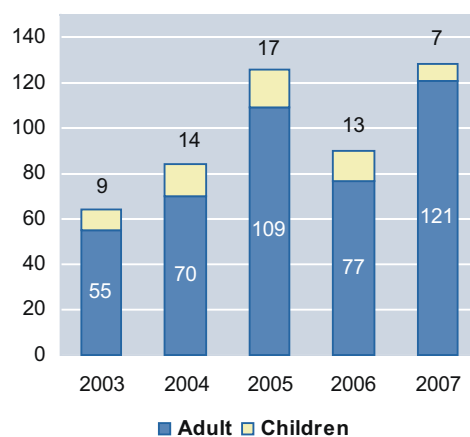


Source: Federal Statistical Office

### Services provided to victims

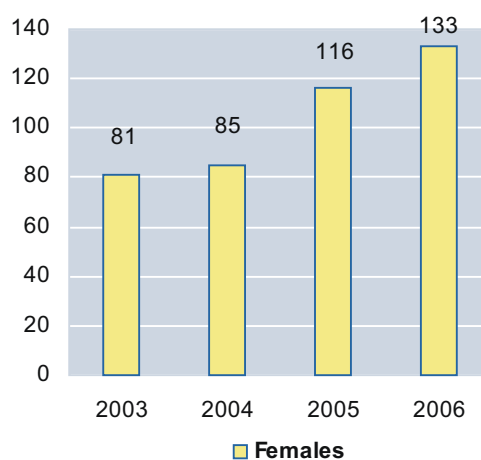
Legal protection, temporary stay permits, medical and psychosocial services, and housing and shelter exist to support victims of trafficking in persons.

**Fig. 383: Victims of forced prostitution (Art. 195 SCC) and trafficking in persons (Art. 196 SCC) counselled by recognized -victim advisory centres in Switzerland, by age (2003-2007)**



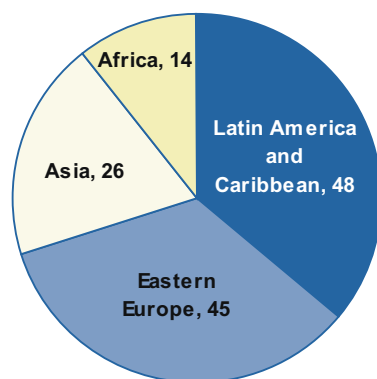
Source: Federal Statistical Office

**Fig. 384: Victims of trafficking in persons counselled by the Women's Information Centre (FIZ) (2003-2006)**



Source: FIZ victims' counselling statistics

Fig. 385: Region of origin of trafficking victims counselled by the Women's Information Centre (FIZ) (2006)



Source: Source: FIZ victims' counselling statistics

### Additional information

Some cantons have a cooperation mechanism for referring identified victims of trafficking to organizations providing support services. In the cantons where these cooperation mechanisms exist, an increasing number of human trafficking victims have access to counselling services offered by the Women's Information Centre (Fraueninformationszentrum/FIZ), the advisory centre in Switzerland that specializes in offering this type of support to female trafficking victims.

Statistics are also available from IOM on return, rehabilitation and reintegration assistance for victims of human trafficking in Switzerland. From January 2005 through September 2007, IOM assisted 55 persons.



# The Former Yugoslav Republic of Macedonia

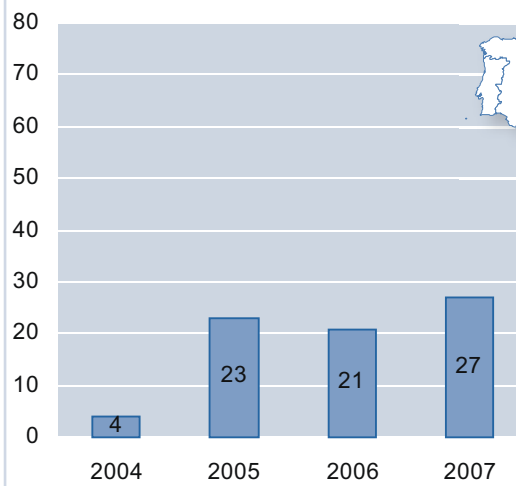
## Institutional framework

Trafficking in human beings is criminalized in the former Yugoslav Republic of Macedonia (FYR of Macedonia) through Article 418-a of the criminal code which also includes the offence of “organization of a group and urging for committing trafficking”. The National Commission for Combating Trafficking in Human Beings and Illegal Migration was established in 2001, and soon after, it developed a National Strategy and National Action Plan for Combating Trafficking in Human Beings.

## Criminal justice response

The central police services of the FYR of Macedonia include a department for organized crime under which operates a section dealing with trafficking in human beings and the smuggling of migrants. This section is made up of a unit on trafficking in human beings and prostitution, and another unit on the smuggling of migrants and forged documents.

Fig. 387: Persons prosecuted for the “organization of a group and urging for committing trafficking” in the FYR of Macedonia (2004-2007)

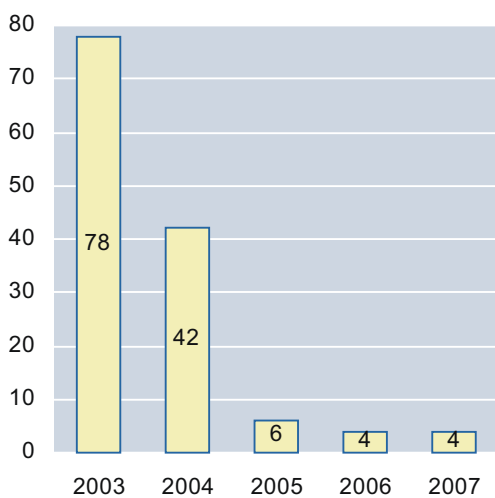


Source: Ministry of Interior

## Services provided to victims

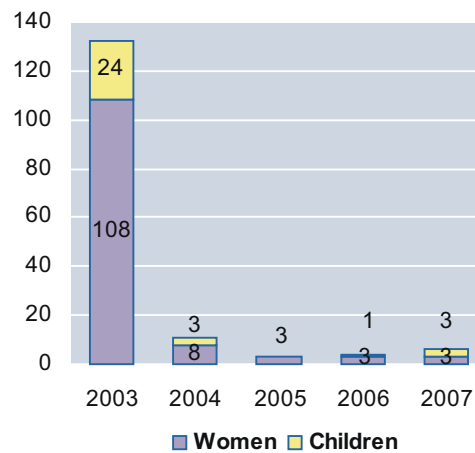
Legal protection, temporary stay permits, medical and psychosocial services, and housing and shelter exist to support victims of trafficking in persons.

Fig. 386: Persons prosecuted for trafficking in persons in the FYR of Macedonia (2003-2007)



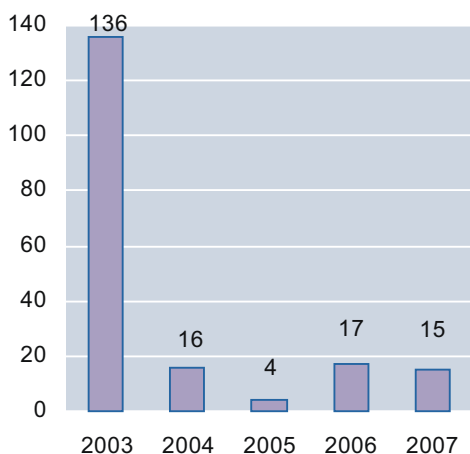
Source: Ministry of Interior

Fig. 388: Victims of trafficking in persons identified by State authorities in the FYR of Macedonia, by gender and age (2003-2007)



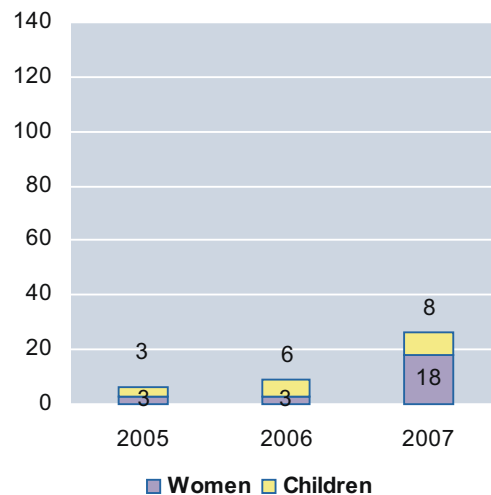
Source: Ministry of Interior

**Fig. 389: Victims of trafficking in persons assisted by IOM in the FYR of Macedonia (2003-2007)**



Source: Ministry of Interior

**Fig. 390: Victims of trafficking in persons assisted by La Strada in the FYR of Macedonia (2005-2007)**



Source: Ministry of Interior

### Additional information

The National Referral Mechanism (NRM) for victims of trafficking in human beings was established in 2005 as a joint project of the National Commission and the Ministry of Labor and Social Policy. The main task of the NRM is to coordinate activities with NGOs and handle the referral of victims of human trafficking who are citizens of the FYR of Macedonia.

Three of the victims identified by State authorities in 2006 were from the FYR of Macedonia, one was from Eastern Europe and one was from Central Asia. All of the victims identified by the State in 2007 were citizens of the FYR of Macedonia. Fourteen of the victims assisted by IOM in 2006 were foreigners, the rest were citizens of the FYR of Macedonia; 13 of the victims assisted by IOM in 2007 were foreigners, and the rest were citizens of the FYR of Macedonia. All the victims of trafficking assisted by La Strada were citizens of the FYR of Macedonia.

## Turkey

### Institutional framework

The UN Trafficking Protocol was ratified by Turkey in March 2003. The government amended its criminal code accordingly to prohibit trafficking in human beings (article 201/b). The Article 80 of the new Criminal Code which was put into force in June 2005 defines Trafficking in Persons and foresees sentences to eight to twelve years of imprisonment. Further amendments to the article 80 of the criminal code are expected in 2008. In addition the article on “forced for prostitution” was established in Turkey in 2006.

The National Task Force on the Fight against Human Trafficking (NTF) was established in 2002 under the chairmanship of the Ministry of Foreign Affairs. NTF convenes every two months in Ankara with the participation of relevant institutions/organizations. Representatives of the International Organization for Migration and the European Commission in Turkey also participate in NTF meetings as observers.

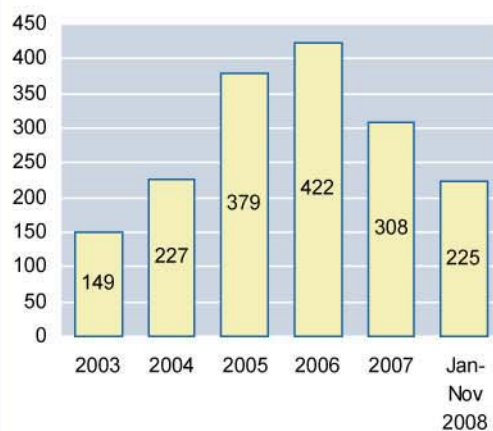
A First National Action Plan for Combating Human Trafficking was adopted in 2003. A second National Action Plan was prepared in 2007 and is awaiting approval by the competent authorities.

### Criminal justice response

A specific unit on Trafficking in Human Beings was established in 2003 and operates under the Turkish National Police Department for Foreigners, Borders and Asylum. A circular note on the investigation of human trafficking crimes, the identification of the victims and the processing applied for victims and a Guideline on the fight against THB were disseminated to relevant organizations, institutions and governorships by the Ministry of Interior, Directorate General for Security.



Fig. 391: Persons apprehended for trafficking in persons in Turkey (2003-November 2008)



Source: Ministry of Foreign Affairs

### Services provided to victims

“Humanitarian visa and short term residence permits” are issued to victims in order to enable them to stay legally in Turkey during their rehabilitation period. Voluntary return of the victims is provided with the cooperation of law enforcement officials, IOM, relevant institutions in the source country and local NGOs. 543 victims were voluntarily returned in cooperation with IOM since 2005. A cabinet deci-

sion was implemented in January 2004 by the Ministry of Health, in order to extend free medical care to victims of THB. Voluntary advocates of the Bar Association extend free legal counseling to the victims of THB. Judicial, psychological and medical counseling is provided to the victims in shelters in Istanbul and Ankara. A toll free/tip off emergency helpline (157) became operational in May 2005. The helpline is reachable from all parts of Turkey and mobile phones and is answered in Russian, Romanian, English and Turkish languages. The helpline became operational for international calls in April 2007.

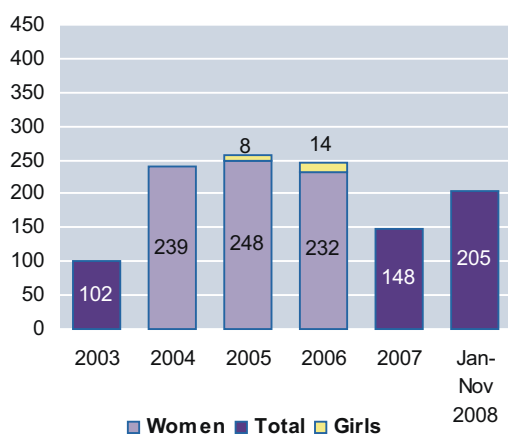
### Additional information

Identification of victims of human trafficking and provision of necessary support and coordination between the different institutions is undertaken within the framework of National Referral Mechanism (NRM). Various relevant institutions are included in NRM (primarily the Ministry of Foreign Affairs, Ministry of Interior General Directorate of Security and General Command of Gendarmerie, Ministry of Justice, 157 Helpline, International Organization for Migration, Woman Solidarity Foundation (WSF), Human Resource Development Foundation (HRDF) and Embassies).

Within the framework of NRM, potential victims of human trafficking identified during the operations carried out by law enforcement agencies are transferred to the Foreigners Department at Security Directorate of the relevant province pursuant to the preliminary scanning. The victim identification process is completed through coordination with the Department of Foreigners, Border, Asylum of General Directorate of Security following the interviews with the victims by specially trained personnel. The victims are accommodated in the shelters managed by HRDF and WSE.

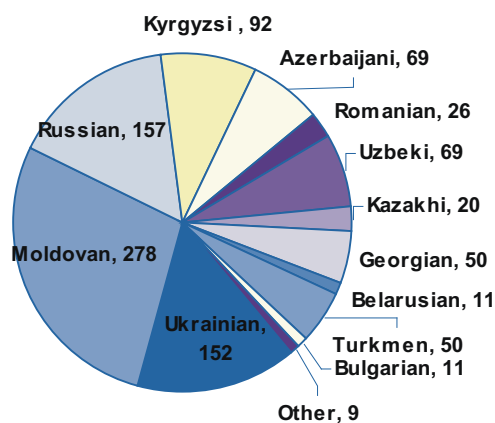
In 2004, 62 trafficked persons, 220 in 2005, 191 in 2006, 118 in 2007, 67 in 2008 (as of 3. 11.2008) have been assisted by the International Organisation for Migration. 39 trafficked persons took temporary stay permits in Turkey between 2004-2008. The rest of the identified trafficked persons were voluntarily returned by the Ministry of Interior.

**Fig. 392: Number of victims identified by State authorities in Turkey, by age (2003-November 2008)**



Source: DG Turkish National Police

**Fig. 393: Number of victims identified by State authorities in Turkey, by citizenship (2003-November 2008)**



Source: DG Turkish National Police

## The United Kingdom

### Institutional framework

The Sexual Offences Act of 2003, which came into force in May 2004, introduced wide-ranging offences in England, Wales and Northern Ireland covering trafficking into, out of, or within the UK for any form of sexual offence. The equivalent Scottish provisions are contained in Section 22 of the Criminal Justice (Scotland) Act 2003. The offence of 'trafficking for exploitation', which covers non-sexual exploitation including trafficking for forced labour and the removal of organs, was included in the Asylum and Immigration (Treatment of Claimants, etc.) Act of 2004. The United Kingdom Action Plan on Tackling Human Trafficking was adopted in 2007.

### Criminal justice response

The United Kingdom Human Trafficking Centre was formally opened in 2006. It is a multi-agency centre bringing together expertise from a number of disciplines as part of an Association of Chief Police Officers-led initiative. The responsibilities of the centre include all forms of trafficking in persons with the objective of improving and coordinating the law enforcement response to human trafficking. Additionally, a number of United Kingdom police forces have operational teams dedicated to the investigation of trafficking in persons.

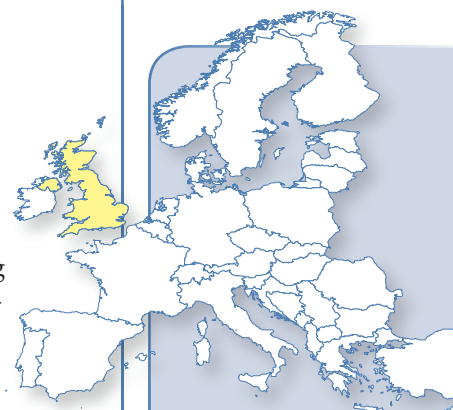
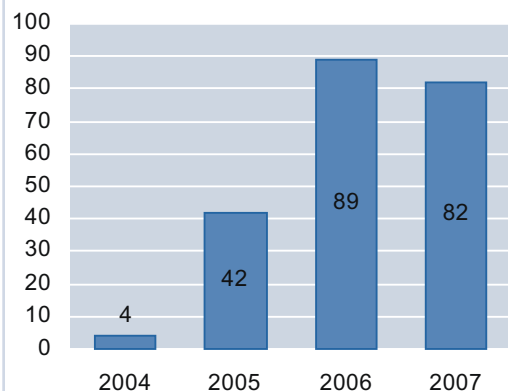
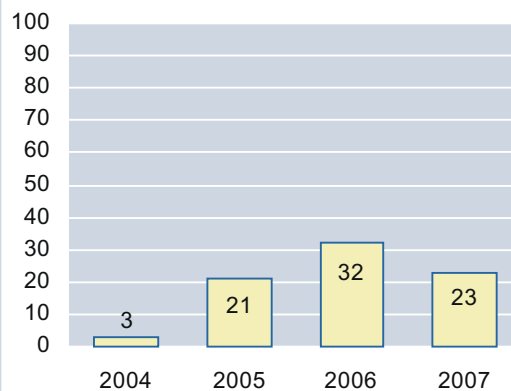


Fig. 394: Persons prosecuted for trafficking in persons offences in the United Kingdom (2004-2007)



Source: United Kingdom Human Trafficking Centre

Fig. 395: Persons convicted of trafficking in persons offences in the United Kingdom (2004-2007)



Source: United Kingdom Human Trafficking Centre

### Services provided to victims

The United Kingdom Government has funded the Poppy Project since 2003 to provide accommodation and support services for adult women trafficked into the United Kingdom for sexual exploitation. In Scotland, the TARA Project was established in 2004 to provide assistance to women who have been trafficked into Scotland for the purposes of sexual exploitation.

### Additional information

The United Kingdom will be introducing a formal State identification process in April 2009. This will provide clearer figures on data collection for victims of all forms of human trafficking.

During the reporting period, adult victims were informally identified through a number of avenues, predominantly by front-line agencies like the police, immigration officers and NGOs. The primary data collection on victims is based on referrals to the government-funded NGO the Poppy Project, which is managed by Eaves Housing for Women. During the period under consideration, the Poppy Project provided support either on an outreach basis or via accommodation and support to 353 victims. The Poppy outreach service accepted 65 referrals of female victims of trafficking between 1 January 2007 and 30 September 2007.

In 2006 and 2007, all identified victims of human trafficking were subjected to sexual exploitation as set out in the Sexual Offences Act 2003. None of the detected victims were trafficked for forced labour, domestic servitude or for the removal of human organs. According to the National Operations Pentameter 2, a total of 255 victims were rescued from a situation of trafficking for sexual exploitation, and five suspected victims of trafficking for forced labour were recovered.

The UK recently conducted a coordinated campaign of activity to confront the trafficking of human beings for forced labour in targeted labour sectors in specific parts of the UK. The pilot project's operational phase ran from May to September 2008. During this time, 18 vic-

tims of trafficking for forced labour were identified.

During the period under consideration, the main areas of origin of the referrals to the Poppy Project were Central and Eastern Europe, West and East Africa, and East Asia. Not all the referrals were subsequently identified as victims of human trafficking.



## The United Nations Global Plan of Action to Combat Trafficking in Persons

### Table of Inputs on First and Second Drafts 16 June 2010

*The General Assembly,*

<p>PP1. <i>Guided</i> by the purposes and principles of the Charter of the United Nations and <i>reaffirming</i> its role under the Charter, including on questions related to development, peace and security and human rights,</p>	<p><b>Malaysia:</b> <i>Guided</i> by the purposes and principles of the Charter of the United Nations <del>and reaffirming its role under the Charter, including on questions related to development, peace and security and human rights</del></p> <p><b>Holy See:</b> ... <del>and</del> human rights <u>and dignity</u></p>
<p>PP.2 <i>Reiterating</i> its strong condemnation of trafficking in persons, as it constitutes a serious threat to development, peace and security and human rights,</p>	<p><b>African Group:</b> <i>Reiterating</i> its strong condemnation of trafficking in persons, as it constitutes a serious threat to development, peace and security and human rights, <u>and that trafficking in human beings, within and between states, is a scourge which states are determined to address,</u></p> <p><b>PP.2bis</b> <i>Reiterating</i> its strong condemnation of the <u>scourge of trafficking in persons, especially of women and children, within and between States, as a serious threat to human rights and human development</u></p> <p><b>PP.2 ter</b> <i>Recognizing</i> that <u>poverty, unemployment and the search for improved socio-economic opportunities are contributing factors, making persons vulnerable to becoming victims of trafficking,</u></p> <p><b>Colombia:</b> <i>Reiterating</i> its strong condemnation of <u>trafficking in personstransnational organized crime, including trafficking in persons and the negative effects on -as it constitutes a serious threat to</u> development, peace and security and human rights</p> <p><b>Malaysia:</b> <i>Reiterating</i> its strong condemnation of trafficking in persons, <del>as it constitutes a serious threat to development, peace and security and human rights,</del></p> <p><b>Nicaragua:</b> <i>Reiterating</i> its strong condemnation of trafficking in persons, <u>a form of contemporary slavery,</u></p> <p><b>Holy See:</b> ... <del>and</del> human rights <u>and dignity</u></p> <p><b>Thailand:</b> delete</p>
<p>PP.3 <i>Recalling</i> the Millennium Declaration, adopted in September 2000, where Member States resolved to intensify efforts to “fight transnational crime in its entire dimension including trafficking as well as smuggling in human beings”,</p>	<p><b>African Group:</b> <b>PP.3 bis</b> <i>Recognising</i> that <u>trafficking in persons is a fast-growing criminal industry that requires effective international cooperation and collaboration in order to prevent and suppress trafficking in persons and punish the</u></p>



	<p><u>perpetrators.</u></p> <p><b>Colombia:</b> delete. Exceeds scope of resolution and is repetitive with PP2. Would support to bring in original OP112, resolution 60/1.</p>
<p>PP.4 <i>Reaffirming</i> the General Assembly Resolution 55/25 of 2000, adopting the United Nations Convention against Transnational Organized Crime and its supplementing Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, which builds on other related conventions and instruments such as ILO convention 29 and 182, Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery of 1956, the Convention on the Rights of the Child and its Optional Protocol on the sale of children, child prostitution and child pornography, and the Convention on the Elimination of All Forms of Discrimination against Women.</p>	<p><b>Belarus:</b> ...which builds on other related conventions and instruments such as ILO conventions 29 and 182...</p> <p><b>Canada:</b>...<del>and, which builds on</del> other related conventions</p> <p><b>IOM:</b> add International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families</p> <p><b>Japan:</b> <i>Add</i>, after “its supplementing Protocol to Prevent Suppress and Punish Trafficking in Persons, Especially Women and Children”, “(hereinafter “Trafficking in Persons Protocol”)”.</p> <p><b>Malaysia:</b> PP.4 <i>Reaffirming the</i> General Assembly Resolution 55/25 of 2000, adopting the United Nations Convention against Transnational Organized Crime and its supplementing Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, <del>which builds on other related conventions and instruments such as ILO convention 29 and 182, Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery of 1956, the Convention on the Rights of the Child and its Optional Protocol on the sale of children, child prostitution and child pornography, and the Convention on the Elimination of All Forms of Discrimination against Women,</del></p> <p><del>PP.5 Recognizing that the aforementioned United Nations Trafficking in Persons Protocol, which entered into and its entry into force on 25 December 2003, which provided for the first time an internationally agreed definition of the crime of trafficking in persons, aiming at the prevention of trafficking in persons, protection of its victims and prosecution of its culprits,</del></p> <p><b>Thailand:</b> Persons, Especially Women and Children, <del>and which builds on</del> other related...</p> <p><b>UNICEF:</b> add Optional Protocol on the Involvement of Children in Armed Conflict</p>
<p>PP.5 <i>Recognizing</i> that the aforementioned United Nations Trafficking in Persons Protocol, which entered into force on 25 December 2003, provided for the first time an internationally agreed definition of the crime of trafficking in persons, aiming at the prevention of trafficking in persons, protection of its victims and</p>	<p><b>African Group:</b> Redraft as follows: <i>Recognizing that the <u>United Nations Protocol to Prevent, Suppress and Punish Trafficking, Especially Women and Children aimed at the prevention of trafficking in persons, protection of its victims and prosecution of its culprits, provided for</u></i></p>

<p>prosecution of its culprits,</p>	<p><u>the first time an internationally agreed definition of the crime of trafficking in persons.</u></p> <p><b>Thailand:</b> ... crime of trafficking in persons, aiming at the prevention of trafficking in persons, protection of <del>trafficked</del> victims and prosecution of <del>traffickers</del></p> <p><b>Malaysia:</b> (see PP.4 above)</p> <p><b>Japan:</b> <i>Delete</i> “aforementioned United Nations”</p> <p><b>Norway:</b> Paragraph PP5bis <i>Recalling</i> the outcome of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime at its fourth session, held in Vienna from 8 to 17 October 2008, as well as the progress made by the Conference of the Parties to the United Nations Convention against Transnational Organized Crime open-ended interim Working Group on Trafficking in Persons during its meeting, held in Vienna on 14 and 15 April 2009. (taken from A/RES/64/178 pp4)</p> <p><b>UNAIDS:</b> ...crime of trafficking in persons, aiming at the prevention of trafficking in persons, protection of <del>trafficked persons</del> victims and prosecution of <del>perpetrators of trafficking</del> culprits,</p>
<p>PP.6 <i>Reaffirming</i> Commission on Human Rights resolution 2004/110, to appoint a Special Rapporteur on trafficking in persons, especially in women and children to highlight the importance of a victims’ rights-based approach to combating trafficking in persons, especially women and children and Human Rights Council resolution 6/14 of 2007 to appoint a Special Rapporteur on contemporary forms of slavery, including its causes and consequences,</p>	<p><b>Thailand:</b> delete</p> <p><b>USA:</b> add the Special Rapporteur on Sale of Children and the Special Representative on Violence Against Children</p>
<p>PP.7 <i>Recalling</i> the World Summit Outcome Document (par.111-112) of 2005 adopted by the General Assembly that (a) expresses the concerns of Member States at the negative effects on development, peace and security and human rights posed by trafficking in persons, (b) recognizes that trafficking in persons continues to pose a serious challenge to humanity and requires a concerted international response, and (c) urges all States to devise, enforce and strengthen effective measures to prevent, suppress and punish trafficking in persons and to protect victims,</p>	<p><b>African Group:</b> <i>Recalling</i> the World Summit Outcome Document (<del>para. 111-112</del>) of 2005 adopted by the General Assembly that recognizes <del>a) expresses the concerns of Member States at the negative effects on development, peace, security and human rights posed by trafficking in persons, b) recognizes that trafficking in persons continues to pose a serious challenge to humanity and requires a concerted international response, and c) urges all states to devise, enforce and strengthen effective measures to prevent, suppress and punish trafficking in persons and protect victims,</del> that trafficking in persons continues to pose a serious challenge to humanity and requires a concerted <u>global</u> response, <u>based on partnership and cooperation</u> and urges all states to devise, enforce and strengthen effective measures to prevent, suppress and punish trafficking in persons and to protect victims;</p> <p><b>Colombia:</b> suggests to keep the original language in paragraph 112 of the World Summit Document referred to here.</p>

Global Plan of Action to Combat Trafficking in Persons – Table of Inputs on First and Second Drafts

	<p><b>Thailand:</b> delete</p> <p><b>UNAIDS:</b> ...prevent, suppress and punish trafficking in persons and to protect <u>trafficked persons</u>.</p> <p><b>USA (8 June 2010):</b> US supports African Group’s change with an amendment. Before “global” add “national, regional and”.</p>
<p>PP.8 <i>Recalling</i> that pursuant to a request from Economic and Social Council resolution 2006/27 “Strengthening international cooperation in preventing and combating trafficking in persons and protecting victims of such trafficking”, reinforced by GA Resolution 61/180, the Inter-Agency Coordination Group against Trafficking in Persons was established to foster coordination and cooperation among relevant United Nations agencies and other international organizations involved in combating human trafficking,</p>	<p><b>Belarus:</b> ...reinforced by GA Resolution 61/180 "<u>Improving the coordination of efforts against trafficking in persons</u>" (20 December 2006),</p> <p><b>Norway:</b> Supporting <del>the role of</del> and cooperating with the Special Rapporteur on trafficking in persons, especially ... [This change would put the emphasis on actual cooperation with the SP and not just tacit support of the role.]</p>
<p>PP.9 <i>Recognizing</i> that the launch of UN.GIFT by the United Nations Office on Drugs and Crime in partnership with International Labor Organization, Office of the High Commissioner for Human Rights, United Nations Children’s Fund, Organization for Security and Cooperation in Europe and International Organization for Migration, in March 2007, and the Vienna Forum of 13-15 February 2008, provided all anti-trafficking actors including the United Nations, governments and civil society organizations a global forum to share respective experiences and further highlighted the need to collectively address human trafficking in a multi-faceted and holistic manner,</p>	<p><b>OHCHR:</b> <i>Recognizing</i> that the launch of UN.GIFT by <u>a partnership of UN agencies and IGOs, including</u> the United Nations Office on Drugs and Crime <del>in partnership with</del> International...</p> <p><b>IOM:</b> ...provided <del>all</del> anti-trafficking actors including the United Nations...</p>
<p>PP.10 <i>Recalling</i> the General Assembly Thematic Debate on Human Trafficking of 3 June 2008 giving Member States a framework for discussion concentrating on the “three P’s” (prevention, protection and prosecution), and the General Assembly Interactive Thematic Dialogue on "Taking Collective Action to End Human Trafficking" held on 13 May 2009,</p>	<p><b>Belarus:</b> ...held on 13 May 2009 <u>which underlined the importance of strengthening collective action by Member States and other stakeholders, including regional and international organizations, NGOs, the private sector and media,</u></p>
<p>PP.11 <i>Recalling</i> all General Assembly resolutions on measures to eliminate trafficking in persons, including the aforementioned resolution 63/194 and resolutions 64/178 on “Improving the coordination of efforts against trafficking in persons” (18 December 2009) and 61/180 also on “Improving the coordination of efforts against trafficking in persons” (20 December 2006), 61/144 on “Trafficking in women and girls” (19 December 2006), and 58/137 on “Strengthening international cooperation in preventing and combating trafficking in persons and protecting victims of such trafficking” (22 December 2003),</p>	<p><b>Belarus:</b> ...<del>613/18094</del> and resolutions 64/178 on "Improving the coordination of efforts against trafficking in persons" (18 December 2009) and <del>634/19480</del> also on "Improving the coordination of efforts against trafficking in persons" (<del>1820</del> December 2008<del>6</del>),</p> <p><b>Thailand:</b> <i>Recalling</i> all General Assembly resolutions on measures <u>improve the coordination of efforts and strengthen international cooperation to combat and</u><del>to</del> eliminate trafficking in persons, <u>and in this regard, recognizing that trafficking in persons continues to post a serious challenge to humanity and requires a concerted international response based on a victim-centered approach—including the aforementioned resolution 63/194 and resolutions 64/178 on “Improving the coordination of efforts</u></p>

	<p><del>against trafficking in persons” (18 December 2009) and 61/180 also on “Improving the coordination of efforts against trafficking in persons” (20 December 2006), 61/144 on “Trafficking in women and girls” (19 December 2006), and 58/137 on “Strengthening international cooperation in preventing and combating trafficking in persons and protecting victims of such trafficking” (22 December 2003),</del></p> <p><b>USA (8 June 2010):</b> US supports Thailand’s amendment.</p>
<p>PP.12 <i>Noting</i> the relevant decisions adopted at the Conference of the Parties to the United Nations Convention against Transnational Organized Crime: Decision 1/5, Decision 2/3 and Decision 3/3, on the implementation of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children,</p>	<p><b>Thailand:</b> delete</p> <p><b>USA:</b> Replace “<i>Noting</i>” with “<i>Recognizing</i>” to reinforce the primacy of the Conference of Parties to the Transnational Organized Crime Convention</p> <p><b>USA (8 June 2010):</b> US urges retaining the paragraph as well as our original amendment.</p>
<p>PP.13 <i>Considering</i> relevant regional mechanisms and initiatives, such as the Asia-Europe Meeting Action Plan to Combat against Trafficking in Persons, Especially Women and Children; ASEAN Declaration against Trafficking in Persons, Particularly Women and Children; Black Sea Economic Cooperation Organization Action Plan on Cooperation in Combating Crime; Coordinated Mekong Ministerial Initiative against Trafficking; Economic Community of West African States Declaration on the Fight against Trafficking in Persons; Ouagadougou Action Plan to Combat Trafficking in Human Beings, Especially Women and Children; Council of Europe Convention on Action against Trafficking in Human Beings; OSCE Action Plan to Combat Trafficking in Human Beings; Plan of Action of the Regional Conference on Migration (the Puebla Process multilateral regional forum of all Central and North American countries and the Dominican Republic); Stability Pact for South-Eastern Europe Task Force on Trafficking in Human Beings, in Particular in its Organized Forms,</p>	<p><b>African Group:</b> <i>Considering</i> <del>Recalling</del> relevant regional mechanisms and initiatives, such as ... Economic Community of West African States Declaration on the Fight against Trafficking in Persons; <u>ECOWAS/ECCAS Joint Plan of Action to combat Trafficking in Persons, Especially Women and Children</u>, Ouagadougou Action Plan to Combat Trafficking in Human Beings; ... Stability Pact for South-Eastern Europe Task force on Trafficking in Human Beings, in Particular in its Organized Forms, <u>as well as all other relevant national initiatives</u>;</p> <p><b>Canada:</b> Add a reference to the OAS, most notably the 1<sup>st</sup> and 2<sup>nd</sup> meetings of national authorities on TiP and the development of OAS workplan to combat TiP.</p> <p><b>Colombia:</b> would prefer a general formulation instead of listings. If facilitators insist on listing, Colombia would ask to mention the Anti Trafficking in Persons section of the Organization of American States.</p> <p>Colombia would prefer a shorter formulation as follows:  <u>Recognizing the importance of initiatives and mechanisms with a regional perspective and its value in promoting and enhancing sharing of experiences, technical assistance, cooperation and mutual legal assistance.</u></p> <p>New para 13bis:  <u>Reaffirming that effective action to prevent and combat trafficking in persons, especially women and children, requires a comprehensive international approach in the countries of origin, transit and destination that includes measures to prevent such trafficking, to punish the traffickers and protect the victims of such trafficking, including by protecting</u></p>

	<p><u>their internationally recognized human rights.</u></p> <p><b>Indonesia:</b> Add reference to Bali Process in list. After “...in Particular in its Organized Forms,” add “cognizant of the fact that these initiatives have complemented and strengthened bilateral cooperation in various regions as consequence. These initiatives also demonstrated the political will that exist in the regions to work together to combat trafficking in persons and other transnational crimes, while acknowledging each region possess its own characteristics of menace. Inviting States to further build on existing regional agreements, mechanisms, and efforts as to strengthen a network of anti-trafficking in persons.”</p> <p><b>Indonesia (8 June 2010):</b> After Indonesia’s previously suggested language (see above), add “..in accordance with the protocol to prevent, suppress and punish trafficking in persons, especially women and children, supplementing the united nations convention against transnational organized crime.”</p> <p><b>IOM:</b> add The South Asian Association for Regional Cooperation (SAARC) Convention on Prevention and Combating the Trafficking in Women and Children for Prostitution (2002) and a regional plan of action to strengthen their cooperation.</p> <p><b>Nicaragua:</b> ... (the Puebla Process multilateral regional forum of all Central and North American countries and the Dominican Republic); <u>Central American Coalition against trafficking in persons</u> Stability Pact for South-Eastern Europe Task Force on Trafficking in Human Beings, in Particular in its Organized Forms,</p> <p><b>Thailand:</b> <i>Considering</i> relevant <u>sub-regional</u> regional <u>and cross-regional</u> mechanisms and initiatives, such as the Asia-Europe Meeting Action Plan to Combat against Trafficking in Persons, Especially Women and Children; ASEAN Declaration against Trafficking in Persons, Particularly Women and Children; <u>the Bali Process</u>;</p> <p><b>UNICEF:</b> Recommend consideration of other regional efforts for inclusion such as EU legislation and initiatives (See: the Stockholm Programme and new Action Plan, The Stability Pact Task Force on Trafficking in Human Beings for South Eastern Europe is not operational any more. It was closed in November 2004.<sup>1</sup>)</p> <p><b>USA (8 June 2010):</b> US proposes a modification to the Colombian and Indonesian amendments as follows:  <u>“Recognizing the importance of initiatives and</u></p>
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<sup>1</sup> See also [http://ec.europa.eu/justice\\_home/fsj/crime/trafficking/fsj\\_crime\\_human\\_trafficking\\_en.htm](http://ec.europa.eu/justice_home/fsj/crime/trafficking/fsj_crime_human_trafficking_en.htm)

	<p>mechanisms with a regional perspective and its value in promoting and enhancing sharing of experiences, technical assistance, cooperation and mutual legal assistance, cognizant of the fact that these initiatives have complemented and strengthened bilateral cooperation in various regions as a consequence. These initiatives also demonstrated the political will that exists in the regions to work together to combat trafficking in persons and other transnational crimes, while acknowledging that each region poses its own characteristics of the threat. Inviting States to further build on existing regional agreements, mechanisms and efforts to strengthen to anti-trafficking measures.”</p>
<p>PP.14 <i>Recognizing</i> the need to develop a global plan of action against trafficking in persons that will</p> <ul style="list-style-type: none"> <li>• promote universal ratification of the UN Convention against Transnational Organized Crime and its Trafficking Protocol as well as other relevant international instruments that address trafficking in persons,</li> <li>• reinforce the implementation of existing instruments against trafficking in persons,</li> <li>• help Member States to reinforce their commitments to prevent and combat trafficking in persons</li> <li>• promote comprehensive, coordinated and consistent responses, at the national, regional and international levels, to counter trafficking in persons,</li> <li>• promote a human rights based approach necessary to prevent trafficking in persons, protect its victims and prosecute its offenders</li> <li>• raise awareness within the UN system and also among States and other stakeholders such as the business sector, civil society and the international mass media and the public at large,</li> <li>• foster cooperation and coordination among all relevant stakeholders including Member States, international organizations, civil society organizations and the private sector,</li> </ul> <p>1. Adopts the present resolution and its annex as the United Nations Global Plan of Action to Combat Trafficking in Persons (“the Plan of Action”), and</p> <p>2. Decides, without prejudice to the continuation of the discussion at its relevant committees of all their agenda items related to trafficking in persons to undertake the following steps for the effective follow-up of the Plan of Action:</p> <ul style="list-style-type: none"> <li>(a) To launch the Plan of Action during the sixty-fourth session;</li> <li>(b) To encourage Member States, the United Nations and other international, regional and sub-regional organizations to support the implementation of the Plan of Action, including through</li> </ul>	<p><b>African Group:</b> delete PP14</p> <p>OP1:</p> <p><u>Adopts the present resolution and its annex as the United Nations Global Plan of Action to Combat Trafficking in Persons (hereinafter referred to as “the Plan of Action”) and launches the Plan of Action during the sixty-fourth session of the General Assembly.</u></p> <p>OP Ibis</p> <p><u>Decides that the objectives of the United Nations Plan of Action on Trafficking in Persons shall be:</u></p> <ul style="list-style-type: none"> <li>• <u>To promote universal ratification of the UN Convention against Transnational Organized Crime and its Trafficking Protocol as well as other relevant international instruments that address trafficking in persons.</u></li> <li>• <u>To reinforce international and regional cooperation in accordance with the relevant provisions of the UNCTO and its protocol and provide technical assistance for an effective implementation of these instruments</u></li> <li>• <u>To enhance capacity building for those States in need and to this end create a Trust Fund for the implementation of the Global Plan of Action.</u></li> <li>• <u>To assist Member States to reinforce their commitments to prevent and combat trafficking in persons.</u></li> <li>• <u>To promote comprehensive, coordinated and consistent responses, at the national, regional and international levels, to counter trafficking in persons.</u></li> <li>• <u>To promote a human rights based approach necessary to prevent trafficking in persons, protect its victims and prosecute its culprits.</u></li> </ul>



<p>mobilizing resources and expertise;</p> <p>(c) To further encourage civil society including non-governmental organizations and the private sector to engage, as appropriate, on how to enhance efforts to implement the Plan of Action;</p> <p>(d) To invite the Secretary-General to report annually to the General Assembly on the implementation of the Plan of Action,</p>	<ul style="list-style-type: none"> <li>• <u>To raise awareness within the UN system and also among States and other stakeholders such as the business sector, civil society and the international mass media and the public at large.</u></li> <li>• <u>To foster cooperation and coordination among all relevant stakeholders including Member States, international organizations, civil society organizations and the private sector.</u></li> </ul> <p>OP.2 <u>Further decides</u>, without prejudice to the continuation...</p> <p><del>(a) To launch the Plan of Action during the sixty-fourth session;</del></p> <p>(d) To <del>invite</del> request the Secretary-General to report annually to the General Assembly on the implementation of the Plan of Action.</p> <p><b>d bis)</b> <u>To encourage States to include in their periodic reporting to relevant United Nations bodies the challenges faced and progress made in the fight against trafficking in persons</u></p> <p><b>d ter)</b> <u>To further request the Secretary-General to present proposals regarding developing a monitoring mechanism for the implementation of the Plan of Action in his report to the sixty-fifth session of the General Assembly, to be considered and adopted by the General Assembly</u></p> <p><b>Belarus:</b> (b) To encourage Member States, the United Nations and other international, regional and sub-regional organizations, <u>including through interaction within Inter-Agency Coordination Group</u> to support...</p> <p><b>Canada:</b> Replace bullets with a, b, c, etc.</p> <p>Bullet 6: ...within the UN system and also among States and other stakeholders such as the <u>privatebusiness</u> sector, civil society and the international mass media</p> <p>OP2(c): add a reference to the media</p> <p><b>Colombia:</b> delete PP14 Paragraph 1: Some of the following elements could be included:</p> <ul style="list-style-type: none"> <li>• Promote universal ratification and effective implementation of the Trafficking Protocol supplementing UNTOC;</li> <li>• Encourage the adoption of a</li> </ul>
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	<p>comprehensive, balanced and human rights based international approach that emphasizes protection and assistance to the victims;</p> <ul style="list-style-type: none"> <li>• Promote international cooperation and mutual legal assistance, including at national and regional levels;</li> <li>• Raise national and international awareness to the seriousness of the crime and the risks for victims;</li> <li>• Foster coordination of efforts and the strengthening of synergies between competent entities of the UN system and other relevant stakeholders;</li> </ul> <p>Paragraph 2: delete</p> <p><b>EU:</b> replace OP2(d) with:  <u>Urges those Member States of the United Nations that have not yet done so to ratify or accede as soon as possible to the United Nations Convention against Transnational Organized Crime and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, considering the central role of these instruments in the Plan of Action.</u></p> <p><b>Indonesia:</b> Paragraph 2(d) requires the Secretary-General to report annually about its implementation, yet many of the paragraphs contained in the draft plan of action do lack specificities and thus would render the work of the Secretariat more complex in gauging with exactness the progress of its implementation.</p> <p><b>IOM:</b> Bullet 2</p> <ul style="list-style-type: none"> <li>• reinforce the implementation of existing instruments against trafficking in persons <u>and related human rights violations.</u></li> </ul> <p><b>Japan:</b>          Bullet 1.  <i>Add,</i> after “promote universal ratification” in line 1, “acceptance, approval or accession”.  <i>Add,</i> after “and its Trafficking” in line 2, “in Persons”.          (rationale) Article 16 of the Trafficking in Persons Protocol</p> <p>OP2(b).  <i>Delete</i> “, including through mobilizing resource and expertise”          (rationale) To be submitted if necessary.</p> <p>OP2(d).  <i>Delete</i> whole paragraph.          (rationale) To be submitted if necessary.</p> <p><b>Malaysia:</b>          bullet 5: ...promote a <u>human rights-based-balanced approach, which recognizes the development,</u></p>
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	<p><u>human rights and criminal justice perspectives</u>                  necessary to prevent trafficking in persons, protect its victims and prosecute its culprit,</p> <ul style="list-style-type: none"> <li>a) To launch the Plan of Action during the sixty-fourth session; <u>To examine in three years progress made in implementation of the Strategy;</u></li> <li>b) To encourage Member States, the United Nations and other international, regional and sub-regional organizations to support the implementation of the Plan of Action, including through mobilizing resources and expertise;</li> <li>c) To further encourage civil society including non-governmental organizations and the private sector to engage, as appropriate, on how to enhance efforts to implement the Plan of Action;</li> <li>d) To invite the Secretary-General <del>to report annually to the General Assembly on the implementation of the Plan of Action to contribute to future deliberations of the General Assembly on the review of the implementation of the Strategy;</del></li> </ul> <p><b>Singapore:</b> Recognising the need to develop a global plan of action against trafficking in persons that will ... reinforce the implementation of existing instruments against trafficking in persons <u>by State Parties</u></p> <p><b>Switzerland:</b> In OP 2, you probably mean in fact the relevant GA <u>Main</u> Committees (i.e. the 3.Com and 6.Com) when you speak of “its relevant Committees”. We note in OP 2 b that “to support the implementation of the Plan of Action, <i>including through mobilizing resources...</i>” implies that the financing of the GPoA through the UN general budget won’t suffice to implement the GPoA and thus voluntary contributions by States would be needed                  Include a reference to <u>existing best practices and lessons learnt</u> in PP.14.</p> <p><b>Thailand:</b> <i>Recognizing</i> the need to develop a global plan of action against trafficking in persons that will  <del>□ promote universal ratification of the UN Convention against Transnational Organized Crime and its Trafficking Protocol as well as other relevant international instruments that address trafficking in persons;</del>  <del>□ reinforce the implementation of existing instruments against trafficking in persons;</del>  <del>□ help Member States to reinforce their commitments to prevent and combat trafficking in persons</del>  <del>□ promote comprehensive, coordinated and consistent responses, at the national, regional and international levels, to counter trafficking in</del></p>
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	<p>persons;</p> <p><del>□ promote a human rights based approach necessary to prevent trafficking in persons, protect its victims and prosecute its culprits</del></p> <p><del>□ raise awareness within the UN system and also among States and other stakeholders such as the business sector, civil society and the international mass media and the public at large,</del></p> <p>foster cooperation and coordination among all relevant stakeholders including Member States, international...</p> <p><del>Decides, without prejudice to the continuation of the discussion at its relevant committees of all their agenda items related to trafficking in persons to undertake the following steps for the effective follow-up of the Plan of Action:</del></p> <p><del>(a) To launch the Plan of Action during the sixty-fourth session;</del></p> <p><del>(b) To encourage Member States, the United Nations and other international, regional and sub-regional organizations to support the implementation of the Plan of Action, including through mobilizing resources and expertise;</del></p> <p><del>(c) To further encourage civil society including non-governmental organizations and the private sector to engage, as appropriate, on how to enhance efforts to implement the Plan of Action;</del></p> <p><del>¶ To invite the Secretary-General to report annually to the General Assembly on the implementation of the Plan of Action</del></p> <p><b>UNICEF:</b> Recommend consideration for rewording under first and second bullet points: "... as well as other international <u>human rights standards and</u> instruments that address trafficking in persons..."; "... implementation of existing <u>human rights standards and</u> instruments against trafficking in persons..."</p> <p><b>USA:</b> Delete "Recognizing the need to develop a global plan of action against trafficking in persons that will" and replace with "Recognizing the need to promote universal ratification and implementation of the UN Convention against Transnational Organized Crime and its Trafficking Protocol, a global plan of action could,"</p> <ul style="list-style-type: none"> <li>• delete the first 2 bullets</li> <li>• 3rd bullet: delete "help" and replace with "encourage"</li> </ul> <p>OP 2 (b): Delete "to support the implementation of the Plan of Action, including through mobilizing resources and expertise." And replace with "to take appropriate steps for the further implementation of the Trafficking in Persons Protocol."</p> <p>OP 2 (c): Delete "on how to enhance efforts to implement the Plan of Action" and replace with "on how to enhance efforts to implement the Trafficking in Persons Protocol".</p>
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	<p>OP 2 (d): Delete paragraph.</p> <p><b>USA (8 June 2010):</b> US continues to advocate its original position on this in the current text.</p>
<p><b>ANNEX: PLAN OF ACTION</b>                  We, the States Members of the United Nations, reaffirm our commitments and decide to translate our political will into intensified efforts and concrete actions to prevent and combat trafficking in persons, protect and assist victims of trafficking, prosecute crimes of trafficking in persons and to promote partnerships to strengthen coordination and cooperation against trafficking in persons by:</p>	<p><b>New Facilitators’ Proposal (3 June 2010):</b>                  We the States Members of the United Nations, determined to put to an end to the heinous crime of trafficking in persons, especially women and children, and determined to prevent and combat trafficking in persons, protect and assist victims of trafficking, prosecute crimes of trafficking in persons and promote partnerships to strengthen coordination and cooperation, resolve to translate our political will into concrete actions by adopting a an action plan to:<sup>2</sup></p> <p><b>African Group:</b> Redraft as follows:  <u>We, the States Members of the United Nations, determined to put the heinous crime of trafficking in persons, especially women and children, have resolved to translate our political will into concrete actions by adopting the following Plan of Action:</u></p> <p><b>Belarus:</b> ...partnerships <u>with all stakeholders</u> to strengthen coordination and cooperation against trafficking in persons <u>with the aim to put an end to this shameful crime</u> by:</p> <p><b>Colombia:</b> We, the States Members of the United Nations, reaffirm our commitments <del>and decide to translate our political will into intensified efforts and concrete actions</del> to prevent and combat trafficking in persons, protect and assist victims of trafficking, prosecute <del>the crimes</del> of trafficking in persons and <del>resolve to promote partnerships to strengthen coordination and cooperation against trafficking in persons by:</del></p> <p><b>Switzerland:</b> In the first line of the annexed GPoA, we should not only reaffirm our political commitments to prevent and combat trafficking in persons but also our legal obligations to do so.</p> <p><b>Switzerland (9 June 2010):</b> Amend your introductory para : “ We, the States members of the UN, reaffirm <u>ing our legal obligations and political</u> commitment, decide to translate our political will into..” (since States have not only a political commitment but legal obligations on the national level and many of them on the international level to combat TIP)</p> <p><b>Thailand:</b> We, the <del>States</del>-Members <u>States</u> of the United Nations, reaffirm our commitments <u>and political will</u> and decide to <del>translate our political</del></p>

<sup>2</sup> Since the wording of the Facilitators’ proposed chapeau has been changed, the operative verb(s) of each subsequent paragraph have also been changed accordingly. For example, the operative verb of OP1 has been changed from “condemning” to “condemn”.

	<p><del>will into</del><a href="#">support our</a> intensified efforts and concrete actions to prevent and combat trafficking in persons, protect and assist victims of trafficking <del>and</del>, prosecute crimes of trafficking in persons <a href="#">by strengthening the UN system in its anti-trafficking work and promoting</a><del>and to promote</del> partnerships to strengthen coordination and cooperation against trafficking in persons. <a href="#">In this regard, we undertake to do the following</a></p>
<p>1. Consistently, unequivocally and strongly condemning trafficking in persons, as it constitutes a serious threat to development, peace and security, and human rights;</p>	<p><b>Facilitators’ Proposal:</b> Consistently and strongly condemn trafficking in persons, as it constitutes a criminal activity violating human dignity and has negative effects on development, peace and security, and human rights;</p> <p><b>African Group:</b> <a href="#">To universally condemn trafficking in all its forms and manifestations.</a></p> <p><b>Colombia:</b> Consistently, unequivocally and strongly condemning trafficking in persons; <del>[as it poses] OR [and its] negative effects constitutes a serious threat to</del> development, peace and security, and human rights New Paragraph 1bis: <a href="#">Recognize that trafficking in persons for the purpose of exploitation includes, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs as set forth in the Trafficking Protocol supplementing UNTOC.</a></p> <p><b>EU:</b> Consistently, <del>unequivocally</del> and strongly condemning trafficking in persons, as it constitutes a <a href="#">criminal activity and serious threat has negative effects on</a> development, peace and security, and human rights;</p> <p><b>Holy See:</b> ...and human rights <a href="#">and dignity</a></p> <p><b>Japan:</b> <i>Change</i> “development, peace and security, and human rights” to “development, peace and security, <a href="#">human security</a> and human rights” (rationale) Trafficking in Persons is a threat to human security. There are projects funded through the United Nations Trust Fund for Human Security which aim at providing assistance to the victims of trafficking in persons.</p> <p><b>Switzerland (9 June 2010):</b> We support the EU proposal (NB. the protection of human rights follows from human dignity, which is a moral concept)</p> <p><b>Thailand:</b> delete</p> <p><b>USA (8 June 2010):</b> US supports EU and Holy See amendments.</p>

<p>2. Ensuring that the promotion and protection of the human rights of trafficked persons are at the centre of all efforts to prevent and combat trafficking in persons.</p>	<p><b>Facilitators’ Proposal:</b> Ensure that the human rights of trafficked persons are at the centre of all efforts to prevent and combat trafficking in persons and to protect, assist and provide redress to victims.</p> <p><b>African Group:</b> <u>To promote a Human Rights-based approach to addressing trafficking;</u></p> <p><b>Canada:</b> Ensuring that <del>the promotion and protection of</del> the human rights of trafficked persons are at the centre of all efforts to prevent and combat trafficking in persons <u>and to protect, assist and provide redress to victims.</u></p> <p><b>China:</b> Ensuring that the <del>promotion and protection of the human rights of</del> trafficked persons <u>severe punishment to traffickers, decrease and elimination of trafficking in persons as a crime</u> are at the centre of all efforts to prevent and combat trafficking in persons.</p> <p><b>EU:</b> Switch order of paragraph 2 and 3 New paragraph 2: Taking urgent action to prevent trafficking in persons, protect its victims and prosecute its <u>culprits offenders</u> and strengthen partnership...</p> <p><b>Holy See:</b> ...and human rights <u>and dignity</u></p> <p><b>Malaysia:</b> Ensuring that the promotion and protection of the human rights of trafficked persons, <u>preventing trafficking in persons through addressing its root causes and contributing factors, such as poverty, underdevelopment, and marginalisation, and strengthening the criminal justice response</u> are at the centre of all efforts to prevent and combat trafficking in persons</p> <p><b>Switzerland (9 June 2010):</b> We support the Facilitators proposal</p> <p><b>Thailand:</b> delete</p> <p><b>USA (8 June 2010):</b> US supports EU and Holy See amendments.</p>
<p>3. Taking urgent action to prevent trafficking in persons, protect its victims and prosecute its culprits and strengthen partnership to these ends by promoting and attaining universal ratification and effective implementation of the United Nations Convention against Transnational Organized Crime and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children as well as other relevant international instruments, including ILO convention 29 and 182,</p>	<p><b>Facilitators’ Proposal:</b> Take urgent action to prevent trafficking in persons, protect its victims and prosecute its offenders and strengthen partnership to these ends by promoting and attaining universal ratification and effective implementation of the United Nations Convention against Transnational Organized Crime (hereinafter “UNTOC”) and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (hereinafter “the Trafficking Protocol”) as well as other relevant international</p>

<p>Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery of 1956, the Convention on the Rights of the Child and its Optional Protocol on the sale of children, child prostitution and child pornography, and the Convention on the Elimination of All Forms of Discrimination against Women;</p>	<p>instruments, including ILO convention 29 on Forced Labour; ILO Convention 182 on the Worst Forms of Child Labour; Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery of 1956; the Convention on the Rights of the Child; its Optional Protocol on the sale of children, child prostitution and child pornography; its Optional Protocol on the involvement of children in armed conflict; and the Convention on the Elimination of All Forms of Discrimination against Women;<sup>3</sup></p> <p>New Paragraph 3bis And specifically consider as a priority, for those countries that have not done so, ratifying by 2012 UNTOC and the Trafficking Protocol;</p> <p><b>African Group:</b> <u>To take urgent action to prevent trafficking in persons, protect its victims and prosecute its culprits and strengthen partnership to these ends by promoting and attaining universal ratification and effective implementation of the United Nations Convention against Transnational Organized Crime and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children as well as other relevant international instruments, including ILO convention 29 and 182, Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery of 1956, the Convention on the rights of the Child and its Optional Protocol on the sale of children, child prostitution and child pornography, and the Convention on the Elimination of All forms of Discrimination against Women;</u></p> <ul style="list-style-type: none"> <li>a) <u>To address the root causes of trafficking, including poverty, insecurity, underdevelopment, conflict, discrimination and exclusion, violence against women, as well as an increased demand for sex trade and sex tourism.</u></li> <li>b) <u>To reiterate commitment to existing international, regional, sub-regional and national instruments and initiatives on trafficking;</u></li> <li>c) <u>To ensure effective coordination and coherence among the various instruments and actors;</u></li> <li>d) <u>To achieve the objectives of Prevention, Protection, Prosecution and Partnership in the fight against trafficking;</u></li> <li>e) <u>To address the demand-and-supply aspect of trafficking;</u></li> <li>f) <u>To address in particular the vulnerability of women and children;</u></li> </ul>
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<sup>3</sup> In order to streamline the text of the Plan of Action, the first mentions of the UNTOC and the Trafficking Protocol in this paragraph have included the full name of each instrument, but in subsequent paragraphs, they are simply referred to as “UNTOC” and the “Trafficking Protocol” as indicated.



	<p>g) <u>To identify and promote the role of civil society, especially in awareness-raising and the provision of relevant services for victims.</u></p> <p>h) <u>To strengthen regional and international cooperation.</u></p> <p>i) <u>To assist member-states to share best practices and secure technical and other assistance for implementing the various instruments and initiatives on trafficking.</u></p> <p>j) <u>To establish a Trust Fund to compensate victims of trafficking;</u></p> <p>k) <u>To establish the primary responsibility of national governments to take local action to fight trafficking</u></p> <p><b>Canada:</b> Delete first two lines and begin OP3 with ... Ratifying and effectively implementing the United Nations Convention against Transnational Organized Crime and its Protocol to Prevent,...</p> <p><b>Colombia:</b> full stop after Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children.</p> <p><b>EU:</b> Switch order of paragraph 2 and 3</p> <p>Paragraph 3 bis  <u>Taking prompt action, in the case of Member States that have not yet done so, to ratify or accede to the United Nations Convention against Transnational Organized Crime and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children and to fully implement all its provisions, notably the criminalization of human trafficking in all its forms as defined in article 3 of the said protocol.</u></p> <p><b>Indonesia:</b> Taking <u>continuously</u> urgent action...</p> <p><b>ILO:</b> add the full title of both Conventions "ILO Convention 29 on Forced Labour" and "ILO Convention 182 on the Worst Forms of Child Labour"</p> <p><b>IOM:</b> add International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families</p> <p><b>Japan:</b> <i>Add</i>, after "universal ratification", "acceptance, approval or accession". (rationale) Article 16 of the Trafficking in Persons Protocol</p> <p><b>Japan (8 June 2010):</b> Delete "by 2012" in 3bis.</p> <p><b>Malaysia:</b> <b>To split the paragraph into two as follows:</b>  Taking urgent action to prevent trafficking in</p>
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	<p>persons, protect its victims and prosecute its culprits and strengthen partnership to these ends by promoting and attaining universal ratification and effective implementation of the United Nations Convention against Transnational Organized Crime and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children <del>as well as other relevant international instruments, including ILO convention 29 and 182, Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery of 1956, the Convention on the Rights of the Child and its Optional Protocol on the sale of children, child prostitution and child pornography, and the Convention on the Elimination of All Forms of Discrimination against Women;</del></p> <p>Promote universal ratification and implementation of other relevant international legal instruments related to trafficking in persons such as ILO convention 29 and 182, Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery of 1956, the Convention on the Rights of the Child and its Optional Protocol on the sale of children, child prostitution and child pornography, and the Convention on the Elimination of All Forms of Discrimination against Women;</p> <p><b>Norway:</b> <del>Taking urgent action to prevent trafficking in persons, protect its victims and prosecute its culprits and strengthen partnership to these ends by</del> promoting and attaining, <b>as a matter of priority</b>, universal ratification and effective implementation of the United Nations Convention... (continues to the end unchanged)          [NOTE: The purpose of this change is to highlight the centrality of the legal framework to combat trafficking, while removing the repetition of prevention, protection and prosecution already outlined in the chapeau of the plan.]</p> <p><b>Singapore:</b> Taking urgent action to prevent trafficking in persons, protect its victims and prosecute its culprits and strengthen partnership to these ends by <del>promoting and attaining</del> <b>taking efforts to promote</b> universal ratification...</p> <p><b>Thailand:</b> delete</p> <p><b>UNICEF:</b> add Optional Protocol on the Involvement of Children in Armed Conflict (remove this reference) and International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families</p> <p><b>UNAIDS:</b> Taking urgent action to prevent trafficking in persons, protect <del>trafficked persons</del> <b>victims</b> and prosecute <del>traffickers</del> <b>culprits</b> and strengthen partnership...</p>
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	<p><b>USA:</b> After “promoting and..” add “consider, as a priority, signing and ratifying by 2012” delete “attaining universal ratification” and change “effective implementation” to “effectively implementing...” Delete the list of international documents and add “as applicable” after “international instruments.”</p> <p><b>USA (8 June 2010):</b> US continues to advocate its position on this in the current text.</p> <p>The US does not support UNAIDS’ proposal to delete “victims” and replace with “trafficked persons” here and throughout the document. “Victims of trafficking” is used in the TIP Protocol and generally in TIP UNGA resolutions. In countries in compliance with the TIP Protocol, trafficked persons are victims of crime and should be treated as such.</p>
<p>4. Recognizing the role of the Conference of the Parties to the Convention, established in accordance with Art. 32 of the UNTOC, to improve the capacity of States Parties to promote and review the implementation of the Convention, including the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children;</p>	<p><b>Facilitators’ Proposal:</b> Recognize that, in accordance with Art.32 of UNTOC, the Conference of Parties to the Convention is established to improve the capacity of States Parties to promote and review the implementation of the Convention, including the Trafficking Protocol;</p> <p><b>African Group:</b> <del>Recognizing To Recognize</del> the role of the Conference of Parties to the Convention, established...</p> <p><b>Canada:</b> Recognizing the <u>primary</u> role of the Conference of Parties to the Convention <u>against Transnational Organized Crime</u>, established in accordance with Art. 32 of the UNTOC, to improve the capacity of States Parties to promote and review the implementation of the Convention, including the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children</p> <p><b>EU:</b> Recognizing <u>and supporting</u> the role of the Conference of Parties <del>to the Convention</del>, established in accordance with Art. 32 of the UNTOC, to improve the capacity of States Parties to promote and review the implementation of the Convention, <u>and its additional protocols including the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children</u></p> <p><b>Japan:</b> <i>Change</i> “the Conference of Parties to the Convention” to “the Conference of <u>the</u> Parties to the Convention”.</p> <p><b>Thailand:</b> delete</p> <p><b>USA:</b> Delete “Recognizing the role of the Conference of Parties to the Convention established</p>

	<p>in accordance with Art.32 of the UNTOC” and replace with “Reaffirming that, in accordance with Art.32 of the UNTOC, the Conference of Parties to the Convention is established...”</p> <p><b>USA (8 June 2010):</b> US supports the Canadian proposal or our original amendment.</p>
<p>5. Supporting the establishment of a review mechanism to monitor the implementation of the United Nations Convention against Transnational Organized Crime and its Protocols;</p>	<p><b>Facilitators’ Proposal:</b> Encourage the Conference of the Parties to the UNTOC Convention to establish an appropriate and effective review mechanism to monitor the implementation of the Convention and Protocols thereto;</p> <p><b>African Group:</b> <del>Supporting</del> <u>To support</u> the establishment of a review mechanism...</p> <p><b>Belarus:</b> Supporting the establishment of a review mechanism to monitor the implementation of the United Nations Convention against Transnational Organized Crime and its <u>Protocols to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children</u></p> <p><b>Canada:</b> replace OP5 with... Encouraging the Conference of the Parties to the UNTOC Convention to continue its efforts in exploring options regarding an appropriate and effective mechanism to assist the Conference in the review of implementation of the Convention and Protocols thereto.</p> <p><b>China:</b> delete</p> <p><b>Colombia:</b> delete</p> <p><b>EU:</b> Supporting the establishment, <u>through the UNTOC Conference of the Parties</u>, of <u>an effective review mechanism to monitor the implementation of the <del>United Nations Convention against Transnational Organized Crime and its Protocols</del> UNTOC and its additional protocols</u></p> <p><b>EU (11 June 2010):</b> The EU is pleased to see the reference to the Conference of the Parties and accepts the Co-facilitators' proposed wording. The EU has a query in relation to paragraph 5 and would be grateful if the Co-facilitators' could please confirm if the establishment of an effective review mechanism will give rise to a PBI?</p> <p><b>Indonesia:</b> merge with paragraph 4 as it contains the same idea. In paragraph 4, it is rightly so mentioned that the CoP of UNTOC plays an important role in reviewing the implementation of the UNTOC. This is echoed by the formulation of paragraph 5.</p> <p><b>Indonesia (8 June 2010):</b> To integrate OP 5 and OP</p>

	<p>4 as they both reflect the importance of a review mechanism, with the central role of COP UNCTOC, and suggest the addition of the following language:  <del>“..and also looking forward to the consideration of the conference of state parties to the UN Convention against TOC on the recommendations and outcomes of the pilot review programme of the UNCTOC.”</del></p> <p><b>Japan (8 June 2010):</b> Japan supports the proposal by Canada.</p> <p><b>Liechtenstein:</b> <del>Supporting Encouraging the Conference of States Parties the-to establishment of</del> a review mechanism to monitor the implementation of the UNTOC and its Protocols;</p> <p><b>Thailand:</b> delete</p> <p><b>USA:</b> After “establishment” add “through the UNTOC Conference of Parties, of an effective pilot” after “Convention” add “and its additional protocols</p> <p><b>USA (8 June 2010):</b> US does not support deletion of the paragraph.</p>
<p>6. Taking into account the recommendations of the Working Group on Trafficking in Persons established by the Conference of the Parties to the UN Convention against Transnational Organized Crime;</p>	<p><b>Facilitators’ Proposal:</b>          Take into account the activities and recommendations of the open-ended interim Working Group on Trafficking in Persons established by the Conference of the Parties to the UN Convention against Transnational Organized Crime;</p> <p><b>African Group:</b> <del>Taking-To take</del> into account...</p> <p><b>Canada:</b> Taking into account the <u>activities and recommendations of the open-ended interim Working Group...</u></p> <p><b>Indonesia:</b> add: “<u>Welcoming the progress made by various activities and working groups under the auspices of Conference of the State Parties of the UN Convention against TOC and further encouraging them to make progresses in the areas of technical assistance.</u>”</p> <p><b>Thailand:</b> delete</p> <p><b>USA (8 June 2010):</b> US supports the Canadian proposal.</p>
<p>7. Supporting the Human Rights Council, and contributing to its work on the question of the promotion and protection of human rights for all in the fight against trafficking in persons;</p>	<p><b>Facilitators’ Proposal:</b>          Support the Human Rights Council and contribute to its work on the question of the promotion and protection of human rights for all in the fight against trafficking in persons;</p> <p><b>African Group:</b> <del>Taking-To take into account and</del></p>

	<p><a href="#">support</a> the Human Rights Council...</p> <p><b>Thailand:</b> delete</p>
<p>8. Supporting the role of the Special Rapporteur on trafficking in persons, especially women and children, the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, the Special Rapporteur on violence against women, its causes and consequences, Special Rapporteur on the sale of children, child prostitution and child pornography, Special Representative to the Secretary-General on Violence Against Children and other relevant Special Rapporteurs and Representatives. The Special Rapporteurs should assist States by offering concrete advice, making country visits, liaising with the United Nations and regional organizations, and reporting on these issues;</p>	<p><b>Facilitators’ Proposal:</b> Support the role of the Special Rapporteur on trafficking in persons, especially women and children, the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, the Special Rapporteur on violence against women, its causes and consequences, Special Rapporteur on the sale of children, child prostitution and child pornography, Special Representative to the Secretary-General on Violence Against Children and other relevant Special Rapporteurs and Representatives. The mandate holders should assist States by offering concrete advice, making country visits, liaising with the United Nations and regional organizations, and reporting on these issues;</p> <p><b>African Group:</b> <del>Supporting</del> <a href="#">To support</a> the role of the Special Rapporteur...</p> <p><b>Canada:</b> Supporting the <a href="#">efforts and specific mandates</a> <del>role</del> of the Special Rapporteur</p> <p>delete last sentence “The Special Rapporteurs should...”</p> <p><b>China:</b> ...Special Representative to the Secretary-General on Violence Against Children and other relevant Special Rapporteurs and Representatives <a href="#">while taking into account the code of conduct for special procedure mandate holders</a>. The Special Rapporteurs, <a href="#">at the request or with the consent of States</a>, should assist States by offering...</p> <p><b>EU:</b> ...The <a href="#">Special Rapporteurs-mandate holders</a> should assist States by offering concrete advice, making country visits, liaising with the United Nations and regional organizations, and reporting on these issues. <a href="#">UN Member States are asked to accede to requests for visits by the mandate holders</a></p> <p><b>Indonesia:</b> Special Rapporteurs, <a href="#">upon the request of Member-State</a>, should assist...”</p> <p><b>ILO:</b> Add new paragraph between 8 and 9 that reads: "Supporting the ILO programmes to combat forced labour and to eliminate child labour, and implementing the respective global action plans endorsed by the ILO Governing Body in 2006 and 2009 aiming at the elimination of these practices."</p> <p><b>IOM:</b> add Special Rapp on the Human Rights of Migrants</p>

	<p><b>Norway:</b> Supporting <a href="#">the role of and cooperating with</a> the Special Rapporteur on trafficking in persons, especially...</p> <p>[This change would put the emphasis on actual cooperation with the SP and not just tacit support of the role.]</p> <p><b>Switzerland (9 June 2010):</b> We support proposals (EU, Norway) that emphasizes active support to and cooperation with the concerned Special Representatives of the SGs’ and Special Rapporteurs</p> <p><b>Thailand:</b> delete</p> <p><b>UNICEF:</b> Recommend reference be made of the <a href="#">UN Special Rapporteur on the Human Rights of Migrants</a></p> <p><b>USA:</b> Delete “The Special Rapporteurs should assist States by offering concrete advice, making country visits, liaising with the United Nations and regional organizations, and reporting on these issues. Add after “.....Representatives” “by acceding to their requests for country visits in order that they may assist States in offering recommendations for improving national responses.”</p> <p><b>USA (8 June 2010):</b> US supports EU, UNICEF and IOM amendments as well as our original amendment.</p>
<p>9. Reaffirming the central role of the United Nations Office on Drugs and Crime (UNODC) in combating trafficking in persons and providing technical assistance to implement the United Nations Convention against Transnational Organized Crime and its Trafficking in Persons Protocol, by making use of existing capacity building tools, lessons learned and expertise available in international organizations, including inter alia, the International Framework for Action to Implement the Trafficking in Persons Protocol;</p>	<p><b>Facilitators’ Proposal:</b> Reaffirm the central role of the United Nations Office on Drugs and Crime (UNODC) in combating trafficking in persons and providing technical assistance to implement UNTOC and the Trafficking Protocol, by making use of existing capacity building tools, lessons learned and expertise available in international organizations, including inter alia, the International Framework for Action to Implement the Trafficking in Persons Protocol;</p> <p><b>African Group:</b> <del>Reaffirming</del> <a href="#">To stress</a> the central role of the United Nations Office on Drugs and Crime (UNODC)...</p> <p><b>Canada:</b> recommend splitting as follows: <a href="#">9(a)</a> Reaffirming the central role of the United Nations Office on Drugs and Crime (UNODC) <a href="#">as mandated in UNGA resolution 55/25</a> in combating trafficking in persons and providing technical assistance to implement the United Nations Convention against Transnational Organized Crime and its Trafficking in Persons Protocol. <del>9(b)</del> <del>Mby</del> making use of existing capacity building tools, lessons learned and expertise available in international organizations, including inter alia, the International Framework for Action to Implement</p>



	<p>the Trafficking in Persons Protocol</p> <p><b>Malaysia:</b> To move up further in the text as point 7, after the points regarding the Conventions and the work of the COP. As the main United Nations agency to combat and coordinate action on TiP, this paragraph should be moved further up to reflect the important role of the UNODC.</p> <p><b>OHCHR:</b> <a href="#">Paragraph 9bis</a>  <a href="#">Reaffirming the leading role of OHCHR on promoting a human rights-based approach to all aspects of combating human trafficking, as provided for in the Recommended Principles and Guidelines on Human Rights and Human Trafficking, and as recognized by the Human Rights Council.</a></p> <p><b>Thailand:</b> “Reaffirming the central role of the United Nations Office on Drugs and Crime (UNODC) in combating trafficking in persons and providing technical assistance to implement the United Nations Convention against Transnational Organized Crime and its Trafficking in Persons Protocol, by making use of existing capacity building tools, lessons learned and expertise available in international organizations, including inter alia, the International Framework for Action to Implement the Trafficking in Persons Protocol.”</p> <p><b>USA:</b> Place paragraph after OP 6</p> <p><b>USA (8 June 2010):</b> US supports OHCHR amendment with one further change: delete “as provided” and replace with “taking note of” since this was not an internationally negotiated document.</p>
<p>10. Also noting the important work of the United Nations High Commissioner for Refugees, the United Nations Children’s Fund (UNICEF), the International Labor Organization, and the International Organization for Migration (IOM) in the global fight against trafficking in persons;</p>	<p><b>Facilitators’ Proposal:</b>          Note the important work of the United Nations High Commissioner for Human Rights, the United Nations Children’s Fund (UNICEF), the International Labor Organization, and the International Organization for Migration (IOM) in the global fight against trafficking in persons;</p> <p>New Paragraph 10bis          Strongly urging all responsible UN entities to coordinate their efforts to fight trafficking in persons effectively and protect the human rights of its victims, including via the Inter-Agency Coordination Group against Trafficking in Persons and UN.GIFT;</p> <p><b>African Group:</b> <del>Also noting To Recognize</del> the important work of the United Nations High Commissioner for Refugees...</p> <p><b>Belarus:</b> ...Refugees (UNHCR), the United Nations Children's Fund (UNICEF), the International Labor Organization (ILO), and the International</p>

	<p>Organization for Migration (IOM) <u>as well as International Criminal Police (INTERPOL) and UNESCO</u> in the global fight against trafficking in persons;</p> <p><b>Colombia:</b> delete. The organizations or entities mentioned in the document should be restricted to the ones participating in the Inter-Agency Coordination Group against Trafficking in Persons (ICAT), and for the sake of coherence any of them should be singularized in a separated paragraph.</p> <p><b>EU:</b> Also noting the important work of the United Nations High Commissioner for <u>Refugees Human Rights</u>, the United Nations Children’s Fund...</p> <p>Paragraph 10bis  <u>Strongly urging all responsible UN entities to coordinate their efforts to fight trafficking in persons effectively and protect the human rights of its victims, including via the Inter-Agency Coordination Group against Trafficking in Persons and UN.GIFT;</u></p> <p>Paragraph 10ter (moved from paragraph 39)  <u>Commending the role of civil society organizations and non-governmental organizations in providing assistance and empowerment to victims of trafficking and helping them to seek redress as well as facilitating the care of and provision of appropriate services to victims, including meaningful engagement and coordination with law enforcement officials;</u></p> <p><b>ILO:</b> ... the International Labor Organization (<u>ILO</u>)...</p> <p><b>IOM:</b> when analyzing the language of paragraph 9, the introductory language of paragraph 10 is very weak and we would appreciate if Member States could a) recognize (rather than note) the important work and b) the existing capacity building tools, etc. of paragraph 9 should be replicated in paragraph 10</p> <p><b>Japan:</b> <i>Add</i>, after “United Nations Children’s Fund (UNICEF),” in line 2, “United Nations Educational, Scientific and Cultural Organization (UNESCO), Office of the High Commissioner for Human Rights (OHCHR),” .          (rationale) To be submitted if necessary.</p> <p><b>Switzerland (9 June 2010):</b> We support your facilitators’ proposals on paras 10 and 10bis as well as para 10 ter proposed by the EU.</p> <p><b>Thailand:</b> replace with “<del>Note</del><u>Also noting</u> the important work of the United Nations High Commissioner for Refugees, the United Nations Children’s Fund (UNICEF), the International Labor Organization, and the International Organization for</p>
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	<p>Migration (IOM) in the global fight against trafficking in persons”</p> <p><b>UNICEF:</b> Suggest adding reference to the <a href="#">Office of the High Commissioner for Human Rights (OHCHR)</a></p> <p><b>USA (8 June 2010):</b> US supports EU amendment in order to avoid a long list of organizations.</p>
<p>11. Making a commitment to address all forms of trafficking in persons that occur within and across national borders;</p>	<p><b>Facilitators’ Proposal:</b> Make a commitment to address all forms of trafficking in persons that occur within and across national borders, including as a result of conflict, instability or humanitarian emergencies;</p> <p><b>African Group:</b> <a href="#">To make a commitment to address all forms of trafficking in persons that occur within and across national borders and in doing so to consider establishing direct channels of communication between the relevant and competent authorities, agencies and services, including special units and focal points and where appropriate, establish joint border patrols trained in the prevention of trafficking in human beings and strengthen the existing ones.</a></p> <p><a href="#">11 bis</a> <a href="#">To adopt appropriate strategies which take into account the specificity of all cases and further coordinate the actions at local, national, sub-regional, regional and international levels in an inclusive manner</a></p> <p><b>Belarus:</b> ...national borders, <a href="#">including trafficking in human organs, tissue and cells</a></p> <p><b>Canada:</b> <del>Making a commitment to</del> <a href="#">Addressing</a> all forms of trafficking in persons that occur within and across national borders</p> <p><b>EU:</b> Making a commitment to address all forms of trafficking in persons that occur within and across national borders, <a href="#">including as a result of conflict, instability or humanitarian emergencies</a></p> <p><b>Indonesia:</b> Making a commitment to address all forms of trafficking in persons <del>that occur within and across national borders</del>. The explanation is as follows: The last part of this paragraph brings confusion at the technical level as the definition of trafficking as stipulated by the UNTOC covers both within and across national border. The last paragraph is simply redundant. Moreover, the first part is also redundant because the urge to make commitment is already being covered by the chapeau of this draft</p> <p><b>Indonesia:</b> Paragraph 11 bis:</p>

	<p><u>Stressing that trafficking in persons are global problems in nature involving origin, transit and destination countries, which require comprehensive international cooperation in combating it.</u></p> <p><b>Indonesia:</b> Paragraph 11ter: <u>Noting with grave concerns the links between trafficking in persons and other forms of transnational crime and are concerned that many of the trafficking activities were being orchestrated by criminal networks that were also involved in the illicit trafficking of narcotics, document fraud, money laundering, arms smuggling, terrorism and other transnational crimes.</u></p> <p><b>OHCHR:</b> Making a commitment to address all forms of trafficking in persons that occur within and across national borders <u>both in peace time and in the context of armed conflict;</u></p> <p><b>Thailand:</b> delete</p> <p><b>IOM:</b> We would suggest inserting a paragraph that specifically addresses the issue of internal trafficking and the need for states to demonstrate commitment to addressing the problem.</p> <p><b>USA (8 June 2010):</b> US can support Canadian and EU amendments. US does not support Belarus amendment as this would broaden definition of trafficking in persons as defined in the TIP Protocol. Belarus’ amendment would be better addressed in another more suitable forum focused specifically on sale of human organs, tissue and cells.</p>
<p><b>I. Preventing trafficking in persons</b></p> <p>12. Mainstreaming the issue of trafficking in persons into policies and programmes aimed at addressing economic development, human rights, rule of law, good governance, natural disaster and post-conflict reconstruction;</p>	<p><b>Facilitators’ Proposal:</b> Mainstream the issue of trafficking in persons into policies and programmes aimed at addressing economic and social development, human rights, rule of law, good governance, education, natural disaster and post-conflict reconstruction;</p> <p><b>African Group:</b> <b><u>I. Preventing Prevention of trafficking in persons</u></b> <u>We resolve to undertake the following measures to prevent and combat trafficking in persons:</u></p> <p>12. <u>Mainstreaming To mainstream</u> the issue of trafficking in persons into policies ...</p> <p><b>Australia:</b> It would be misleading and unhelpful to suggest that all human rights policies and programmes would and should address the issue of people trafficking as they have a much broader function.</p> <p><b>Belarus:</b> ...good governance, <u>education</u>, natural disaster</p>

	<p><b>China:</b> Mainstreaming the issue of trafficking in persons, <u>as appropriate</u>, into...</p> <p><b>EU:</b> ...at addressing economic <u>and social</u> development...</p> <p><b>Thailand:</b> delete</p> <p><b>UNICEF:</b> Suggest considering “<u>mainstreaming in migration managements and gender equality and empowerment work</u>” and adding “<u>strengthening child protection systems</u>”</p> <p><b>USA (8 June 2010):</b> OP 12 and 14 appear to be similar. US urges merging the two paragraphs.</p>
<p>13. Addressing the underlying root causes of trafficking in persons that make people vulnerable to exploitation, such as poverty, inequality, gender discrimination, and a culture of tolerance towards violence against women and children;</p>	<p><b>Facilitators’ Proposal (8 June 2010):</b> Address the underlying root causes of trafficking in persons that make people vulnerable to exploitation by this serious crime, such as poverty, inequality, armed conflicts, gender discrimination, social exclusion and marginalization as well as a culture of tolerance towards violence against women, young people and children, including sexual violence in conflict;</p> <p><b>African Group:</b> <del>Addressing To address</del> the underlying root causes of trafficking...</p> <p><b>Belarus:</b> ...poverty, <u>lack of decent work</u>, inequality.... women and children <u>as well as armed conflicts</u></p> <p><b>Canada:</b> vulnerable to exploitation, <del>such as</del> <u>including</u> poverty, inequality, <u>lack of opportunity, social exclusion...</u></p> <p><b>Colombia:</b> delete OR change to: “Address the social and economic factors that increase vulnerability to trafficking and create awareness of trafficking, its causes and consequences. “</p> <p><b>EU:</b> ...that make people vulnerable to exploitation <u>by this serious crime</u>, such as poverty, inequality, gender discrimination, <u>social exclusion and marginalization</u> and a culture of tolerance towards violence against women, <u>young people</u> and children;</p> <p><b>ILO:</b> ...<del>and</del> a culture of tolerance towards violence against women and children, <u>and lack of decent work in source and destination countries, and governance problems of labour markets and migration systems;</u></p> <p><b>Japan:</b> We would like to know if the list of root causes of trafficking in persons described in this paragraph is a direct quote of agreed language.</p>

	<p><b>Nicaragua:</b> Addressing the underlying root causes of trafficking in persons that make people vulnerable to exploitation, <u>particularly the extreme poverty and hunger which are the greatest global threat that requires the collective commitment of the international community for its eradication</u>, as well as,...</p> <p><b>Holy See:</b> ...gender discrimination, <u>armed conflicts, instability</u></p> <p><b>Thailand:</b> delete</p> <p><b>UNAIDS:</b> Addressing the underlying root causes of trafficking in persons that make people vulnerable to exploitation, such as poverty, inequality, gender <u>and ethnic</u> discrimination, <u>racism</u>, and a culture of tolerance towards violence against women and children;</p> <p><b>USA (8 June 2010):</b> US supports either the Colombian or EU amendments.</p>
<p>14. Adopting or implementing comprehensive policies and programmes at the national and regional levels and other measures to prevent all forms of trafficking in persons that are in line with relevant policies and programmes on migration, education, employment and crime prevention;</p>	<p><b>Facilitators' Proposal:</b> Adopt and implement comprehensive policies and programmes at the national and regional levels and other measures to prevent all forms of trafficking in persons that are in line with relevant policies and programmes on migration, education, employment, empowerment of women, and crime prevention in accordance with international human rights standards;</p> <p><b>African Group:</b> <del>Adopting</del> <u>To adopt and/or implementing implement</u> comprehensive policies and programmes...</p> <p><b>Belarus:</b> 14.bis <u>Encouraging developing by UNESCO and UNICEF together with other international organizations, state and private funds, respective non-governmental organizations educational programmes aimed at prevention of human trafficking and their dissemination among Member States;</u></p> <p><b>Cuba:</b> 14 bis: “Encouraging States Parties to take or strengthen measures, including through bilateral or multilateral cooperation, to alleviate the factors that make persons, especially women and children, vulnerable to trafficking, such as poverty, underdevelopment and lack of equal opportunity.” (A/RES/55/25)</p> <p><b>Cuba:</b> 14 ter: “Urging the developed countries to fulfill their Official Development Commitments in a timely and predictable manner as been agreed in the Major United Nations Conferences and Summits, in order to support the efforts of developing countries to fight the trafficking in persons.” (Based in paragraph 309 Final Document Sharm El-Sheikh)</p>

	<p><b>EU:</b> Adopting <del>or</del> <u>and</u> implementing comprehensive policies and programmes at the national and regional levels and other measures to prevent all forms of trafficking in persons that are in line with relevant policies and programmes on migration, education, employment <u>combating all forms of discrimination</u> and crime prevention</p> <p><b>OHCHR:</b> <del>Adopting or implementing comprehensive policies and programmes at the national and regional levels and other measures to prevent all forms of trafficking in persons that are in line with relevant policies and programmes on migration, education, employment and crime prevention;</del> Adopting or implementing comprehensive policies and programmes at the national and regional levels and other measures to prevent all forms of trafficking in persons that are in line with relevant policies and programmes on <u>safe and gainful migration, education, employment, empowerment of women and participation in decision-making,</u> and crime prevention <u>and in accordance with international human rights standards</u></p> <p><b>Singapore:</b> Adopting or implementing <u>as</u> necessary comprehensive policies and programmes at the national and regional levels and other measures, <u>in line with relevant domestic laws, policies and programmes on migration, education, employment and crime prevention,</u> to prevent all forms of trafficking in persons <del>that are in line with relevant policies and programmes on migration, education, employment and crime prevention;</del></p> <p><b>Thailand:</b> delete</p> <p><b>UNICEF:</b> Recommend adding: “ <u>human rights and child rights, gender equality</u>” after “in line with relevant policies and programme s on migration...”</p> <p><b>USA (8 June 2010):</b> OP 12 and 14 appear to be similar. US urges merging the two paragraphs.</p>
<p>15. Conducting research and collection of disaggregated data by types of trafficking in persons, sex and age and data collection into the nature and extent of all forms of trafficking in persons, including root causes, trends of trafficking, information on traffickers, demand for exploitative services and labour and on the gaps and shortcomings in anti-trafficking policies and programmes;</p>	<p><b>Facilitators’ Proposal:</b> Conduct research and collection of disaggregated data by types of trafficking in persons, sex and age and data collection into the nature and extent of all forms of trafficking in persons, including root causes, trends of trafficking, information on traffickers, demand for exploitative services and labour and on the gaps and shortcomings in anti-trafficking policies and programmes;</p> <p><b>African group:</b> <del>Conducting</del> <u>To conduct</u> research and collect disaggregated...</p> <p><b>15bis</b> <u>To involve local communities, local</u></p>



	<p><u>authorities, non-governmental organizations, faith-based organizations, members of civil society and the business community/sector in awareness-raising campaigns and to educate them on the provisions of existing legal instruments on human trafficking.</u></p> <p><b>Belarus:</b> 15.bis <u>Encouraging UNODC together with IOM and other relevant organizations to work out the universally acceptable concept definition of the “victim of trafficking” to be used as a guide by all law enforcement and other organizations and agencies in their actions towards the trafficking victims;</u></p> <p><b>Canada:</b> <del>...trafficking in persons, as well as including</del> <u>root causes, trends of trafficking, information on traffickers/perpetrators, the demand that fosters all forms of exploitation, demand for exploitative services and labour and on the gaps and shortcomings in anti-trafficking laws, policies and programmes;</u></p> <p><b>China:</b> <del>Conducting research and collection of disaggregated data by types of trafficking in persons, sex and age and data collection into the nature and extent of all forms of trafficking in persons, including root causes, trends of trafficking, information on traffickers, demand for exploitative services and labour and on the gaps and shortcomings in anti-trafficking policies and programmes</del></p> <p><b>Colombia:</b> <del>... all forms of trafficking in persons, including root causes conditions of vulnerability, trends...</del></p> <p><b>EU:</b> <del>Conducting research and collection of data that should be suitably disaggregated to enable a proper analysis of the nature and extent of trafficking in a comparative fashion; disaggregated data by types of trafficking in persons, sex and age and data collection into the nature and extent of all forms of trafficking in persons, including root causes, trends of trafficking, information on traffickers, demand for exploitative services and labour and on the gaps and shortcomings in anti-trafficking policies and programmes;</del></p> <p><b>EU (11 June 2010):</b> The EU would like to maintain its previous suggested comments in relation to paragraph 15.</p> <p><b>Nicaragua:</b> <del>and labour and on the gaps and shortcomings in anti-trafficking policies and programmes;</del> <u>Giving priority to information provided by national official sources</u></p> <p><b>Singapore:</b> <u>Endeavouring to conduct</u> <del>Conducting</del> <u>research and collection of disaggregated data by types of trafficking in persons, sex and age and data</u></p>
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	<p>collection into the nature and extent of all forms of trafficking in persons, including root causes, trends of trafficking, information on traffickers, demand for exploitative services and labour and on the gaps and shortcomings in anti-trafficking policies and programme</p> <p><b>Japan:</b> <i>Delete</i> whole paragraph. (rationale – 8 June 2010) Each State should have the discretion to individually decide how best they can conduct research and collection of disaggregated data, taking into account the varying trends and actual circumstances of trafficking in persons in each State.</p> <p><b>Thailand:</b> delete</p> <p><b>UNICEF:</b> suggest adding the following after: “...gaps and shortcomings in anti-trafficking policies and programmes, <u>and including participatory and applied research with men, women and children who have been identified as victims of trafficking or potential victims or are considered to be at risk of trafficking</u>”</p> <p><b>USA:</b> Delete “by types of trafficking in persons, sex and age and data collection into the nature and extent of all forms of trafficking in persons” and “including”. After “data” add “with the aim of understanding”.</p>
<p>16. Developing or strengthening processes for the identification of victims such as those developed by UNODC and IOM, including appropriate and non-discriminatory measures that help to identify trafficked victims among vulnerable populations;</p>	<p><b>Facilitators’ Proposal:</b> Develop or strengthen processes for the identification of victims such as those developed by UNODC and other organizations, including appropriate and non-discriminatory measures that help to identify trafficked victims among vulnerable populations;</p> <p><b>African Group:</b> <u>Developing or strengthening To develop and/or strengthen</u> processes for the identification of victims such as...</p> <p><b>Belarus:</b> ...nondiscriminatory measures, <u>criteria and methodology</u> that help...</p> <p><b>EU:</b> ...by UNODC <u>and IOM and other organisations</u>, including...</p> <p><b>Malaysia:</b> Developing or strengthening processes for the identification of victims <u>such as those developed by UNODC and IOM</u>, including appropriate and non-discriminatory measures that help to identify trafficked victims among vulnerable populations;</p> <p><b>Thailand:</b> delete</p> <p><b>UNAIDS:</b> Developing or strengthening processes for the identification of <u>trafficked persons</u> <del>victims</del>.</p>

	<p>such as those developed by UNODC and IOM, including appropriate and non-discriminatory measures that help to identify trafficked <del>persons</del><u>victims</u> among vulnerable populations;</p> <p><b>UNICEF:</b> the aim here is most likely to be “to proactively identify potential victims among vulnerable populations without discriminatory measures”. Also suggest adding at the end of the of the paragraph “<u>particularly in mixed migration flows</u>”</p> <p><b>USA (8 June 2010):</b> US does not support UNAIDS’ proposal.</p>
<p>17. Promoting awareness-raising campaigns to discourage the demand that fosters exploitation and inform persons at risk of being trafficked and the general public through education and effective involvement of mass media and monitoring the effectiveness of such campaigns;</p>	<p><b>Facilitators’ Proposal:</b> Promote awareness-raising campaigns to discourage the demand that fosters exploitation of persons, especially women and children, that leads to trafficking and inform persons at risk of being trafficked and the general public through education and effective involvement of mass media, non-governmental organizations and the private sector and monitor the effectiveness of such campaigns;</p> <p>New Paragraph 17bis Stress the role of education in raising awareness on the prevention of trafficking in persons and to promote education in particular human rights education, and human rights learning as a sustainable way to prevent trafficking in persons;</p> <p>New Paragraph 17ter Reinforce mechanisms for the registration of births and the provision of identity documents;</p> <p><b>African Group:</b> <del>Promoting</del><u>To carry out</u> awareness-raising campaigns to discourage the demand that fosters...</p> <p><u>17bis To stress the role of education in raising awareness on the prevention of trafficking in persons and to promote education in particular human rights education, and human rights learning as a sustainable way to prevent trafficking in persons;</u></p> <p><u>17ter To reinforce mechanisms for the registration of births and the provision of identity documents,</u></p> <p><b>Belarus:</b> ...mass media, <u>non-governmental organizations and private sector</u>, and</p> <p>17.bis <u>Encouraging the United Nations to organize global campaign against trafficking in persons in international mass media with participation of international organizations, Member States, NGOs and business community;</u></p> <p><b>Canada:</b> Promoting awareness-raising campaigns to</p>

	<p>discourage the demand that fosters <u>all forms of exploitation, especially women and children, that leads to trafficking</u> and inform...</p> <p><b>Colombia:</b> delete OR change to :  <u>Promote awareness raising campaigns aimed at the most vulnerable groups by providing potential victims of trafficking with sufficient information about the risks of human trafficking</u></p> <p>17bis:  <u>Discourage the demand for services of trafficking persons for sexual exploitation, forced labour, slavery or other practices similar to slavery and servitude and, in this connection, promoting zero tolerance towards all forms of trafficking</u></p> <p><del><b>EU:</b> <u>Promoting awareness-raising campaigns to discourage the demand that fosters exploitation and inform persons at risk of being trafficked and the general public through education and effective involvement of mass media and monitoring the effectiveness of such campaigns; Increasing prevention through the promotion of effective awareness-raising campaigns in countries of destination to discourage the demand that fosters exploitation and in country of origins to inform persons at risk of being trafficked and the general public. These campaigns should be conducted through education and effective involvement of mass media and should be monitored to assess their effectiveness;</u></del></p> <p><b>Holy See:</b> ...that fosters exploitation <u>and fuels trafficking</u></p> <p><b>Indonesia (8 June 2010):</b> We view that this paragraph dilutes and narrows the scope of efforts to combat the demand side of illegal services caused by trafficking in persons. This paragraph is also in contravention to the spirit of Article 9 paragraph 5 of the Trafficking Protocol. We suggest an amendment to read as follows: <u>“Ensuring the adoption or strengthening of legislative or other measures, including promoting awareness-raising campaigns, through educational, social or cultural measures, to discourage demand that foster all forms of exploitation of persons.”</u></p> <p><b>Japan:</b> <i>Delete</i> “and monitoring the effectiveness of such campaigns”.          (rationale – 8 June 2010) It is not clear what States are required to do to monitor the effectiveness of awareness-raising campaigns.</p> <p><b>Japan (8 June 2010):</b> in 17ter, Add after “Reinforcing mechanisms”, “in countries of origin of victims of trafficking in persons”.</p> <p><b>OHCHR:</b> Promoting awareness-raising campaigns</p>
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	<p>to discourage the demand <u>as a root cause of trafficking, which <del>that</del> fosters exploitation, including sexual exploitation</u>, and inform persons at risk of being trafficked and the general public through education and effective involvement of mass media and monitoring the effectiveness of such campaigns;</p> <p><b>Singapore:</b> Promoting awareness-raising campaigns to discourage the demand that fosters exploitation <u>of persons, especially women and children, that leads to trafficking</u> and inform persons at risk of being trafficked and the general public through education and effective involvement of mass media and monitoring the effectiveness of such campaigns</p> <p><b>Switzerland (9 June 2010):</b> We support your facilitators’ proposals on paras 17, 17 bis and 17 ter</p> <p><b>Thailand:</b> delete</p> <p><b>USA (8 June 2010):</b> US supports EU amendment, and Africa Group amendment 17ter on birth registration and identity documents.</p>
<p>18. Increasing prevention efforts in countries of destination and transit by focusing on the demand for trafficked and exploited migrant labour and forced labour, and the demand for the goods produced as a result of such labour;</p>	<p><b>Facilitators’ Proposal:</b> Increase prevention efforts in countries of destination and transit by focusing on the demand for trafficked labour and the goods produced as a result of such labour;</p> <p><b>African Group:</b> <del>Increasing prevention efforts To develop prevention mechanisms</del> in countries of destination and...</p> <p><b>Australia:</b> Drafters should consider carefully the specifics of any measures that might in the future be contemplated as part of action under paragraphs 18 and 19. Any such measures would need to be fully consistent with international trade obligations.</p> <p><b>Belarus:</b> ...result of such labour <u>with the involvement into such efforts of private sector and civil society;</u></p> <p><b>Canada:</b> Increasing prevention efforts in countries of <u>origin</u>, destination and transit by focusing on the demand <del>for trafficked and exploited migrant labour and forced labour</del> <u>that fosters all forms of trafficking including labour trafficking and,</u> <del>and</del> the demand for the goods...</p> <p><b>EU:</b> delete</p> <p><b>EU (11 June 2010):</b> The EU supports Australia in relation to their comments on international trade obligations.</p> <p><b>Holy See:</b> the phrase “<i>focusing on the demand for trafficked and exploited migrant and forced labour</i>” contains two different concepts (trafficking and</p>

	<p>exploitation of migrant labour) which need to be reconsidered, as the exploitative conditions of work do not automatically qualify as trafficking or forced labour</p> <p><b>Thailand:</b> delete</p> <p><b>UNICEF:</b> suggest adding at the end of the paragraph after “of such labour”; <a href="#">strengthening the monitoring of labour standards and working conditions in sectors that are known to be prone to precarious work or labour exploitation, including in the informal sectors, and increasing the identification of sites of exploitation</a></p> <p><b>USA:</b> Add “source,” before “destination.” Change “...trafficked and exploited migrant labour and forced labour...” to “trafficked and exploited labour” Delete “the goods produced as a result of such labour” and replace with “cheap labor, as well as addressing the demand for children and the exploitation of trafficking victims in the commercial sex trade”</p> <p><b>USA (8 June 2010):</b> US continues to advocate for its amendment.</p>
<p>19. Adopting specific measures to combat trafficking for labour exploitation and calling on producers and consumers of goods to abide by these measures;</p>	<p><b>Facilitators’ Proposal:</b> Adopt specific measures at the national level to combat trafficking for labour exploitation, require producers of goods to abide by these measures and educate consumers on these measures;</p> <p><b>African Group:</b> <del>Adopting</del> <a href="#">To adopt</a> specific measures to combat trafficking...</p> <p><b>Australia:</b> Drafters should consider carefully the specifics of any measures that might in the future be contemplated as part of action under paragraphs 18 and 19. Any such measures would need to be fully consistent with international trade obligations.</p> <p><b>Canada:</b> delete and address outstanding issues with OP18 and section on prosecution</p> <p><b>Colombia:</b> delete</p> <p><b>EU:</b> Adopting specific measures to combat trafficking <del>for labour exploitation and calling on producers and consumers of goods to abide by these measures</del> <a href="#">within countries</a></p> <p><b>EU (15 June 2010):</b> Replace with: "Adopting specific measures to combat trafficking within and between countries. Intensify efforts to combat trafficking for labour exploitation and to identify the victims of this crime, while monitoring appropriately producers of goods as well as job agencies to ensure that they refrain from such exploitative practices and striving to educate</p>

	<p>consumers on these issues”.</p> <p><b>Indonesia (8 June 2010):</b> We view that this paragraph referring to labour exploitation must be further strengthened, with additional wording “legislative and/or” so to read: <u>“Adopting legislative and/or specific measures to combat trafficking for labour exploitation..”</u></p> <p><b>Japan:</b> <i>Delete</i> whole paragraph. (rationale) It is unclear what “specific measures” are in this paragraph. We therefore would suggest deleting this whole paragraph.</p> <p><b>Nicaragua:</b> <u>19 bis Adopting specific measures to eliminate the demand for trafficking in person for the purpose of sexual exploitation</u> (A/RES/64/178)PP15</p> <p><b>Holy See:</b> the phrase “<i>Adopting specific measures</i>” is vague and unclear. After §19 a new paragraph (§19 bis) could be added: <u>Adopting, where appropriate, and strengthening the existing laws against prostitution, child pornography and sexual exploitation</u></p> <p><b>Thailand:</b> delete</p> <p><b>Syria:</b> there is a need to adopt specific measures to combat trafficking for commercial exploitation, including the exploitation of the prostitution of others or other forms of sexual exploitation</p> <p><b>USA (8 June 2010):</b> US supports Canadian proposal.</p>
<p>20. Strengthening the capacity of law enforcement, immigration and other relevant officials in the prevention of trafficking in persons, taking into account the need to respect human rights and child-and gender-sensitive issues and encouraging cooperation with non-governmental organizations, other relevant organizations and other elements of civil society;</p>	<p><b>Facilitators’ Proposal:</b> Strengthen the capacity of law enforcement, immigration, education, social welfare, labour and other relevant officials in the prevention of trafficking in persons, taking into account the need to respect human rights and child-and gender-sensitive issues and encourage cooperation with civil society, non-governmental organizations and other relevant organizations;</p> <p><b>African Group:</b> <del>Strengthening</del> <u>To strengthen</u> the capacity of law enforcement, immigration... other relevant organizations and other elements of civil society, <u>in accordance with national law;</u></p> <p><b>Belarus:</b> ...immigration, <u>education</u> and other relevant officials</p> <p><b>Canada:</b> ...taking into account the need to respect human rights and child-and gender-sensitive issues and encouraging cooperation with <u>civil society, including</u> non-governmental organizations, other relevant organizations <del>and other elements of civil society;</del></p>



	<p><b>EU:</b> Strengthening <u>or continuing to strengthen</u> the capacity...</p> <p><b>EU (11 June 2010):</b> The EU would like to maintain its previous suggested comments in relation to paragraph 20 where we asked for the insertion of "or continuing to strengthen".</p> <p><b>Holy See:</b> ...human rights and <u>child-and best interest of the child and</u> gender-sensitive issues...with non-governmental organizations, <u>religious-based communities...</u></p> <p><b>ILO:</b> Strengthening the capacity of law enforcement, immigration, <u>labour administration and labour inspection</u> and other relevant officials...</p> <p><b>Singapore:</b> Strengthening the capacity of law enforcement...and encouraging cooperation, <u>where appropriate</u>, with non-governmental organizations, other relevant organizations and other elements of civil society</p> <p><b>Thailand:</b> delete</p> <p><b>UNICEF:</b> Suggest adding "<u>social welfare, labour</u>" before "law enforcement, immigration and other relevant officials"</p>
<p>21. Encouraging the United Nations to work with Member States and relevant international, regional and sub-regional organizations to identify and share best practices to prevent trafficking in persons.</p>	<p><b>Facilitators' Proposal:</b> Encourage the United Nations to intensify work with Member States and relevant international, regional and sub-regional organizations to identify and share best practices to prevent trafficking in persons;</p> <p><b>African Group:</b> <del>Encouraging-To encourage</del> the United Nations to work with Member...</p> <p><b>Canada:</b> delete or replace with "Working together and in conjunction with relevant international, regional and sub-regional organizations to identify and share best practices to prevent trafficking in persons."</p> <p><b>Cuba:</b> 21 bis: "Encouraging national efforts being made to prevent and combat this scourge and to work together in a collaborative manner and within a regional and international framework without imposing unilateral requirements or evaluations on States." (Based in paragraph 509 Final Document Sharm El-Sheikh)</p> <p><b>Indonesia:</b> Encouraging the United Nations to <u>intensify</u> work with</p> <p><b>Thailand:</b> delete</p> <p><b>USA (8 June 2010):</b> US prefers to keep the text as is.</p>

<p><b>II. Protecting and assisting victims of trafficking</b></p> <p>22. Reaffirming that the promotion and protection of human rights for all and effective measures to respond to trafficking in persons are complementary and mutually reinforcing;</p>	<p><b>Facilitators’ Proposal:</b> Reaffirm that the promotion and protection of human rights for all and effective measures to respond to trafficking in persons are complementary and mutually reinforcing;</p> <p><b>African Group:</b> <del>Protecting and assisting</del> <b>Protection of and assistance to victims of trafficking</b> <u>We resolve to undertake the following measures reaffirming that the promotion and protection of human rights and effective measures to respond to trafficking in persons are complementary and mutually reinforcing:</u></p> <p>Paragraph 22: delete</p> <p><b>Canada:</b> delete (repetitive with OP1 and 2)</p> <p><b>Thailand:</b> delete</p> <p><b>USA (8 June 2010):</b> US supports Canada and Thailand’s proposal to delete the paragraph because it is repetitive.</p>
<p>23. Stressing the need to promote and protect the rights of victims of trafficking in persons and to (re-) integrate both victims and perpetrators in the community, in line with the Office of the High Commissioner for Human Rights Guidelines on Human Rights and Human Trafficking and the UNICEF Guidelines on the Protection of Child Victims of Trafficking;</p>	<p><b>Facilitators’ Proposal:</b> Stress the need to promote and protect the rights of victims of trafficking in persons and to (re-) integrate victims into the community, in line with the Office of the High Commissioner for Human Rights Recommended Principles and Guidelines on Human Rights and Human Trafficking and the UNICEF Guidelines on the Protection of Child Victims of Trafficking;</p> <p><b>African Group:</b> <del>Stressing</del> <u>To stress</u> the need to promote and protect the rights of victims of trafficking in persons and to (re-) integrate victims in the community <del>taking into consideration the supportive role of the Office of the High Commissioner for Human Rights (OHCHR) and the United Nations Children’s Fund (UNICEF) in this regard;</del></p> <p><b>Colombia:</b> ... (re-)integrate <del>both victims and perpetrators</del> in the community, in</p> <p><b>EU:</b> Stressing the need to promote and protect the rights of victims of trafficking in persons <del>and to (re-) integrate both victims and perpetrators in the community, in line with</del> <u>taking into account</u> the Office of the High Commissioner for Human Rights Guidelines on Human Rights and Human Trafficking and the UNICEF Guidelines on the Protection of Child Victims of Trafficking <del>and stressing also the need to reintegrate the victims in society;</del> <u>23bis Stressing the need to fully implement the respective Articles referring to victim protection of</u></p>

	<p><a href="#">UNTOC and its additional Protocols</a></p> <p><b>EU (11 June 2010):</b> The EU would like to maintain its previous suggested comments in relation to paragraph 23 where we made suggestions to the existing text and suggested the addition of 23 bis.</p> <p><b>IOM:</b> add IOM’s Handbook on Direct Assistance for Victims of Trafficking is cited as one of the three concrete tools that provides detailed guidance on protection and assistance translating the Protocol’s provisions into a human rights based approach to implementation</p> <p><b>OHCHR:</b> ... in line with the Office of the High Commissioner for Human Rights <a href="#">Recommended Principles and Guidelines on Human Rights...</a></p> <p><b>Thailand:</b> delete</p> <p><b>UNAIDS:</b> Stressing the need to promote and protect the rights of <a href="#">trafficked persons</a> <del>victims of trafficking in persons</del> and to (re-) integrate both <a href="#">them</a> <del>victims</del> and perpetrators in the community;</p> <p><b>UNICEF:</b> Recommend reference to the <a href="#">UN Guidelines on Justice in Matters Affecting Child Victims and Witnesses of Crime</a></p> <p><b>USA:</b> Delete “both” and “and perpetrators.” The correct title of OHCHR’s document is “Recommended Principles and Guidelines on Human Rights and Human Trafficking.” Add at the end of paragraph “..and the WHO’s Ethical and Safety Recommendations for Interviewing Trafficked Women.”</p> <p><b>USA (8 June 2010):</b> US continues to advocate for its amendment and can also support the EU’s amendment.</p>
<p>24. Ensuring that national legislation recognizes trafficked persons as victims of crime regardless of nationality, gender, age or form of exploitation or similar features;</p>	<p><b>Facilitators’ Proposal:</b> Ensure that national legislation recognizes trafficked persons as victims of crime and that such legislation effectively criminalizes all forms of trafficking, regardless of the type of exploitation or the characteristics of the victim;</p> <p><b>African Group:</b> <a href="#">Ensuring To ensure</a> that national legislation recognizes trafficked persons as victims of crime regardless of nationality, gender, age or form of exploitation or similar features, <a href="#">while encouraging national legislation to criminalize trafficking in human beings:</a></p> <p><b>Canada:</b> replace with “Ensuring that national legislation effectively criminalizes all forms of trafficking, regardless of the type of exploitation of the characteristics of the victim”</p>

	<p><b>EU:</b> Ensuring that <u>national legislation recognizes trafficked persons are recognised, first and foremost</u> as...</p> <p><b>EU (11 June 2010):</b> The EU would like to maintain its previous suggested comments in relation to paragraph 24.</p> <p><b>Japan:</b> We think that it is not appropriate for this Plan of Action to give guidance to the content of national legislation.</p> <p><b>OHCHR:</b> Ensuring that national legislation recognizes trafficked persons as victims of a crime regardless of nationality, <u>immigration status</u>, gender, age or form of exploitation or similar features</p> <p><b>Singapore:</b> Ensuring that <u>national legislation recognizes trafficked persons trafficked persons are treated</u> as victims of crime regardless of nationality, gender, age or form of exploitation or similar features</p> <p><b>Switzerland (9 June 2010):</b> We support the EU proposal, which is stronger and doesn't refer to <i>national legislation</i> as such</p> <p><b>Thailand:</b> delete</p> <p><b>UNICEF:</b> Suggest adding "<u>immigration status</u>" to the current list beginning with "nationality, gender, age or form of exploitation or similar features"; suggest further adding "... and irrespective of the collaboration of the victim of trafficking with law enforcement authorities, the outcome of a related trial and a conviction of the perpetrator under the anti-trafficking law"</p> <p><b>USA:</b> delete</p> <p><b>USA (8 June 2010):</b> US requests clarification on what is meant by "similar features".</p>
<p>25. Reviewing existing national services available to national and foreign victims of trafficking, and strengthening those services where needed as well as supporting the establishment or strengthening of national referral mechanisms;</p>	<p><b>Facilitators' Proposal:</b> Review existing national services available to victims of trafficking, according to Article 6 of the Trafficking Protocol and strengthen those services where needed as well as support the establishment or strengthening of national referral mechanisms;</p> <p><b>African Group:</b> <del>Reviewing</del> <u>To review</u> existing national services available to <del>national and foreign</del> victims of trafficking, and <u>to strengthening</u> those services, where needed as well as supporting the establishment or strengthening of national referral mechanisms;</p> <p><b>Canada:</b> ...of national referral mechanisms, <u>as appropriate</u>.</p>

	<p><b>EU:</b> Reviewing existing national services available to national and foreign victims of trafficking, <a href="#">according to Article 6 of the Protocol to Prevent, Suppress and Punish trafficking in persons</a> and strengthening those services where needed as well as supporting the establishment or strengthening of <del>national</del> referral mechanisms</p> <p><b>EU (11 June 2010):</b> The EU is grateful to the Co-Facilitators for including the EU's comment in the compromise proposal. The EU maintains that the word "national" is unnecessary and thus can be deleted.</p> <p><b>Japan:</b> <i>Change</i> “services” to “measures”. We think that it is up to each State to decide whether or not they support the establishment or the strengthening of referral mechanisms. (rationale) To be submitted if necessary.</p> <p><b>OHCHR:</b> referral mechanisms <a href="#">as well as by creating the institution of a National Rapporteur on trafficking in persons</a>;</p> <p><b>Thailand:</b> delete</p> <p><b>UNAIDS:</b> Reviewing existing national services available to national and foreign <a href="#">trafficked persons</a> <del>victims of trafficking</del>, and strengthening those services where needed as well as supporting the establishment or strengthening of national referral mechanisms</p> <p><b>UNICEF:</b> Needs clarification on what is meant by “national services”. It is unclear whether this means services that are provided by the state (i.e. government) or whether “national services” means all services including those implement by NGOs, civil society and international organizations. Also suggested replacing the word “foreign” with “<del>non-national</del>”</p> <p><b>USA (8 June 2010):</b> US supports EU amendment. US does not support UNAIDS amendment.</p>
<p>26. Strengthening the capacity of service providers and others likely to encounter and identify possible victims of trafficking, such as law enforcement personnel, border control officers, consular embassy officials, judges and prosecutors and peacekeepers, and ensuring the availability of needed resources to the relevant sectors and institutions, including those of civil society;</p>	<p><b>Facilitators’ Proposal:</b> Strengthen the capacity of service providers and others likely to encounter and identify possible victims of trafficking, such as law enforcement personnel, border control officers, labor inspectors, consular embassy officials, judges and prosecutors and peacekeepers, and ensure the availability of needed resources to the relevant sectors and institutions, including those of civil society;</p> <p><b>African Group:</b> <del>Strengthening</del> <a href="#">To strengthen</a> the capacity of service providers...</p> <p><b>Canada:</b> ...consular embassy officials.; <del>judges and prosecutors and</del> peacekeepers, and <del>...</del></p>

	<p><b>EU:</b> Strengthening <u>or continuing to strengthen social protection mechanisms and the capacity and training of service providers and others, as stipulated by Art. 29 of UNTOC and Art. 10 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons likely to encounter and identify possible victims of trafficking, such as law enforcement personnel, border control officers, consular embassy officials, judges and prosecutors and peacekeepers, and ensuring the availability of needed resources to the relevant sectors and institutions, including those of civil society;</u></p> <p><b>EU (11 June 2010):</b> The EU would like to maintain its previous suggested comment in relation to paragraph 26 where we asked for the insertion of "or continuing to strengthen" in the first line of the paragraph.</p> <p><b>Japan:</b> <i>Change</i> “service providers and others” to “officials”. (rationale – 8 June 2010) It is unclear what “service providers and others” means. The list of examples of “service providers and others” referred to after “such as” all seem to be officials. We therefore propose changing “service providers and others” to “officials”.</p> <p><b>Thailand:</b> delete</p> <p><b>UNAIDS:</b> Strengthening the capacity of service providers and others likely to encounter and identify possible <del>victims of trafficked</del> <u>ing persons</u>, such as...</p> <p><b>UNICEF:</b> Again suggest adding “<u>social welfare and labour personnel and professionals in the health sector</u>” to the currently listed entities such as “law enforcement, border control offices, consular embassy officials, judges and prosecutors and peacekeeper”</p> <p><b>USA:</b> After “border control officers” add “labor inspectors”</p> <p><b>USA (8 June 2010):</b> US continues to request mention of “labor inspectors,” or can support the EU amendment. US does not support UNAIDS amendment.</p>
<p>27. Preventing secondary victimization in the context of investigations, in the judicial system and in victim assistance programmes, including by adopting appropriate measures to ensure that victims of trafficking are not penalized for engaging in illicit activities as a direct result of being trafficked or as a result of coercion;</p>	<p><b>Facilitators’ Proposal:</b> Prevent re-victimization in the context of investigations, in the judicial system and in victim assistance programmes, including by adopting appropriate measures to ensure that victims of trafficking are not penalized for engaging in illicit activities as a direct result of being trafficked or as a result of coercion;</p> <p><b>African Group:</b> <del>Preventing</del> <u>To prevent</u> secondary</p>

	<p>victimization...</p> <p><b>Canada:</b> replace with “Urges Governments to take all appropriate measures to ensure that victims of trafficking are not penalized for being trafficked and that they do not suffer from victimization as a result of actions taken by government authorities, and encourages Governments to prevent, within their legal framework and in accordance with national policies, victims of trafficking in persons from being prosecuted for their illegal entry or residence.”</p> <p><b>EU:</b> Preventing <u>secondary re-victimization, as stipulated by Art. 9 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons in the context of investigations, in the judicial system and in victim assistance programmes, including by adopting appropriate measures to ensure that victims of trafficking are not penalized for engaging in illicit activities as a direct result of being trafficked or as a result of coercion;</u></p> <p><b>EU (15 June 2010):</b> Replace with: "Urges Governments to take all appropriate measures to ensure that victims of trafficking are not penalized for being trafficked and that they do not suffer from victimization as a result of actions taken by government authorities."</p> <p><b>Holy See:</b> §27, page 7: after the “<i>illicit activities</i>” include <u>or for being irregular migrants</u></p> <p><b>Japan (8 June 2010):</b> Replace facilitator’s proposal with “Preventing re-victimization in the context of investigations, in the judicial system and in victim assistance programmes, including by adopting appropriate measures <u>within the limits of domestic law of each Member State</u> to ensure that victims of trafficking <u>in persons</u> are not penalized <u>in appropriate cases</u> for engaging in illicit activities as a direct result of being trafficked or as a result of coercion”.</p> <p>(rationale) It is principally up to the prosecutors to decide whether or not to suspend the indictment, taking into account the seriousness of the crime which has been committed and all other relevant factors. Thus it is not appropriate to impose any limitations on prosecutors’ discretion which is ensured by national legislation.</p> <p><b>Singapore:</b> delete</p> <p><b>Switzerland (9 June 2010):</b> We support your facilitators’ proposal</p> <p><b>Thailand:</b> delete</p> <p><b>UNAIDS:</b> Preventing secondary victimization in the context of investigations, in the judicial system and in <u>victim</u> assistance programmes <u>for trafficked</u></p>
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	<p><del>persons</del>, including by adopting appropriate measures to ensure that <del>trafficked persons</del><del>victims of trafficking</del> are not penalized...</p> <p><b>UNICEF:</b> Currently the paragraph only makes reference to one aspect of “means” used to trafficking people, namely coercion. Singling out one “means” places undue weight to the element and loses out the significance of others. Also suggest including also reference to the protection from sanctions under other than criminal law: “... ensure that victims of trafficking are not ‘<del>sanctioned or</del>’ penalised for ‘<del>illegal entry or stay</del>’ or engaging...</p> <p><b>USA (8 June 2010):</b> US does not support deletion; we can accept EU amendment.</p>
<p>28. Protecting the privacy and identity of victims of trafficking in persons before, during and after criminal proceedings, including, inter alia, by making legal proceedings relating to such trafficking confidential;</p>	<p><b>Facilitators’ Proposal:</b> Protect the privacy, identity, and safety of victims of trafficking in persons and their families before, during and after criminal proceedings;</p> <p><b>African Group:</b> <del>Protecting</del><del>To protect</del> the privacy and identity of victims...</p> <p><b>EU:</b> Protecting the privacy and identity <del>and promoting the safety of witnesses, victims of trafficking in persons and their families, in particular before, of victims of trafficking in persons before,</del> during and after criminal proceedings, <del>as stipulated by Art. 24 and Art. 25 of UNTOC and Art.6 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons including, inter alia, by making legal proceedings relating to such trafficking confidential;</del></p> <p><b>EU (11 June 2010):</b> The EU would like to maintain its previous suggested comment in relation to paragraph 28. We would prefer the paragraph to be tied to the relevant provisions in UNTOC and its protocols.</p> <p><b>Holy See:</b> It is unclear what is meant by “<i>making legal proceedings relating to such trafficking confidential</i>” and what such confidentiality will entail</p> <p><b>Singapore:</b> <del>In appropriate cases and to the extent possible under its domestic law,</del> <del>P</del>rotecting the privacy and identity of victims of trafficking in persons <del>before, during and after criminal proceedings,</del> including, inter alia, by making legal proceedings relating to such trafficking confidential</p> <p><b>Switzerland (9 June 2010):</b> Paras 28 and 29 to be merged as proposed by the EU (but referring to UNTOC seems difficult for Member States that are not parties to UNTOC)</p> <p><b>Thailand:</b> delete</p>

	<p><b>UNAIDS:</b> Protecting the privacy and identity of <del>victims of trafficked</del><u>ing in</u> persons before...</p> <p><b>UNICEF:</b> Suggest adding explicit reference to data protection</p> <p><b>USA:</b> After “.proceedings” delete “including, inter alia, by making legal proceedings relating to such trafficking confidential.”</p> <p><b>USA (8 June 2010):</b> US supports EU amendment.</p>
<p>29. Protecting victims and witnesses from retaliation or intimidation, including by ensuring their physical safety;</p>	<p><b>Facilitators’ Proposal:</b> Protect victims and witnesses from retaliation or intimidation, including by ensuring their physical safety;</p> <p><b>African Group:</b> <del>Protecting-To protect</del> victims and witnesses...</p> <p><b>EU:</b> delete</p> <p><b>EU (11 June 2010):</b> Recalling the Co-facilitators' statement that they envisage a concise political declaration, the EU has proposed some streamlining of paragraphs 28 and 29 and would like to maintain this position.</p> <p><b>Singapore:</b> <del>Protecting victims and witnesses from retaliation or intimidation, including by ensuring their physical safety</del>–<u>Endeavouring to provide for the physical safety of victims of trafficking in persons while they are within its territory</u></p> <p><b>Switzerland (9 June 2010):</b> See comment for paragraph 28.</p> <p><b>Thailand:</b> delete</p> <p><b>UNAIDS:</b> Protecting <del>victims</del><u>trafficked persons</u> and witnesses from retaliation or intimidation, including by ensuring their physical safety;</p> <p><b>UNICEF:</b> Suggest reference be made to <u>the special needs of child victims and witnesses of crime as per the ECOSOC Resolution of 2005/20 on Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime</u>. Also suggest adding reference to the “<u>safety of their family members when necessary</u>”</p> <p><b>USA:</b> Request revision as follows: “Protecting victims and witnesses from retaliation or intimidation, and <u>facilitating their cooperation with law enforcement</u>, including by ensuring their physical safety, and <u>devising alternatives to incarceration or criminal detention</u>.”</p>

<p>30. Providing assistance and services for the physical, psychological and social recovery of trafficked persons and their full rehabilitation in cooperation with non-governmental organizations, other relevant organizations and other elements of civil society;</p>	<p><b>Facilitators’ Proposal:</b> Provide assistance and services for the physical, psychological and social recovery of trafficked persons and their rehabilitation in cooperation with non-governmental organizations, relevant organizations and sectors of civil society;</p> <p><b>African Group:</b> <del>Providing</del> <u>To provide</u> assistance and services for the physical, psychological and social recovery of trafficked persons and their full rehabilitation in their communities in cooperation with <u>sub-regional, regional and international organizations as well as</u> non-governmental organizations, other relevant organizations and civil society;</p> <p><b>EU:</b> Providing assistance and services for the physical, psychological and social recovery of trafficked persons and their <del>full</del> rehabilitation in cooperation with non-governmental organizations, other relevant organizations and other <del>elements</del> <u>actors</u> of civil society, <u>as stipulated by Article 6 of the UN Protocol on Prevent, Suppress and Punish Trafficking in persons</u></p> <p><b>EU (11 June 2010):</b> The EU can accept the Co-facilitators’ proposal in line with the stipulations of Article 6 of the Protocol.</p> <p><b>Holy See:</b> §30, page 7: it is imprecise whether the activities of “<i>providing assistance and services</i>” will be primarily funded by the United Nations trust fund (cf. §36). Further, after “<i>non-governmental organizations</i>” include <u>religious-based communities</u></p> <p><b>Japan:</b> <i>Change</i> “and their full rehabilitation” to “and their rehabilitation”. (rationale) It is not always possible to achieve victims’ “full” rehabilitation.</p> <p><b>Singapore:</b> <u>Considering the implementation of measures to provide</u> for the physical, psychological and social recovery of victims of trafficking <u>trafficked persons and their full rehabilitation including, in appropriate cases, in cooperation with</u> non-governmental organizations, other relevant organizations and other elements of civil society</p> <p><b>Thailand:</b> delete</p> <p><b>USA (8 June 2010):</b> US supports EU and Japan amendments, and the Holy See’s amendment to add “religious-based communities.”</p>
<p>31. Adopting legislative or other appropriate measures to allow foreign victims to legalize their immigration status or pursue permanent residency or citizenship, in appropriate cases;</p>	<p><b>Facilitators’ Proposal:</b> Consider adopting legislative or other appropriate measures that permit victims of trafficking in persons to remain in its territory, temporarily or permanently, in appropriate cases, as stipulated by the Trafficking Protocol;</p>

	<p><b>African Group:</b> <del>Adopting legislative or other appropriate</del> <u>To enact, where it does not already exist, and adopting legislative or other appropriate and all necessary</u> measures to allow foreign victims to...</p> <p><b>Canada:</b> Adopting legislative or other appropriate measures to allow foreign victims to <del>legalize their immigration status or pursue permanent residency or citizenship</del> <u>remain in the territory temporarily or permanently,</u> in appropriate cases;</p> <p><b>EU:</b> Adopting legislative or other appropriate measures <del>that may permit to allow foreign victims of trafficking in persons to remain in its territory, temporarily or permanently, in appropriate cases, as stipulated by Art. 7 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons</del> <u>to legalize their immigration status or pursue permanent residency or citizenship, in appropriate cases;</u></p> <p><b>EU (11 June 2010):</b> The EU can accept the Co-facilitators' proposal as a direct quotation from Article 7 of the Protocol.</p> <p><b>IOM:</b> OP31bis “Making use of available technical assistance to member states in providing assistance for protection of victims of trafficking in persons, including inter alia, by IOM”</p> <p><b>Japan:</b> <i>Change</i> whole paragraph to “Considering the adoption of legislative or other appropriate measures that permit victims of trafficking in persons to remain in its territory, temporarily or permanently, in appropriate cases”. (rationale) It should be agreeable to all delegations to quote Article 7 paragraph 1 of the Trafficking in Persons Protocol.</p> <p><b>Malaysia:</b> delete</p> <p><b>OHCHR:</b>...permanent residency or citizenship, <u>including access to the asylum process,</u> in appropriate cases...</p> <p><b>Singapore:</b> delete</p> <p><b>Thailand:</b> delete</p> <p><b>UNAIDS:</b> Adopting legislative or other appropriate measures to allow foreign <u>trafficked persons</u> <del>victims</del> to legalize...</p> <p><b>UNICEF:</b> Ideally, paragraph 41 should come before paragraph 31 or else the two paragraphs can be combined. Recommend language <u>to propose reflection and recovery period, possibilities for temporary residency, and possibilities that temporary residency is reckonable towards a long-</u></p>
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	<p><u>term status – pathways to permanent residency and citizenship</u></p> <p><b>USA:</b> After “..citizenship” add “..or obtain temporary work permits,</p> <p><b>USA (8 June 2010):</b> US supports Canada and EU’s amendment in addition to our original amendment. US does not support UNAIDS’ amendment.</p>
<p>32. Ensuring the commitment by countries of origin to accept their nationals back and facilitate access to care and services and ensuring that the return of a foreign suspected victim of trafficking in persons to a State of which that person is a citizen or permanent resident is voluntary and is conducted with due regard for the safety of that person;</p>	<p><b>Facilitators’ Proposal</b> Ensure that countries of origin accept their nationals back and guarantee such return is conducted with due regard for safety and shall preferably be voluntary as stipulated by the Trafficking Protocol;</p> <p><b>African Group:</b> <u>Ensuring To ensure</u> the commitment by countries of origin... and is conducted with due <del>regard</del> <u>respect</u> for the safety of that person;</p> <p><b>Australia:</b> retains the right to remove unlawful non-citizens involuntarily, consistent with international obligations and Australian domestic law.</p> <p><b>Canada:</b> ...of which that person is a citizen or permanent resident is <u>preferably</u> voluntary and...</p> <p><b>China:</b> Ensuring the commitment by countries of origin to accept their nationals back and facilitate access to care and services and ensuring <del>that that</del> the return of a foreign suspected victim of trafficking in persons to a State of which that person is a citizen or permanent resident and <del>is voluntary and is conducted with due regard for</del> the safety of that person</p> <p><b>Cuba:</b> Ensuring the commitment by countries of origin to accept <u>in accordance with national legislation</u> their national back and facilitate access to care and services and ensuring that the return of a foreign suspected victim of trafficking in person to a State of which that person is a citizen or permanent resident is voluntary and is conducted with due regard for the safety of that person</p> <p><b>Cuba (8 June 2010):</b> Mission of Cuba stresses its previous proposal for this paragraph (see above): “For us it is really important that any proposal of this paragraph reflects that all acceptance of national back to their countries of origin should be with the due respect to national legislation.”</p> <p><b>EU:</b> Ensuring the commitment by countries of origin to accept their nationals back and <u>ensuring that the return is conducted with due regard to safety and shall preferably be voluntary, as stipulated by Art. 8 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons</u><del>facilitate access to care and services and ensuring that the return of a foreign</del></p>

	<p><del>suspected victim of trafficking in persons to a State of which that person is a citizen or permanent resident is voluntary and is conducted with due regard for the safety of that person;</del></p> <p><b>EU (11 June 2010):</b> The EU can accept the Co-facilitators' proposal as a direct quotation from Article 8 of the Protocol.</p> <p><b>Holy See:</b> after “<i>safety</i>” include <u>and dignity</u></p> <p><b>Japan:</b> <i>Change</i> “is voluntary” to “is preferably voluntary”. (rationale) It should be agreeable to all delegations to adhere to Article 8 paragraph 2 of the Trafficking in Persons Protocol.</p> <p><b>OHCHR:</b> ...of a foreign <del>presumed</del> <u>suspected</u> victim of trafficking in persons...</p> <p><b>Singapore:</b> permanent resident <del>is voluntary and</del> is conducted with due regard for the safety of that person</p> <p><b>Thailand:</b> delete</p> <p><b>UNAIDS:</b> ...facilitate access to care and services and ensuring that the return of a foreign suspected <del>victim of trafficked</del> <u>ing in</u> person...</p> <p><b>UNICEF:</b> Suggest inclusion of <u>family tracing and family assessment</u> as additional requisite to the currently identified requisites of voluntariness and due regard for safety for the return of trafficked victims. Further suggest inclusion of a sentence or a creation of a new paragraph along the lines of “<u>Individual case assessment is done for each individual person, including a best interests determination for children, taking the child’s own views into account, and that includes also family tracing and assessment, prior to a decision about stay or return being made</u>”</p> <p><b>USA:</b> delete</p> <p><b>USA (8 June 2010):</b> US supports EU amendment or our original amendment.</p>
<p>33. Adopting labour laws that provide legal rights and protections for workers at high risk for trafficking;</p>	<p><b>Facilitators’ Proposal:</b> Adopt labour laws that provide legal rights and protections for workers at high risk of being trafficked;</p> <p><b>African Group:</b> <del>Adopting</del> <u>To adopt</u> labour laws that provide legal rights and protections for workers at high risk of trafficking ...</p> <p><b>Belarus:</b> ... trafficking <u>and encouraging involvement of labour market institutions in the</u></p>

	<p><u>fight against human trafficking</u>;</p> <p><b>Canada:</b> clarify that protections would be afforded to all workers</p> <p><b>EU:</b> delete</p> <p><b>EU (11 June 2010):</b> The EU would like to maintain its previous suggested comment in relation to paragraph 33.</p> <p><b>Japan:</b> We would like to seek clarification as to whether the purpose of this paragraph is to protect workers that are often subject to victimization by establishing labor laws that provides workers with rights and adequate protection.</p> <p><b>OHCHR:</b> Adopting labour laws that provide legal rights and protections for workers at high risk of <u>being for-trafficked</u></p> <p><b>Singapore:</b> delete</p> <p><b>Switzerland (9 June 2010):</b> We support your facilitators’ proposal but UNICEF’s proposal to move para 33 to the prevention section makes sense since this para deals with prevention.</p> <p><b>Thailand:</b> delete</p> <p><b>UNICEF:</b> Suggest moving the sentence to the prevention section and adding here a reference to the possibility of labour migrants and persons who have worked under exploitative conditions to seek and receive legal advice and assistance in claiming their rights without risking sanctions due to an undocumented immigration status and / or working situation</p> <p><b>USA (8 June 2010):</b> US supports Canadian proposal and provides the following language: “<b>Adopting labour laws that provide legal rights and protections FOR ALL WORKERS, INCLUDING THOSE at high risk for trafficking.</b>”</p>
<p>34. Providing specialized services to identified victims of trafficking in persons, including access to HIV prevention, treatment, care and support services;</p>	<p><b>Facilitators’ Proposal:</b> Provide specialized services to identified victims of trafficking in persons, in line with Article 6 of the Trafficking Protocol including access to comprehensive health services, such as access to HIV prevention, treatment, care and support services, taking into account that human trafficking for the purposes of sexual exploitation has serious, immediate and long term implications for health, including sexual and reproductive health;</p> <p><b>African Group:</b> <del>Providing</del> <u>To provide</u> specialized services ...</p> <p><b>China:</b> Providing specialized services to identified</p>



	<p>victims of trafficking in persons, <del>including such as</del> access to HIV prevention, treatment, care and support services</p> <p><b>EU:</b> Providing specialized services to identified victims of trafficking in persons, <u>in line with Article 6 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, including access to comprehensive health services, including access to HIV prevention, treatment, care and support services, taking into account that human trafficking for the purposes of sexual exploitation has serious, immediate and long term implications for health, including sexual and reproductive health;</u></p> <p><b>EU (11 June 2010):</b> The EU thanks the Co-facilitators for taking on board much of our proposed wording and re-submits to the Co-facilitators the suggestion to use “including” instead of “such as ” in the 4<sup>th</sup> line as we believe that the list might not be exhaustive.</p> <p><b>Japan:</b> <i>Delete</i> whole paragraph. (rationale) Reference is already made to the provision of assistance and services for physical recovery in paragraph 30 which is based on Article 6 paragraph 3 of the Trafficking in Persons Protocol. We also think that there is no reason to emphasize the provision of HIV / AIDS prevention, treatment, care and support services.</p> <p><b>Singapore:</b> Providing, <u>where appropriate,</u> specialized services to identified victims of trafficking in persons, <del>including access to HIV prevention, treatment, care and support service</del></p> <p><b>Thailand:</b> delete</p> <p><b>UNAIDS:</b> Providing <u>access to</u> specialized services, <u>which shall be voluntary, confidential and with informed consent,</u> to identified <del>victims of</del> trafficked <del>ing in</del> persons, including HIV prevention, treatment, care and support services.</p> <p><b>UNICEF:</b> Suggest inclusion of other services such as “<u>legal and psycho-social services and health</u>” services. Giving “access to HIV prevention ... services” as a sole example in this paragraph further reinforces the current misconception that trafficking occurs only for the end purpose of sexual exploitation. Also, given the gaps in formal victim identification process, it is suggested that “providing specialised services” be made not only to identified victims of trafficking but also “<u>suspected</u>” victims of trafficking “<u>on a confidential basis with informed consent</u>”</p> <p><b>USA (8 June 2010):</b> US supports EU amendment. US does not support UNAIDS’ amendment.</p>
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<p>35. Providing appropriate assistance and protection to children who are victims of trafficking or at risk of being trafficked, including for purposes such as illegal adoption or the removal of organs, including ensuring appropriate services and measures to guarantee the physical and psychological well-being of trafficked children as well as their education and reintegration in coordination with existing child protections systems;</p>	<p><b>Facilitators’ Proposal:</b> Provide appropriate assistance and protection in the best interest of the child to children who are victims of trafficking or at risk of being trafficked, including for purposes such as the removal of organs or adoption for the purpose of exploitation, including ensuring appropriate services and measures to guarantee the physical and psychological well-being of trafficked children as well as their education and reintegration in coordination with existing child protections systems;</p> <p><b>African Group:</b> <del>Providing To further provide</del> appropriate assistance and protection to...</p> <p><b>Canada:</b> replace with ”Ensuring that all actions undertaken in relation to child victims and children at risk should be guided by applicable human rights standards and in particular by the principles of protection and respect for children’s rights as set out in the UN CRC and in its Optional Protocol on the sale of children, child prostitution and child pornography. 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 the primary consideration.”</p> <p><b>Colombia:</b> Providing appropriate assistance and protection to children who are victims of trafficking or at risk of being trafficked, <del>including for purposes such as illegal adoption or the removal of organs,</del> including...</p> <p><b>EU:</b> Providing appropriate assistance and protection <u>in the best interest of the child</u> to children who are victims of trafficking, <del>or at risk of being trafficked, including for purposes such as illegal adoption or the removal of organs,</del> <u>as stipulated in Art. 6 para 4 of the Palermo Protocol,</u> including...</p> <p><b>EU (11 June 2010):</b> The EU re-submits to the Co-facilitators, for their consideration, the proposal to delete the listing of reasons for which trafficking occurs because it would be difficult to determine which victim-situation is most grave and should be included in such a list.</p> <p><b>OHCHR:</b> ...<del>including by</del> ensuring appropriate services...</p> <p><b>Switzerland (9 June 2010):</b> We support your facilitators’ proposal (since it takes on board UNICEF’s proposal about adoption).</p> <p><b>Thailand:</b> delete</p>
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	<p><b>UNAIDS:</b> Providing appropriate assistance and protection to children who are <b>victims of trafficked</b> or at risk of being trafficked...</p> <p><b>UNICEF:</b> Suggest change the currently cited end purposes of “illegal adoption” to either “<b>child marriage</b>” as an example or “<b>adoption for the purpose of exploitation</b>”. Referring only to “illegal adoption” does not send the right message as “illegal adoption” may not be for the end purposes of exploitation by the adopting parties as the illegality is mostly undertaken in processing papers for adoption. Referring to “illegal adoption” is like confusing the concepts of “smuggling” and “trafficking” where the former focuses on the illegality and the latter on exploitation</p> <p><b>USA:</b> After “..trafficking or” add “..to the best extent possible, those...” Delete “including for purposes such as illegal adoption or the removal of organs.”</p> <p><b>USA (8 June 2010):</b> US supports EU amendment and continues to advocate for our original amendment.</p>
<p>36. Urging the General Assembly to establish a United Nations trust fund for the rehabilitation and compensation of victims of the most serious forms of trafficking in persons, with a special focus on women and children, and requesting the Secretary-General to entrust UNODC with managing the trust fund;</p>	<p><b>Facilitators’ Proposal:</b> Urge the General Assembly to establish a United Nations trust fund for the rehabilitation and compensation of victims of the most serious forms of trafficking in persons, with a special focus on women and children, and request the Secretary-General to entrust UNODC with managing the trust fund;</p> <p><b>African Group:</b> <b>Urging To urge</b> the General Assembly to establish a United Nations Trust...</p> <p><b>Australia:</b> it would be more appropriate for funding issues to be addressed in 5th Committee discussions or in other UN fora (such as the Conference of Parties to the UN Convention against Transnational Organised Crime (UNTOC) and the Commission on Crime Prevention and Criminal Justice). Funding needs to be handled in a manner consistent with the usual budgetary measures.</p> <p><b>EU:</b> delete</p> <p><b>EU (11 June 2010):</b> The EU wishes to maintain its position in view of difficulties with other similar trust funds.</p> <p><b>Holy See:</b> Setting up a United Nations trust fund for victims is worthwhile.</p> <p><b>IOM:</b> In addition to the managing agency however, we suggest the establishment of a Steering Committee, as is usually the practice. Given IOM’s work and capacity on compensation and reparation</p>

	<p>of victims of other human rights violations, we would gladly volunteer to be part of such a Steering Committee</p> <p><b>Japan:</b> We think that the establishment of a trust fund for victims of trafficking in persons is questionable. There already exist trust funds for assisting victims of trafficking in persons such as the United Nations Voluntary Trust Fund on Contemporary Forms of Slavery and the United Nations Trust Fund for Human Security and duplication of funds must be avoided.</p> <p>With reference to A/RES/46/122 which established the abovementioned trust fund on contemporary forms of slavery, the description of the criteria for this new trust fund for the victims of trafficking in persons is not sufficient. Having said that, we think that this plan of action is not the right place to refer to the establishment of a trust fund.</p> <p>In any case “and compensation” in line 2 should be deleted.</p> <p><b>OHCHR:</b> ...trust fund for the...  <a href="#"><u>[alternative: To consider reinforcing the existing Trust Fund for Victims of Contemporary Forms of Slavery, administered by OHCHR, which already provides a substantial portion of its funding to rehabilitation of victims of trafficking, including by altering the name of the Fund to better reflect its role in assisting the victims of trafficking through efforts at the UN level. Providing compensation to the victims of trafficking, including through confiscation of the assets of traffickers, should be properly addressed through the national judicial system of each Member State. Effective monitoring of the process for provision of compensation to the victims should be established on the national level in order to ensure fairness and accountability of such process in the service of the human rights of the victims.]</u></a></p> <p><b>Switzerland:</b> It seems odd to urge the GA to do so in an annex of the same GA resolution, especially if such a political request at international level is mentioned among many other measures of a more technical character to be implemented on the national level. In other words, shouldn't such an urgent request be mentioned in the draft resolution itself?</p> <p><b>Thailand:</b> delete</p> <p><b>UNAIDS:</b> Urging the General Assembly to establish a United Nations trust fund for the rehabilitation and compensation of <a href="#"><u>persons who have experienced victims of</u></a> the most...</p> <p><b>USA:</b> delete</p>
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	<p><b>USA (8 June 2010):</b> US supports OHCHR’s amendment, but may also need to incorporate OPS 37 and 38 somehow.</p>
<p>37. Providing victims of trafficking the possibility of obtaining compensation from confiscated proceeds of crime, at the national level;</p>	<p><b>Facilitators’ Proposal:</b> delete</p> <p><b>African Group:</b> delete</p> <p><b>Canada:</b> Providing victims of trafficking the possibility of obtaining compensation <del>from confiscated proceeds of crime</del>, at the national level</p> <p><b>China:</b> <u>Endeavoring to provide</u> victims of trafficking the possibility of obtaining compensation <del>from confiscated proceeds of crime</del>, at the national level</p> <p><b>Colombia:</b> delete OR change to <u>Adopt measures that offer victims of trafficking in persons the possibility of obtaining compensation for damage suffered</u></p> <p><b>EU:</b> delete</p> <p><b>Japan:</b> <i>Delete</i> whole paragraph. (rationale) It is irrelevant to impose obligations as such on States.</p> <p><b>Singapore:</b> <u>Where appropriate and applicable,</u> <del>Providing</del> victims of trafficking the possibility of obtaining compensation <u>for damage suffered</u> <del>from confiscated proceeds of crime, at the national level’)</del></p> <p><b>Thailand:</b> delete</p> <p><b>UNAIDS:</b> Providing <del>victims of trafficking</del> <u>persons</u> the possibility of obtaining compensation from confiscated proceeds of crime, at the national level;</p> <p><b>UNICEF:</b> Suggest adding reference to standard procedures of compensation for victims of crime to the extent that they exist at the national level: “... possibility of obtaining compensation <i>for victims of crime, including</i> from confiscated proceeds.</p> <p><b>USA (8 June 2010):</b> US proposes merging these two paragraphs and incorporating the amendments proposed by the EU and OHCHR in OP 38. US does not support UNAIDS amendment.</p>
<p>38. Adopting measures to assist victims in pursuing civil damages against their traffickers;</p>	<p><b>Facilitators’ Proposal:</b> Adopt measures to ensure that victims can seek compensation for the damage suffered as stipulated by Article 25 paragraph 2 of UNTOC and Article 6 of the Trafficking Protocol;</p> <p><b>African Group:</b> <u>Adopting To adopt</u> measures to assist victims in pursuing civil damages against their</p>

	<p>traffickers;</p> <p><b>Belarus:</b>...services, <u>including shelters for rehabilitation</u>, to victims, <u>as well as including</u> meaningful</p> <p><b>EU:</b> Adopting measures to <u>assist ensure that</u> victims <u>can seek compensation for the damage suffered as stipulated by Art. 25 para 2 of UNTOC and Article 6 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons in pursuing civil damages against their traffickers;</u></p> <p><b>OHCHR:</b> Adopting measures to <u>effectively</u> assist victims in pursuing civil damages against their traffickers</p> <p><b>Thailand:</b> delete</p> <p><b>UNAIDS:</b> Adopting measures to assist <u>trafficked persons</u><del>victims</del> in pursuing civil damages against their traffickers;</p> <p><b>USA (8 June 2010):</b> See comment for paragraph 37.</p>
<p>39. Commending the role of civil society organizations in providing assistance and empowerment to victims of trafficking and helping them to seek redress as well as facilitating the care of and provision of appropriate services to victims, including meaningful engagement and coordination with law enforcement officials;</p>	<p><b>Facilitators' Proposal:</b> Acknowledge the important role of civil society organizations in providing assistance and empowerment to victims of trafficking and help them to seek redress as well as facilitate the care of and provision of appropriate services to victims, including meaningful engagement and coordination with law enforcement officials;</p> <p><b>African Group:</b> (PLEASE NOTE THAT PARAS. 39 - 41 were re-arranged thus: previous para 39 now 41, 40 moved to 39 and 41 moved to 40. This was to ensure that the issue of the role of the CSOs is not placed in the middle of actions by member states)</p> <p>New Paragraph 39: <del>Ensuring that domestic</del> <u>To ensure that national</u> legal or administrative systems include measures to provide information to victims regarding their rights, the relevant court and administrative proceedings and assistance to enable their views and concerns to be presented and considered at appropriate stages of such proceedings;</p> <p><b>Belarus:</b> ... facilitating the care of and provision of appropriate services, <u>including shelters for rehabilitation</u>, to victims, <u>as well as including</u> meaningful engagement and coordination with law enforcement officials;</p> <p><b>Canada:</b> recommend moving to preamble</p> <p><b>EU:</b> moved to paragraph 10 ter</p> <p><b>EU (11 June 2010):</b> The EU would like to see the</p>

	<p>original word "commending" instead of the new word "acknowledging" at the start of the paragraph.</p> <p><b>OHCHR:</b> ...officials <u>and to provide support to victims by providing financial assistance to service providers, as well as extend protection to ensure the safety of victims and service providers;</u></p> <p><b>Singapore:</b> <u>Considering, where appropriate, the adoption of Adopting</u> measures to assist victims in pursuing civil damages against their traffickers</p> <p><b>Thailand:</b> delete</p> <p><b>UNAIDS:</b> Commending the role of civil society organizations in providing assistance and empowerment to <u>victims of trafficked persons</u> and helping them to seek...</p> <p><b>USA:</b> Delete "Commending" and replace with "Acknowledging the important...". Delete sentence starting with "including" and replace with "and encouraging law enforcement agencies to explore ways to enhance meaningful engagement and coordination with civil society organizations</p> <p><b>USA (8 June 2010):</b> US supports the proposal of Canada and the EU; however, requests that the last part of the paragraph remain and add the OHCHR amendment as follows: "<u>Facilitating meaningful engagement and coordination between law enforcement officials and civil society service providers to ensure the safety of the victims and service providers as well as providing financial assistance to service providers.</u>"</p> <p>US does not support UNAIDS' amendment.</p>
<p>40. Ensuring that domestic legal or administrative systems include measures to provide information to victims regarding their rights, the relevant court and administrative proceedings and assistance to enable their views and concerns to be presented and considered at appropriate stages of such proceedings;</p>	<p><b>Facilitators' Proposal:</b> Ensure that domestic legal or administrative systems include measures to provide information to victims in a language they understand regarding their rights, the relevant court and administrative proceedings and assistance to enable their views and concerns to be presented and considered at appropriate stages of such proceedings;</p> <p><b>African Group:</b> New paragraph 40 <u>Providing suspected To provide victims of trafficking in persons with a recovery and reflection period in order for them to recover and escape the influence of traffickers and/or to take an informed decision on cooperating with the competent authorities, during which period it shall not be possible to enforce any order to expel the suspected victim from the State's territory.</u></p> <p><b>EU:</b> ...appropriate stages of such proceedings <u>as stipulated by Art. 25 of UNTOC and Art. 6 of the Protocol to Prevent, Suppress and Punish</u></p>



	<p><u>Trafficking in Persons</u></p> <p><b>EU (11 June 2010):</b> The EU would like to maintain its previous suggested comment in relation to paragraph 40. We would prefer the paragraph to be tied to the relevant provisions in UNTOC and its protocols.</p> <p><b>Singapore:</b> Ensuring that domestic legal or administrative systems <del>include</del> <u>contains</u> measures to provide information to victims <u>of trafficking in persons, in appropriate cases regarding their rights, the information on</u> relevant court and administrative proceedings and assistance to enable their views and concerns to be presented and considered at appropriate stages of <del>such proceedings-criminal proceedings against offenders, in a manner not prejudicial to the rights of the defence</del></p> <p><b>Switzerland (9 June 2010):</b> We support your facilitators’ proposal (since it deals with the important issue of interpretation/translation in the language of the victim).</p> <p><b>Thailand:</b> delete</p> <p><b>UNAIDS:</b> Ensuring that domestic legal or administrative systems include measures to provide information to <del>trafficked persons</del> <u>victims</u> regarding their rights <u>and legal assistance in</u> <del>the</del> relevant court and administrative</p> <p><b>USA:</b> After “victims” add “in a language they understand” Before “assistance” add “facilitate access to”</p> <p><b>USA (8 June 2010):</b> US supports EU’s amendment and continues to advocate our original amendment. US does not support UNAIDS’ amendment. US does not support UNAIDS’ amendment to delete “victims” and replace with “persons”.</p>
<p>41. Providing suspected victims of trafficking in persons with a recovery and reflection period in order for them to recover and escape the influence of traffickers and/or to take an informed decision on cooperating with the competent authorities, during which period it shall not be possible to enforce any order to expel the suspected victim from the State’s territory;</p>	<p><b>Facilitators’ Proposal:</b> Provide presumed victims of trafficking in persons with a reflection period in order for them to recover and escape the influence of traffickers and/or to take an informed decision on cooperating with the competent authorities, during which period it shall not be possible to enforce any order to expel the presumed victim from the State’s territory;</p> <p><b>African Group:</b> New Paragraph 41 <u>Commending To stress the importance of the role of civil society organizations and the private sector in providing assistance and empowerment to victims of trafficking and helping them to seek redress as well as facilitating the care of and provision of appropriate services to victims, including meaningful engagement and coordination with law enforcement officials</u></p>

	<p><b>China:</b> delete</p> <p><b>EU:</b> delete</p> <p><b>EU (11 June 2010):</b> The EU still maintains its previous comment calling for the deletion of paragraph 41. The EU could support the compromise proposal if the word “presumed” could be removed from the Co-facilitators’ proposal so that the first line of the paragraph reads: “Provide victims of trafficking...”.</p> <p><b>Indonesia:</b> Paragraph 41bis  <u>Noting cooperation should be based on an acknowledgment that each State had a sovereign right and legitimate interest to develop and implement its own laws to address trafficking in persons. Noting also that trans-organized criminal groups are continuously adapting and arming themselves with new technologies and methods of victimizing innocent people. Further noting that victims of trafficking require specific and sustained assistance to allow them to gain their livelihood free from the fear reach of traffickers. Furthermore, acknowledging that victims of trafficking should be provided unconditional access to assistance services, regardless of whether the person has reported to the police or given a statement in criminal proceedings, as soon as the competent authorities have an indication that she or he has been the subject to the crime of trafficking.</u></p> <p>a. <u>Inviting States to review and enact strong national legislation criminalizing trafficking in persons, strong law enforcement mechanisms and cooperation in the effective prosecution of such activities in accordance with their domestic law.</u></p> <p>b. <u>Further inviting States to consider in enhancing continuously its victim support programs to cater the sprawling needs of victims of trafficking, inter-alia, provision of shelter and other basic needs, health care, well-being, and livelihood.</u></p> <p>c. <u>Inviting also States, where appropriate and in accordance with their national laws, to consider the possibility to set up national compensation fund from funder from confiscated proceed to assist victims of trafficking.</u></p> <p>d. <u>Urging governments and other stakeholders to facilitate the dignified and humane assistance to victims of trafficking.</u></p> <p>e. <u>Requesting UNODC and its developmental partners to continue to implement victim support projects.</u></p> <p>f. <u>Further requesting UNODC to conduct</u></p>
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	<p><u>study on ways and means to increase participation of civil society and philanthropic organizations to provide meaningful and sustainable assistance to victims of trafficking.</u></p> <p><u>g. Urging UNODC in cooperation with relevant stakeholders to increase public awareness campaign on trafficking in persons namely victims of trafficking.</u></p> <p><u>h. Inviting civil society organizations in the field of providing assistance to victims of trafficking to increase its role in empowering trafficked persons and helping them to seek redress that would in turn complement the work of governments and international organization and contribute in combating trafficking in persons at the national, regional, and global levels.</u></p> <p><b>Indonesia (8 June 2010):</b> Agree with OP 41 to view the issue of victim support in a wider scope. We suggest that the centrality of the government’s role to provide assistance and support for trafficking victims be retained, and support the complimentary role of civil society in aiding states to develop a victim support and assistance program. This suggestion should be in line with OP 39 related to the role of civil society.</p> <p><b>Malaysia:</b> delete</p> <p><b>OHCHR:</b> ...any order to expel the <del>suspected</del> <u>presumed</u> victim from the State’s territory.</p> <p><b>Singapore:</b> delete</p> <p><b>Thailand:</b> delete</p> <p><b>UNAIDS:</b> Providing suspected <del>victims of</del> <u>trafficking in</u> persons with a recovery and reflection period in order for them to recover and escape the influence of traffickers and/or to take an informed decision on cooperating with the competent authorities, during which period it shall not be possible to enforce any order to expel the suspected <del>trafficked person</del> <u>victim</u> from the State’s territory;</p> <p><b>USA:</b> Delete “with a recovery and reflection period in order for them to recover and escape the influence of traffickers and/or to take an informed decision on cooperating with the competent authorities, during which period it shall not be possible to enforce any order to expel the suspected victims from the State’s territory.” Replace with “..the opportunity to consult with non-governmental organization advisors to assist victims in decision-making regarding cooperation with law enforcement and their participation in judicial proceedings.”</p>
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	<p><b>USA (8 June 2010):</b> US continues to advocate for its original amendment. US does not support UNAIDS' amendment.</p>
<p><b>III. Prosecuting crimes of trafficking in persons</b>  42. Ensuring the effective implementation of the United Nations Convention against Transnational Organized Crime by criminalizing trafficking in persons as defined by Article 3 of its supplementing Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children;</p>	<p><b>Facilitators' Proposal:</b>  Implement all relevant legal instruments that criminalize trafficking in persons;</p> <p><b>African Group: <u>Prosecuting Prosecution of crimes of trafficking in persons</u></b></p> <p><u>We resolve to undertake the following measures to maximize law enforcement measures in respect of the crime of trafficking in persons and with due regard to the need to deter the commission of such a crime:</u></p> <p><u>42. To ensuring the effective implementation of the United Nations Convention against Transnational Organized Crime by implement all relevant legal instruments eriminalizing that criminalize trafficking in persons. as defined by Article 3 of its supplementing Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children</u></p> <p><b>Belarus:...</b> Prosecuting crimes of <u>transnational and non-transnational</u> trafficking</p> <p><b>Canada:</b> replace with “Criminalizing all forms of trafficking in persons in accordance with Article 3 of the Protocol to Prevent,…”</p> <p><b>EU (11 June 2010):</b> Given the Co-facilitators' intention to support and strengthen UNTOC and its protocols the EU would like to see the original wording of "ensuring the effective implementation" maintained.</p> <p><b>Liechtenstein:</b> We do not see the need for extensive quotation, paraphrasing or reference to the implementation of the provisions of UNTOC and its Protocols (as for example in para 42, 43, 44, 45, 46, 47, 48). In general, to include a chapter on Prosecution does not seem to bring specific value added with regard to the provisions of the Palermo regime. It would clearly fall within the responsibility of the Conference of States Parties to assign the competence to assess national implementation (to which the chapter makes extensive reference). Any insecurity concerning this competence that might arise with the inclusion of a chapter on prosecution in the GPA should be avoided.</p> <p><b>Singapore:</b> Streamline paragraphs that duplicate existing provisions in the Palermo Protocols regarding the criminalization/prosecution of crimes of trafficking by deleting paragraphs 43, 44, 45, 46 and 42, and incorporate the substance of these</p>

	<p>paragraphs in amended paragraph 42</p> <ul style="list-style-type: none"> <li>42. Ensuring the effective implementation of <u>Member States’ obligations under</u> the United Nations Convention against Transnational Organised Crime, <u>where applicable</u>, by criminalizing trafficking in persons <u>in accordance with Article 5 as defined by Article 3</u> of its supplementing Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children</li> </ul> <p><b>Switzerland (9 June 2010):</b> We support the original text of para 42 (and not the new facilitators’ proposal because it doesn’t even mention UNTOC and the Palermo Protocol in this first provision on prosecution).</p> <p><b>Thailand:</b> delete</p> <p><b>USA (8 June 2010):</b> US supports Canada’s proposal that OPS 44 and 46 could be deleted and streamlined into OP 42 to read “.by criminalizing all forms of trafficking in persons in accordance with Article 3...” <u>Rationale:</u> This avoids the renegotiation of Article 3 of the Palermo Protocol in the GPOA and re-emphasizes the primacy of Palermo in defining the criminal law obligations of states with respect to trafficking.</p>
<p>43. Prosecuting crimes of trafficking that encompass all forms of exploitation, including at a minimum the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs and all types of victims;</p>	<p><b>Facilitators’ Proposal:</b> Prosecute crimes of trafficking that encompass all forms of exploitation, which shall include at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs and all types of victims as stipulated in the Trafficking Protocol;</p> <p><b>African Group:</b> <del>Prosecuting To prosecute</del> crimes of trafficking that encompass all forms <u>and types of</u> exploitation, including <u>commercial and sexual</u> exploitation, <del>including at a minimum the exploitation of the prostitution of others or</del> other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs and <u>tissues all types of victims</u>;</p> <p><b>Belarus:</b> Prosecuting crimes of <u>transnational and non-transnational</u> trafficking that encompass...</p> <p><b>EU:</b> Prosecuting <u>all forms of human crimes of trafficking as stipulated by Article 3 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons that encompass all forms of exploitation, including at a minimum the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal</u></p>

	<p>of organs and all types of victims;</p> <p><b>EU (11 June 2010):</b> The EU would like to maintain its previous suggested comment in relation to paragraph 43.</p> <p><b>Indonesia (8 June 2010):</b> We support this paragraph, especially related to forced labour.</p> <p><b>Japan (8 June 2010):</b> Replace facilitator’s proposal with “Prosecuting crimes of trafficking that encompass all forms of exploitation, <u>within the limits of domestic law of each Member State</u>, which shall include at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs and all types of victims as stipulated in the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children”.</p> <p>(rationale) It is principally up to the prosecutors to decide whether or not to suspend the indictment, taking into account the seriousness of the crime which has been committed and all other relevant factors. Thus it is not appropriate to impose any limitations on prosecutors’ discretion which is ensured by national legislation.</p> <p><b>Singapore:</b> delete</p> <p><b>Thailand:</b> delete</p> <p><b>UNAIDS:</b> <u>replace with full Palermo definition: “The recruitment, transportation, transfer, harbouring or receipt of persons by means of threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power, or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at minimum, the exploitation of prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.”</u></p> <p><b>USA:</b> delete</p>
<p>44. Ensuring the existence of legislation or offence criminalizing trafficking in persons which specifies that the consent of the victim is irrelevant when any of the improper means mentioned in the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children have been utilized;</p>	<p><b>Facilitators’ Proposal:</b> Enact and enforce legislation and strengthen existing legislation that criminalizes trafficking in persons, especially that of women and children, as reflected in the Trafficking Protocol, the Convention on the Elimination of All Forms of Discrimination Against Woman and the Convention on the Rights of the Child and its Optional Protocols;</p> <p><b>African Group:</b> <u>Ensuring the existence To enact</u></p>

	<p><del>and enforce</del> legislations <del>or offence</del> <del>and strengthen existing ones that criminalize</del>ing trafficking in persons, <del>which specifies that especially women and children even where it has been with the consent of the victim is irrelevant when any of the improper means mentioned as reflected</del> in the Protocol to Prevent Suppress and Punish Trafficking in Persons, especially Women and Children <del>have been utilized, the Convention on the Elimination of All Forms of Discrimination Against Women and the Convention on the Rights of the Child and its Optional Protocols,</del></p> <p><b>Canada:</b> delete (streamlined with OP42)</p> <p><b>China:</b> Ensuring <del>the existence of legislation or offence criminalizing trafficking in persons which specifies that the consent of the a victim of trafficking in persons to the intended exploitation set forth in the Art. 3(a) of is irrelevant when any of the improper means mentioned in the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children shall be irrelevant where any of the means set forth in this Art. 3(a) of the Protocol have been utilized</del>used</p> <p><b>EU:</b> Ensuring the existence of legislation or offence criminalizing trafficking in persons <del>and guidelines</del> which specify<del>es</del> that the consent of the victim <del>of the exploitation</del> is irrelevant when any of the improper means <del>referred to in Article 3 of mentioned in the Protocol...</del></p> <p><b>Japan:</b> <i>Change</i> whole paragraph to “Ensuring the existence of legislation or offence criminalizing trafficking in persons consistent with Article 3 (b) of the Trafficking in Persons Protocol which establishes that the consent of a victim of trafficking in persons to the intended exploitation set forth in subparagraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used”. (rationale) It should be agreeable to all delegations to quote Article 3 (b) of the Trafficking in Persons Protocol.</p> <p><b>Singapore:</b> delete</p> <p><b>Thailand:</b> delete</p> <p><b>USA:</b> delete</p> <p><b>USA (8 June 2010):</b> See comment for paragraph 42.</p>
<p>45. Adopting legislative and other measures necessary to establish as criminal offences:</p> <ol style="list-style-type: none"> <li>a. Attempting to commit an offence, as prescribed in the Protocol</li> <li>b. Participating as an accomplice in an offence, as prescribed in the Protocol</li> </ol>	<p><b>Facilitators’ Proposal:</b> Adopt legislative and other measures necessary to establish as criminal offences:</p> <ol style="list-style-type: none"> <li>a. Attempting to commit an offence</li> <li>b. Participating as an accomplice in an offence</li> </ol>



<p>c. Organizing or directing other persons to commit an offence, as prescribed in the Protocol</p>	<p>c. Organizing or directing other persons to commit an offence As stipulated by Article 5 of the Trafficking Protocol;</p> <p><b>African Group:</b> <del>Adopting</del> <b>To adopt</b> legislative and other measures necessary to establish <u>trafficking in persons</u> as criminal offences...</p> <p><b>China:</b> Adopting legislative and other measures necessary to establish as criminal offences:</p> <p>a <u>Subject to the basic concepts of its legal system, Attempting to commit an offence established in accordance with paragraph 1 of article 5 of the ,as prescribed in the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children</u></p> <p>b Participating as an accomplice in an offence <u>established in accordance with paragraph 1 of article 5 of, as prescribed in the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children</u></p> <p>c Organizing or directing other persons to commit an offence <u>established in accordance with paragraph 1 of article 5 of , as prescribed in the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children</u></p> <p><b>EU:</b> Adopting legislative and other measures necessary to establish as criminal offences:</p> <p>d. Attempting to commit an offence, <del>as prescribed in the Protocol</del></p> <p>e. Participating as an accomplice in an offence, <del>as prescribed in the Protocol</del></p> <p>f. Organizing or directing other persons to commit an offence, <del>as prescribed in the Protocol</del></p> <p><u>As stipulated by Article 5 of the Protocol on Prevention, Suppression and Punishment of Trafficking in Persons.</u></p> <p><b>Singapore:</b> delete</p> <p><b>Thailand:</b> delete</p> <p><b>USA:</b> delete</p> <p><b>USA (8 June 2010):</b> US supports EU amendment with one additional amendment by substituting changing “defined” for “stipulated” as follows “Prosecuting all forms of human trafficking as defined by Article 3...” <u>Rationale:</u> The current language of OP 45 is unclear whether it requires the prosecution of forms of exploitation (including removal of organs) or trafficking for those forms of exploitation. The US can not accept a paragraph calling for prosecution of, for example, all organ</p>
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	<p>removal and so the language should be clear to indicate that the paragraph refers to prosecution of all forms of trafficking.</p>
<p>46. Ensuring the existence of legislation criminalizing trafficking in children which specifies there is no need to establish the means as set forth in the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, and the Convention on the Rights of the Child and its Optional Protocols;</p>	<p><b>Facilitators’ Proposal:</b> Ensure the criminalization of trafficking in children without any requirement to establish the means as set forth in the Trafficking Protocol and the Convention on the Rights of the Child and its Optional Protocols;</p> <p><b>African Group:</b> delete (idea moved to paragraph 44)</p> <p><b>Belarus:</b> 46.bis <u>Ensuring further the existence of legislation criminalizing trafficking in persons for the purpose of removal of organs and tissues for transplantation;</u></p> <p><b>Canada:</b> delete (streamlined with OP42)</p> <p><b>China:</b> Ensuring <u>that the recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered trafficking in persons even if this does not involve any of the means set forth in Art. 3(a) of existence of legislation criminalizing trafficking in children which specifies there is no need to establish the means as set forth in</u> the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, and the Convention on the Rights of the Child and its Optional Protocols</p> <p><b>Colombia:</b> delete</p> <p><b>EU:</b> Ensuring the existence of legislation criminalizing trafficking in children <u>regardless of the means used to that purpose as stipulated by Article 3 of the which specifies there is no need to establish the means as set forth in the</u> Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, <u>and the Convention on the Rights of the Child and its Optional Protocols;</u></p> <p><b>EU (11 June 2010):</b> The EU would like to support the proposals made by China and Japan.</p> <p><b>Indonesia (8 June 2010):</b> In line with OP17 that refers to the demand side of trafficking, there should also be a deterrence effect to the supply side, hence we propose the following language: <u>“Encouraging the adoption or strengthening of legislative measures to criminalize demand that fosters all forms of exploitation of persons, especially women and children, that leads to trafficking”</u></p> <p><b>Japan:</b> <i>Change</i> whole paragraph to “Ensuring the existence of legislation criminalizing trafficking in children consistent with Article 3 (c) of the</p>

	<p>Trafficking in Persons Protocol which establishes that the recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered “trafficking in persons” even if this does not involve any of the means set forth in subparagraph (a) of this article”. (rationale) It should be agreeable to all delegations to quote Article 3 (c) of the Trafficking in Persons Protocol.</p> <p><b>Singapore:</b> delete</p> <p><b>Thailand:</b> delete</p> <p><b>UNICEF:</b> Suggest moving the paragraph up to follow after paragraph 44</p> <p><b>USA:</b> After “Ensuring the..” add “criminalization of” and delete “existence of legislation criminalizing” After “children” add “without any requirement..” and delete “which specifies there is no need...”</p> <p><b>USA (8 June 2010):</b> See comment for paragraph 42.</p>
<p>47. Combating, dismantling and prosecuting organized criminal groups engaged in trafficking in persons;</p>	<p><b>Facilitators’ Proposal:</b> Combat and prosecute organized criminal groups engaged in trafficking in persons;</p> <p><b>African Group:</b> <del>Combating, dismantling and prosecuting</del> <b>To combat, dismantle and prosecute</b> organized criminal groups engaged in trafficking in persons;</p> <p><b>Australia:</b> goal not achievable</p> <p><b>Canada:</b> replace with “Ensuring that participating in the activities of an organized criminal group is criminalized in accordance with Article 5 of UNTOC and taking steps to investigate, dismantle, and prosecute organized criminal groups engaged in trafficking in persons.”</p> <p><b>Colombia:</b> delete OR change to: <u>Criminalize, combat, prosecute and dismantle organized crime groups engaged in trafficking in persons in accordance with UNTOC.</u></p> <p><b>EU:</b> <del>Combating, dismantling</del> and prosecuting organized criminal groups engaged in trafficking in persons</p> <p><b>Thailand:</b> delete</p>
<p>48. Ensuring liability of all categories of offenders, including the liability of legal persons;</p>	<p><b>Facilitators’ Proposal:</b> Ensure liability of all categories of offenders, including the liability of legal persons;</p> <p><b>African Group:</b> <del>Ensuring</del> <b>To ensure</b> liability of all categories of offenders, including the liability of</p>

	<p>legal persons</p> <p><b>Australia:</b> goal not achievable</p> <p><b>China:</b> Ensuring liability of all categories of offenders, (delete “including liability of legal persons”)</p> <p><b>EU:</b> Ensuring liability of all categories of offenders, including the liability of legal persons, <a href="#">as stipulated by Article 10 of UNTOC</a></p> <p><b>EU (11 June 2010):</b> The EU would like to maintain its previous suggested comment in relation to paragraph 48. We would prefer the paragraph to be tied to the relevant provision in UNTOC.</p> <p><b>OHCHR:</b> Ensuring liability of all categories of offenders, including <a href="#">public and private actors and including</a> the liability of legal persons</p> <p><b>Thailand:</b> delete</p> <p><b>USA (8 June 2010):</b> US supports EU amendment.</p>
<p>49. Enhancing efforts to investigate alleged cases of trafficking, to prosecute perpetrators and to publicize convicted cases with full respect to human rights;</p>	<p><b>Facilitators’ Proposal:</b> Enhance efforts to investigate alleged cases of trafficking, strengthening means to combat trafficking, including through more systematic use of freezing assets for the purpose of eventual confiscation, according to the provisions of Article 12 of UNTOC, and prosecuting perpetrators, ensuring that penalties are proportionate to the gravity of the crime and to publicize convicted cases with full respect for human rights;</p> <p><b>African Group:</b> <del>Enhancing</del> <b>To enhance</b> efforts to investigate alleged cases of trafficking...</p> <p><b>EU:</b> Enhancing efforts to investigate alleged cases of trafficking, <a href="#">strengthening means to combat trafficking, including through more systematic use of freezing assets for the purpose of eventual confiscation, according to the provisions of Article 12 of UNTOC, and to prosecute</a> perpetrators, <a href="#">ensuring that the penalties are proportionate to the gravity of the crime and to publicize convicted cases with full respect to human rights;</a></p> <p><b>EU (11 June 2010):</b> The EU would like to maintain its previous suggested comment in relation to paragraph 49, namely to delete the last part of the sentence because, in our view, it may be more appropriate to leave a margin of appreciation about whether to publicize convicted cases or not.</p> <p><b>Japan (8 June 2010):</b> The same comments of Japan for paragraph 50 and 52 apply to the Facilitator’s proposal for paragraph 49.</p>

	<p><b>Thailand:</b> delete</p> <p><b>USA:</b> After “with full respect to human rights” add “of victims”</p> <p><b>USA (8 June 2010):</b> US proposes combining EU amendment and original US amendment.</p>
<p>50. Ensuring that penalties and sanctions for trafficking crimes are appropriate and proportionate to the gravity of the crime;</p>	<p><b>Facilitators’ Proposal:</b> [merged with paragraph 49]</p> <p><b>African Group:</b> <del>Ensuring</del> <b>To ensure</b> that penalties and sanctions for trafficking crimes...</p> <p><b>EU:</b> delete</p> <p><b>Japan:</b> We think that it is not appropriate for this Plan of Action to give guidance to the content of national legislation.</p> <p>It is also the discretion of the judicial branch to decide the appropriate and proportionate penalties on a case by case basis.</p> <p><b>Thailand:</b> delete</p> <p><b>USA (8 June 2010):</b> US supports EU and Japan proposal to delete the paragraph if OP 49 is amended as stated above.</p>
<p>51. Making use of available technical assistance provided to strengthen the criminal justice response to trafficking in persons, including inter alia, by UNODC;</p>	<p><b>Facilitators’ Proposal:</b> Make use of available technical assistance provided to strengthen the criminal justice response to trafficking in persons, including inter alia, by UNODC;</p> <p><b>African Group:</b> <del>Making</del> <b>To make</b> use of available technical assistance provided to...</p> <p><b>Thailand:</b> delete</p>
<p>52. Promoting the more systematic use of freezing and confiscating assets of traffickers as an effective means to fight organized crime;</p>	<p><b>Facilitators’ Proposal:</b> Promote the more systematic use of freezing and confiscating assets of traffickers as an effective means to fighting this criminal activity;</p> <p><b>African Group:</b> <del>Promoting the more systematic use of freezing and confiscating of</del> <b>To freeze and confiscate the</b> assets of traffickers as an effective means to fight organized crime, <del>in accordance with national laws;</del></p> <p><b>Canada:</b> Promoting the more systematic use of freezing and confiscating assets of traffickers as an effective means <del>to fight organized crime</del> <b>to fighting this criminal activity</b></p> <p><b>Colombia:</b> redraft in accordance with UNTOC provisions on confiscation and seizure</p>

	<p><b>EU:</b> delete</p> <p><b>EU (11 June 2010):</b> The EU would like to maintain its previous suggested comment in relation to paragraph 52.</p> <p><b>Holy See:</b> §52, page 9, could be stronger in its formulation, so that all assets and profits obtained by trafficking in persons will be confiscated. This should be expressed in line with §§37-38 on page 7</p> <p><b>Japan:</b> We think that it is up to each State to decide how to make use of the freezing and confiscating of assets established in national laws.</p> <p><b>Switzerland (9 June 2010):</b> We support your facilitators’ proposal.</p> <p><b>Thailand:</b> delete</p> <p><b>USA:</b> Delete “fight organized crime” and replace with “remove any financial benefits from traffickers and provide restitution to victims.”</p> <p><b>USA (8 June 2010):</b> US supports deletion as it is redundant (see OP 49, as amended).</p>
<p>53. Vigorously investigating, prosecuting, and punishing corrupt public officials who engage in or facilitate the trafficking of persons, recognizing that trafficking would likely not occur at current levels without official complicity, and promoting a zero tolerance policy against corrupt officials;</p>	<p><b>Facilitators’ Proposal:</b> In line with the United Nations Convention against Corruption, and UNTOC, investigate, prosecute, and punish corrupt public officials who engage in or facilitate the trafficking of persons, and promote a zero tolerance policy against corrupt officials;</p> <p><b>African Group:</b> <del>Vigorously investigating, prosecuting and punishing corrupt</del> <u>To investigate, prosecute and strongly punish</u> public officials <del>who engaged in or facilitate</del> <u>accused of engaging in or facilitating</u> the trafficking of persons, recognizing that trafficking would likely not occur at current levels without official complicity, and promoting a zero tolerance policy against <u>such</u> officials;</p> <p><b>Canada:</b> replace with “Examining the linkages between corruption and human trafficking and taking legislative, programming and policy action to specifically respond to the linkages between these two issues.”</p> <p><b>China:</b> Vigorously investigating, prosecuting, and punishing corrupt public officials who engage in or facilitate the trafficking of persons, <del>recognizing that trafficking would likely not occur at current levels without official complicity,</del> and promoting a zero tolerance policy against corrupt officials</p> <p><b>Colombia:</b> redraft in accordance with UNTOC: <u>Ensure that national legislation and anti-corruption policies provide measures to investigate, prosecute and punish public officials who engage in or</u></p>

	<p><u>facilitate trafficking in persons.</u></p> <p><b>EU:</b> <u>In line with the United Nations Convention against Corruption, and UNTOC,</u> Vigorously investigating, prosecuting, and punishing corrupt public officials who engage in or facilitate the trafficking of persons, <u>and promoting a zero tolerance policy against corrupt officials,</u> recognizing that trafficking would likely not occur at current levels without official complicity, <del>and promoting a zero tolerance policy against corrupt officials;</del></p> <p><b>Switzerland (9 June 2010):</b> We support your facilitators’ proposal with the addition proposed by the EU : “...recognizing that trafficking would likely not occur at current levels without official complicity”.</p> <p><b>Thailand:</b> delete</p> <p><b>USA (8 June 2010):</b> US can support EU amendment.</p>
<p>54. Strengthening coordination and cooperation among States in combating crimes that might be connected with trafficking in persons, including money laundering, corruption, smuggling of migrants and all forms of organized crime;</p>	<p><b>Facilitators’ Proposal:</b> Strengthen coordination and cooperation among States in combating crimes that might be connected with trafficking in persons, including money laundering, corruption, smuggling of migrants and all forms of organized crime;</p> <p><b>African Group:</b> <u>Strengthening To strengthen</u> coordination and cooperation among States <u>and within the framework of activities undertaken in sub-regional, regional and international organizations</u> in combating crimes that might be connected with trafficking in persons, including money laundering, corruption, smuggling of migrants and all forms of organized crime, <u>including through the exchange of information and best practices;</u> (MOVE Para TO PARTNERSHIP SECTION)</p> <p><b>EU:</b> delete</p> <p><b>EU (11 June 2010):</b> The EU would like to maintain its previous suggested comment in relation to paragraph 54.</p> <p><b>Thailand:</b> delete</p>
<p>55. Encouraging law enforcement, immigration or other relevant authorities of States to cooperate with one another by exchanging information, in accordance with domestic law, including cooperation among states of origin, transit and destination in order to enable joint investigations, prosecutions, and the detection of trafficking chains;</p>	<p><b>Facilitators’ Proposal:</b> Encourage law enforcement, immigration or other relevant authorities of States to cooperate with one another by exchanging information with full respect for data protection laws and standards, in accordance with domestic law, including cooperation among states of origin, transit and destination in order to enable joint investigations, prosecutions, and the detection of trafficking</p>



	<p>networks;</p> <p><b>African Group:</b> <del>Encouraging</del> <u>To encourage</u> law enforcement, immigration or other...</p> <p><b>EU:</b> delete</p> <p><b>EU (11 June 2010):</b> The EU would like to maintain its previous suggested comment in relation to paragraph 55.</p> <p><b>Thailand:</b> delete</p> <p><b>UNICEF:</b> Recommend inserting following “by exchanging information” “<u>with full respect for data protection laws and standards</u>”</p> <p><b>USA (8 June 2010):</b> US supports EU and Thailand proposal to delete OP55 as it is duplicative of OP 58.</p>
<p><b>IV. Strengthening partnerships against trafficking in persons</b></p> <p>56. Taking advantage of the networks provided by relevant international, regional and sub-regional organizations to share best practices in capacity-building for responding to trafficking in persons, and to facilitate their contributions to the international community's efforts in this area;</p>	<p><b>Facilitators' Proposal:</b> Encourage effective cooperation and coordination of efforts at the national, regional and international level, especially among countries of origin, transit and destination and take advantage of the networks provided by relevant organizations to share best practices in capacity-building for responding to and combating trafficking in persons, while stressing the importance of regional approaches to facilitate mutual legal assistance and the exchange of information with full respect for data protection laws and standards including operational information, programs and good practices in supplementing UNTOC and the work done by the Conference of the Parties to that Convention;</p> <p><b>African Group: IV. Strengthening partnerships against trafficking in persons</b> <u>We recognize that capacity-building is an essential component in combating trafficking in persons and we resolve to undertake the following measures to develop State capacity to prevent and combat trafficking in persons and enhance coordination and coherence within United Nations system in this regard:</u></p> <p>56. <del>Taking</del> <u>To take</u> advantage of the networks provided by relevant...</p> <p><b>EU:</b> <del>Taking advantage of the networks provided by relevant international, regional and sub-regional organizations to share best practices in capacity-building for responding to trafficking in persons, and to facilitate their contributions to the international community's efforts in this area</del> <u>Encouraging effective cooperation and coordination of efforts at the national, regional and international level, especially among countries of origin, transit and destination and taking advantage</u></p>

	<p><a href="#">of the networks provided by relevant organizations to share best practices in capacity-building for responding to and combating trafficking in persons, while stressing the importance of regional approaches to facilitate mutual legal assistance and the exchange of information including operational information, programs and good practices in supplementing the UNTOC and the work done by the Conference of the Parties to that Convention;</a></p> <p><b>Japan (8 June 2010):</b> The same comments of Japan for paragraph 58 apply to the facilitator’s proposal for paragraph 58.</p> <p><b>Thailand:</b> “Takeing advantage of the networks provided by relevant international, regional and sub-regional organizations to share best practices in capacity-building for responding to trafficking in persons, and to facilitate their contributions to the international community's efforts in this area”</p> <p><b>USA (8 June 2010):</b> US supports EU amendment.</p>
<p>57. Encouraging effective cooperation and coordination of efforts at the national, regional and international level by developing bilateral, regional and international cooperation agreements, especially among countries of origin, transit and destination;</p>	<p><b>Facilitators’ Proposal:</b> [merged with paragraph 56]</p> <p><b>African group:</b> <del>Encouraging To encourage</del> effective cooperation and coordination of...</p> <p><b>EU:</b> delete</p> <p><b>USA:</b> Delete “bilateral, regional and international cooperation” and replace with “cooperative”.</p> <p><b>Thailand:</b> “Encourageing effective cooperation and coordination of efforts at the <del>national</del><del>bilateral</del>, regional, <del>sub-regional</del> and international level by developing bilateral, regional, <del>sub-regional</del> and international cooperation agreements, especially among countries of origin, transit and destination”</p> <p><b>USA (8 June 2010):</b> US supports deletion in light of EU amendment to OP 56.</p>
<p>58. Stressing the importance of regional approaches to facilitate mutual legal assistance and the exchange of information including operational information, programs and good practices;</p>	<p><b>Facilitators’ Proposal:</b> [merged with paragraph 56]</p> <p><b>African Group:</b> <del>Stressing To stress</del> the importance of regional approaches to facilitate...</p> <p><b>Canada:</b> suggest merging with OP59</p> <p><b>EU:</b> <del>Stressing the importance of regional approaches to facilitate mutual legal assistance and the exchange of information including operational information, programs and good practices</del> <a href="#">Strengthening coordination and cooperation among States in combating crimes that might be connected with trafficking in persons, including all forms of organized crime;</a></p>

	<p><b>Thailand:</b> delete</p> <p><b>Japan:</b> We would like to seek clarification as to what “regional approaches to facilitate mutual legal assistance” is in detail.</p> <p><b>UNICEF:</b> Recommend inclusion of “data protection” in this paragraph in line with paragraph 55</p> <p><b>USA:</b> At the end of the paragraph add “in supplementing the United Nations Convention against Transnational Organized Crime and the work done by the Conference of the Parties to that Convention.”</p> <p><b>USA (8 June 2010):</b> US supports EU formulation of OP 58 with slight change – “Strengthening coordination and cooperation among States in combating TRAFFICKING IN PERSONS AND RELATED CRIMES, including all forms of organized crime...”</p>
<p>59. Concluding and implementing mutual legal assistance and extradition agreements to ensure the apprehension and prosecution of perpetrators of human trafficking, in accordance with the relevant provisions of national and international law;</p>	<p><b>Facilitators’ Proposal:</b> Conclude and implement mutual legal assistance and extradition agreements to ensure the apprehension and prosecution of perpetrators of trafficking in persons, in accordance with the relevant provisions of national and international law;</p> <p><b>African Group:</b> <del>Concluding and implementing To promote</del> mutual legal assistance and the exchange of information including operational information, programs and good practices, <del>including through regional approaches;</del></p> <p><b>Canada:</b> suggest merging with OP 58</p> <p><b>EU:</b> <del>Concluding and implementing mutual legal assistance and extradition agreements to ensure the apprehension and prosecution of perpetrators of human trafficking, in accordance with the relevant provisions of national and international law</del><u>Encouraging Member States that are party to the United Nations Convention against Transnational Organized Crime to enhance international cooperation in extradition and mutual legal assistance, including confiscation, in accordance with the Convention, taking into account the extended scope of cooperation available under its article 16, on extradition, and article 18, on mutual legal assistance, and the internal legal requirements of States parties for the application of the Convention;</u></p> <p>New paragraph 59bis <u>Encouraging law enforcement, immigration, judicial</u></p>

	<p><a href="#">authorities or other relevant authorities of States to cooperate with one another by exchanging information, in accordance with domestic law, including cooperation among states of origin, transit and destination in order to enable joint investigations, prosecutions, and the detection of trafficking chains.</a></p> <p><b>EU (11 June 2010):</b> The EU would like to maintain its previous suggested comment in relation to paragraph 59, including the suggested 59 bis.</p> <p><b>Japan:</b> <i>Add</i>, after “extradition agreements” in line 1, “, where appropriate,”.  <i>Change</i> “human trafficking” to “trafficking in persons”          (rationale) To be submitted if necessary.</p> <p><b>Singapore:</b> <i>Considering, where appropriate, the need to concluding and implementing</i> mutual legal assistance and extradition agreements to ensure the apprehension and prosecution of perpetrators of human trafficking, in accordance with the relevant provisions of national and <i>Member States’ obligations under</i> international law</p> <p><b>Switzerland (9 June 2010):</b> We support the EU proposal (since the inclusion of the issue of “<i>confiscation</i>” is important) as well as the new para 59bis proposed by the EU.</p> <p><b>Thailand:</b> “<a href="#">Study additional and more effective ways to ensure the apprehension and</a> prosecution of perpetrators of human trafficking, in accordance with the relevant provisions of national and international law, <a href="#">including by concluding and implementing mutual legal assistance and extradition agreements</a>”</p> <p><b>USA:</b> Rephrase as follows: “Facilitating mutual legal assistance and extradition to ensure the apprehension and prosecution of perpetrators of human trafficking.”</p> <p><b>USA (8 June 2010):</b> US proposes a few options – (1) delete and merge into the above formulation of OP 58 (Canada), (2) keep USA formulation with addition at the end of “in accordance with the relevant provisions of national and international law, or (3) accept EU formulation.  <i>Rationale:</i> Ops 55, 58 and 59 all deal with cooperation of law enforcement to increase the prosecution of trafficking offenses and should be streamlined into one or two paragraphs.</p>
<p>60. Promoting cooperation between governmental institutions and non-governmental organizations, and other elements of civil society in establishing prevention, protection and prosecution</p>	<p><b>Facilitators’ Proposal:</b>          Promote cooperation among governments, civil society, and the private sector in order to strengthen prevention, protection and prosecution policies and</p>

<p>policies and programmes;</p>	<p>programmes;</p> <p><b>African Group:</b> <del>Promoting To promote</del> cooperation between <del>among governmental institution governments, and non-governmental organizations, and other elements of</del> civil society <del>and the private sector in establishing in order to strengthen</del> prevention, protection and prosecution policies and programmes;</p> <p><b>Colombia:</b> redraft: the role of NGOs in prosecution programmes should be explained</p> <p><b>EU:</b> ...governmental organizations, and other <del>elements</del> <u>actors</u> of civil society...</p> <p><b>IOM:</b> OP60bis “Promoting cooperation between governments in regions through established Regional Consultative Processes on Migration.”</p> <p><b>Holy See:</b> §60, page 9: after “<i>non-governmental organizations</i>” include <b>religious-based communities</b></p> <p><b>Japan:</b> Delete whole paragraph. (rationale) The aim of this paragraph could be reflected by amending paragraph 62.</p> <p><b>OHCHR:</b> Paragraph 60bis <u>Providing an ongoing forum for the victims and survivors of trafficking, under the leadership of the High Commissioner for Human Rights, to contribute comments and recommendations in the development and implementation of the Plan, so their voices are heard;</u></p> <p><b>Singapore:</b> Promoting cooperation, <u>where appropriate</u>, between governmental institutions and non-governmental organizations and other elements of civil society in establishing prevention, protection and prosecution policies and programmes</p> <p><b>Thailand:</b> delete</p> <p><b>UNICEF:</b> Recommend the inclusion of “<u>National Referral Mechanism</u>” as it provides practical coordination on the effective return and repatriation side of trafficking interventions</p> <p><b>USA (8 June 2010):</b> US supports EU amendment and agrees with Colombia’s comment.</p>
<p>61. Strengthening formal and informal cooperation between law enforcement agencies regionally and internationally;</p>	<p><b>Facilitators’ Proposal:</b> Strengthen cooperation between law enforcement agencies regionally and internationally;</p> <p><b>African Group:</b> <del>Strengthening To strengthen</del> formal and informal cooperation between law enforcement <del>agencies- authorities</del> regionally and</p>

	<p>internationally, <u>in the prevention, investigation and prosecution of perpetrators and protection of and assistance to victims of trafficking in persons</u>;</p> <p><b>EU:</b> Strengthening <del>formal and informal</del> cooperation between law enforcement agencies regionally and internationally</p> <p><b>Thailand:</b> “Strengthening formal and informal cooperation, <u>as appropriate</u>, between <u>border control and</u> law enforcement agencies <u>bilaterally</u>, regionally, <u>sub-regionally</u> and internationally” <del>on Trafficking in Persons established by the Conference of the Parties to the UN Convention against Transnational Organized Crime</del></p> <p><b>USA:</b> Delete “formal and informal</p>
<p>62. Endeavoring to coordinate all stakeholders involved in the fight against trafficking in persons at the national level, including government institutions, non-governmental organizations, the private sector and workers and employers organizations;</p>	<p><b>Facilitators’ Proposal:</b> Endeavour to coordinate with all stakeholders involved in the fight against trafficking in persons at the national level, including government institutions, non-governmental organizations, the private sector, including the media, and workers and employers organizations;</p> <p><b>African Group:</b> delete</p> <p><b>Canada:</b> Endeavoring to coordinate <u>and work together with</u> all stakeholders...</p> <p><b>EU:</b> Endeavoring to coordinate <u>with</u> all stakeholders involved in the fight against trafficking in persons at the national level, including government institutions, non-governmental organizations, the private sector, <u>including the media</u>, and workers and employers organizations</p> <p><b>Japan:</b> <i>Add</i>, after “Endeavoring to coordinate” in line 1, “and to enhance cooperation among”.</p> <p><b>Switzerland (9 June 2010):</b> We support your facilitators’ proposal with the inclusion of the media.</p> <p><b>Thailand:</b> delete</p> <p><b>UNICEF:</b> Recommend the inclusion of “<u>National Referral Mechanism</u>” as it provides practical coordination on the effective return and repatriation side of trafficking interventions</p> <p><b>USA (8 June 2010):</b> US supports keeping the language in its original form.</p>
<p>63. Intensifying international cooperation to combat trafficking, consistent with the work of the open-ended working group on trafficking in persons and on international cooperation established by the Conference of</p>	<p><b>Facilitators’ Proposal:</b> Intensify international and regional cooperation to combat trafficking in persons as well as technical assistance for countries of destination and transit aimed at strengthening their ability to prevent</p>

<p>the Parties to United Nations Convention against Transnational Organized Crime;</p>	<p>trafficked labour and the goods produced as a result of such labour;</p> <p><b>African Group:</b> redraft as follows: <u>To intensify international and regional cooperation as well as technical assistance for countries of destination and transit aimed at strengthening their ability to prevent trafficked and exploited migrant labour and forced labour as well as the demand for the goods produced as a result of such labour;</u></p> <p><b>Colombia:</b> delete OR change to: <u>To intensify international cooperation in accordance with decisions 4/2 “Implementation fo the provisions on international cooperation of the UNTOC” and decision 4/4 “Trafficking in Human Beings” adopted by the Conference of the Parties to UNTOC at its fourth session, held in Vienna from 8 to 17 October 2008</u></p> <p><b>Japan (8 June 2010):</b> Japan reserves its position on this paragraph.</p> <p><b>Thailand:</b> delete</p> <p><b>USA (8 June 2010):</b> US supports keeping the language in its original form.</p>
<p>64. Promoting exchange of information and experiences between the Conference of the Parties of United Nations Convention against Transnational Organized Crime and United Nations human rights treaty bodies and mechanisms;</p>	<p><b>Facilitators’ Proposal:</b> Promote exchange of information and experiences between the Conference of the Parties of UNTOC and United Nations human rights treaty bodies and mechanisms;</p> <p><b>African Group:</b> <del>Promoting</del> <u>To promote</u> exchange of information and experiences between...</p> <p><b>Canada:</b> replace with “Strengthening and supporting ICAT to improve coordination and cooperation amongst relevant UN bodies and other international organizations”</p> <p><b>Colombia:</b> delete</p> <p><b>ILO:</b> ... human rights treaty bodies and mechanisms <u>and the supervisory mechanism of ILO;</u></p> <p><b>Switzerland (9 June 2010):</b> We support your facilitators’ proposal which is in fact the original text (since the link between the UN human rights treaty bodies and Special Procedures on the one side and the UNTOC Conference of States Parties/and its UNODC Secretariat on the other side is important).</p> <p><b>Thailand:</b> Promote<del>ing</del> exchange of information and experiences between the Conference of the Parties of United Nations Convention against Transnational Organized Crime and United Nations human rights treaty bodies and mechanisms <u>(seek further clarification);</u></p>



	<p><b>USA (8 June 2010):</b> US supports Canada’s amendment reinforcing ICAT and combine with Ops 68 and 69.</p>
<p>65. Encouraging UNODC and other international organizations to continue to assist States, upon request, to strengthen policy making, legislative arrangements and law enforcement practices, public awareness campaigns and capacity building; and to disseminate best practices in assisting victims of trafficking;</p>	<p><b>Facilitators’ Proposal:</b> Encourage UNODC, other UN Agencies, Funds and Programs as well as other international organizations to continue to assist Member States, upon request, to strengthen policy making, legislative arrangements, border-control and law enforcement cooperation, public awareness campaigns and capacity building; and to disseminate best practices in assisting victims of trafficking;</p> <p><b>African Group:</b> <del>Encouraging</del> <u>To encourage</u> UNODC and other international...</p> <p><b>Belarus:</b> assisting victims of trafficking <u>by elaborating respective guidelines and through special-purpose training courses;</u></p> <p><b>EU:</b> <del>Encouraging UNODC and other international organizations to continue to assist States, upon request, to strengthen policy making, legislative arrangements and law enforcement practices, public awareness campaigns and capacity building; and to disseminate best practices in assisting victims of trafficking</del> <u>Encouraging UNODC, UN Agencies, Funds and Programs and other international organizations to continue to assist States, upon request, to strengthen policy making, legislative arrangements and law enforcement practices, public awareness campaigns and capacity building; and to disseminate best practices in assisting victims of trafficking and to continue to improve the coherence and efficiency of technical assistance delivery in the field of trafficking in persons in coordination with the efforts of the Working Group on Technical Assistance established by the Conference of the Parties to the UNTOC;</u></p> <p><b>OHCHR:</b> ...UNODC, <u>OHCHR</u> and other international... victims of trafficking; <u>and to promote and implement a human rights-based approach to combating trafficking;</u></p> <p><b>UNICEF:</b> Suggest adding “... <u>and encouraging national Governments to seek such assistance</u>”</p> <p><b>Thailand:</b> “<u>Encourage</u>ing UNODC and other international organizations to continue to assist <u>Member</u> States, upon request, to strengthen policy making, legislative arrangements and <u>border-control and law enforcement practices</u>cooperation, public awareness campaigns and capacity building; and to disseminate best practices in assisting victims of trafficking”</p> <p><b>USA:</b> Add “to coordinate with OHCHR, other UN</p>

	agencies” after “UNODC”
<p>66. Further encouraging UNODC as well as other United Nations Agencies, Funds and Programmes to continue to improve the coherence and efficiency of technical assistance delivery in the field of trafficking in persons in coordination with the efforts of the Working Group on Technical Assistance established by the Conference of the Parties to the United Nations Convention against Transnational Organized Crime;</p>	<p><b>Facilitators’ Proposal:</b> Further encourage United Nations Agencies, Funds and Programmes to continue to improve the coherence and efficiency of technical assistance delivery in the field of trafficking in persons in coordination with the efforts of the Working Group on Technical Assistance established by the Conference of the Parties to UNTOC;</p> <p><b>African Group:</b> Further <del>encouraging to encourage</del> UNODC as well as other United...</p> <p><b>Australia:</b> There is a heavy emphasis on the role of the UNODC in the current draft; however, it will be very important that a range of UN agencies are engaged on people trafficking issues. As UNODC does not have the mandate to cover everything mentioned in the Global Plan, other agencies, particularly those with responsibilities for human rights, including labour rights issues, need to be involved too. Consultation would need to be undertaken with other UN bodies about any role they might play in implementation of the Global Plan.</p> <p><b>Colombia:</b> delete</p> <p><b>EU:</b> delete</p> <p><b>IOM:</b> Further encouraging UNODC as well as other <del>relevant international organizations United Nations Agencies, Funds and Programmes</del> to continue...</p> <p><b>Thailand:</b> Further <del>encouraging</del> UNODC as well as other United Nations Agencies, Funds and Programmes to continue to improve the coherence and efficiency of technical assistance delivery in the field of trafficking in persons;</p> <p><b>USA (8 June 2010):</b> US supports Colombia and EU’s proposal to delete the paragraph. Currently this role has been given to ICAT. We think that ICAT is the place for cross fertilization among UN agencies working on human trafficking.</p>
<p>67. Requesting the Secretary-General as a matter of priority to strengthen the capacity of UNODC to collect information and periodically report on trafficking in persons patterns and flows at the national, regional and international levels, as well as share best practices and lessons learned from regional initiatives and mechanisms;</p>	<p><b>Facilitators’ Proposal:</b> Request the Secretary-General as a matter of priority to strengthen the capacity of UNODC to collect information and periodically report on trafficking in persons patterns and flows at the national, regional and international levels, as well as share best practices and lessons learned from regional initiatives and mechanisms;</p> <p><b>African Group:</b> <del>Requesting To request</del> the Secretary-General as a matter of priority to strengthen the capacity of UNODC to collect information and periodically report on trafficking in</p>

	<p>persons patterns and flows at the national, regional and international levels, as well as share best practices <del>and lessons learned from regional initiatives and mechanisms;</del></p> <p><b>Australia:</b> Onerous reporting diverts resources from frontline activities devised to combat trafficking, particularly in countries of origin. In developing countries with limited resources and a high number of trafficking cases, this diversion of resources seems particularly counterproductive. The draft could propose streamlining current reporting processes on trafficking in persons, including higher level co-operation between UN bodies and fora to further encourage information sharing and enhance cooperation.</p> <p><b>EU:</b> Requesting <del>the Secretary-General as a matter of priority to strengthen the capacity of</del> UNODC to <u>continue</u> collecting information...</p> <p><b>EU (11 June 2010):</b> The EU would like to maintain its previous suggested comment in relation to paragraph 67.</p> <p><b>Japan (8 June 2010):</b> Japan supports the proposal by the EU.</p> <p><b>Thailand:</b> Requesting the Secretary-General as a matter of priority to strengthen the capacity of UNODC to collect <u>accurate, verifiable and reliable</u> information and periodically report on trafficking in persons patterns and flows at the national, regional and international levels, <del>as well as</del> <u>in particular on bilateral, regional, sub-regional and cross-regional</u> initiatives and mechanisms</p> <p><b>UNICEF:</b> Recommend consideration of an additional paragraph, to consider the creation of <u>National Rapporteurs on Trafficking</u> as this would assist with data collection and analysis at the national level which is critical to getting it right at the global level</p> <p><b>USA:</b> Rephrase as follows: “Requesting the UNODC to continue to monitor implementation of the Protocol, including through periodically reporting on trafficking in persons patterns and flows at the national, regional and international levels, as well as share best practices and lessons learned from the Conference of the Parties, regional initiatives and mechanisms.”</p> <p><b>USA (8 June 2010):</b> US continues to advocate for its amendment.</p>
<p>68. Promoting coordination and cooperation across the United Nations, especially amongst the existing various entities focusing</p>	<p><b>Facilitators’ Proposal:</b> Promote coordination and cooperation across the United Nations, especially amongst existing entities</p>

<p>on trafficking in persons, including via the Inter-Agency Coordination Group against Trafficking in Persons and UN.GIFT;</p>	<p>focusing on trafficking in persons, including via the Inter-Agency Coordination Group against Trafficking in Persons;</p> <p><b>African Group:</b> <u>Promoting To promote</u> coordination and cooperation <del>aecross</del> <u>within</u> the United Nations...</p> <p><b>Belarus:</b> ...especially amongst the existing various entities <u>as well as Special Rapporteurs and Representatives focusing on trafficking in persons,</u></p> <p><b>Canada:</b> suggest deleting UN.GIFT as it is not a separate entity but a brand that is used by UNODC and others to promote anti-trafficking work.</p> <p><b>Colombia:</b> delete and draft a para on ICAT as follows:  <u>Support the Inter-Agency Coordination Group against Trafficking in Persons (ICAT) aim of improving coordination and cooperation between UN agencies and other international organizations to facilitate a holistic approach to preventing and combating trafficking in persons including protection of and support for victims of trafficking.</u></p> <p><b>EU:</b> delete</p> <p><b>Japan:</b> We would like to seek clarification on what role UN. GIFT will play in accordance with this paragraph.</p> <p><b>Thailand:</b> replace with “Promot<u>ing</u> coordination and cooperation across the United Nations, especially amongst the existing various entities focusing on trafficking in persons, including via the Inter-Agency Coordination Group against Trafficking in Persons and UN.GIFT; <u>and</u>”</p> <p><b>IOM:</b> coordination and cooperation across the <u>United Nationsrelevant international organizations,</u> especially amongst the existing...</p> <p><b>USA (8 June 2010):</b> Merge with Canada’s amendment.</p>
<p>69. Urging the Secretary-General to expedite the strengthening of the United Nations Inter-Agency Coordination Group against Trafficking in Persons under the coordination of UNODC, in order to ensure overall coordination and coherence in the United Nations system's efforts to respond to trafficking in persons;</p>	<p><b>Facilitators’ Proposal:</b>          Urge the Secretary-General to expedite the strengthening of the United Nations Inter-Agency Coordination Group against Trafficking in Persons under the coordination of UNODC, in order to ensure overall coordination and coherence in the United Nations system's efforts to respond to trafficking in persons;</p> <p><b>African Group:</b> <u>Urging To urge</u> the Secretary-General to expedite the strengthening of...</p> <p><b>OHCHR:</b> ...coordination of UNODC, <u>and with rotating chairpersonship among its member entities,</u></p>

	<p>in order to ensure overall coordination and coherence in the United Nations system's efforts to respond to trafficking in persons, <u>and that all approaches to combating trafficking, including the human rights-based approach, are considered and applied through efforts which foster their complementarity</u>;</p> <p><b>Thailand:</b> replace with “<u>Urging</u> the Secretary-General to expedite the strengthening of the United Nations Inter-Agency Coordination Group against Trafficking in Persons under the coordination of UNODC, in order to ensure overall coordination and coherence in the United Nations system's efforts to respond to trafficking in persons <u>(seek further clarification)</u>”</p> <p><b>USA (8 June 2010):</b> Merge with Canada's amendment.</p>
<p>70. Encouraging Member States to consider making voluntary contributions to United Nations anti-human trafficking work, and to explore additional sources of funding in this regard, including reaching out to the private sector for contributions;</p>	<p><b>Facilitators' Proposal:</b> Encourage Member States to consider making voluntary contributions to United Nations anti-human trafficking work, and to explore additional sources of funding in this regard, including reaching out to the private sector for contributions;</p> <p><b>African Group:</b> <del>Encouraging To encourage</del> Member States to consider making voluntary...</p> <p><b>EU (11 June 2010):</b> The EU is not convinced that this is the right place to call for financial contributions. As such, the EU could support the Japanese comment.</p> <p><b>IOM:</b> Encouraging Member States to consider making voluntary contributions to <del>United Nations</del><u>relevant international organizations'</u> anti-human trafficking</p> <p><b>Japan:</b> <i>Delete</i> whole paragraph. (rationale) We think that a plan of action is not the appropriate place to call for financial contributions.</p> <p><b>UNICEF:</b> Suggest adding “... making voluntary contributions to United Nations <u>human rights, child rights and</u> anti-trafficking work...”</p>
	<p><b>African Group:</b> add new section <u><b>Implementation of the Global Action Plan</b></u> <u>Adopts the present Plan of action and its annex as the UN Global Plan on Trafficking in Persons; and</u></p> <p><u>71. Decides, without prejudice to the continuation of the discussion within the UN System of the agenda items related to trafficking in persons, to undertake the following steps for the effective follow-up of the Plan of Action:</u></p> <p><u>(a) To launch the Plan of Action at a high-level</u></p>

	<p><u>segment of its sixty-fifth session;</u></p> <p><u>(b) To examine in three years progress made in the implementation of the Plan of Action;</u></p> <p><u>(c) To invite the Secretary-General to contribute to the future deliberations of the General Assembly on the review of the implementation and updating of the Plan of Action;</u></p> <p><u>(d) To encourage Member States, the United Nations and other appropriate international, regional and subregional organizations to support the implementation of the Plan of Action, including through mobilizing resources and expertise;</u></p> <p><u>(e) To further encourage non-governmental organizations and civil society to engage, as appropriate, on how to enhance efforts to implement the Plan of Action.</u></p> <p><b>EU (11 June 2010):</b> The EU does not see the need for this paragraph given that the proposed wording is similar to a suggestion made for OP 1 for the draft resolution, and, in any case, the language is more appropriate for the resolution section.</p> <p><b>Japan (8 June 2010):</b> Japan suggests deleting the whole paragraph.</p> <p><b>USA (8 June 2010):</b> US does not support Africa Groups’ proposal. What are the resource requirements that would be needed for these measures? What are the overall statements on PBIs for this resolution?</p>
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Facilitators' Proposals  
(with African Group's Proposal for Para 71)

We the States Members of the United Nations, determined to put to an end to the heinous crime of trafficking in persons, especially women and children, and determined to prevent and combat trafficking in persons, protect and assist victims of trafficking, prosecute crimes of trafficking in persons and promote partnerships to strengthen coordination and cooperation, resolve to translate our political will into concrete actions by adopting an action plan to:

1. Consistently and strongly condemn trafficking in persons, as it constitutes a criminal activity violating human dignity and has negative effects on development, peace and security, and human rights;

2. Ensure that the human rights of trafficked persons are at the centre of all efforts to prevent and combat trafficking in persons and to protect, assist and provide redress to victims.

3. Take urgent action to prevent trafficking in persons, protect its victims and prosecute its offenders and strengthen partnership to these ends by promoting and attaining universal ratification and effective implementation of the United Nations Convention against Transnational Organized Crime (hereinafter "UNTOC") and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (hereinafter "the Trafficking Protocol") as well as other relevant international instruments, including ILO convention 29 on Forced Labour; ILO Convention 182 on the Worst Forms of Child Labour; Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery of 1956; the Convention on the Rights of the Child; its Optional Protocol on the sale of children, child prostitution and child pornography; its Optional Protocol on the involvement of children in armed conflict; and the Convention on the Elimination of All Forms of Discrimination against Women;

4. Recognize that, in accordance with Art.32 of UNTOC, the Conference of Parties to the Convention is established to improve the capacity of States Parties to promote and review the implementation of the Convention, including the Trafficking Protocol;

5. Encourage the Conference of the Parties to the UNTOC Convention to establish an appropriate and effective review mechanism to monitor the implementation of the Convention and Protocols thereto;

6. Take into account the activities and recommendations of the open-ended interim Working Group on Trafficking in Persons established by the Conference of the Parties to the UN Convention against Transnational Organized Crime;

7. Support the Human Rights Council and contribute to its work on the question of the promotion and protection of human rights for all in the fight against trafficking in persons;

8. Support the role of the Special Rapporteur on trafficking in persons, especially women and children, the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, the Special Rapporteur on violence against women, its causes and consequences, Special Rapporteur on the sale of children, child prostitution and child



pornography, Special Representative to the Secretary-General on Violence Against Children and other relevant Special Rapporteurs and Representatives. The mandate holders should assist States by offering concrete advice, making country visits, liaising with the United Nations and regional organizations, and reporting on these issues;

9. Reaffirm the central role of the United Nations Office on Drugs and Crime (UNODC) in combating trafficking in persons and providing technical assistance to implement UNTOC and the Trafficking Protocol, by making use of existing capacity building tools, lessons learned and expertise available in international organizations, including inter alia, the International Framework for Action to Implement the Trafficking in Persons Protocol;

10. Note the important work of the United Nations High Commissioner for Human Rights, the United Nations Children's Fund (UNICEF), the International Labor Organization, and the International Organization for Migration (IOM) in the global fight against trafficking in persons;

11. Make a commitment to address all forms of trafficking in persons that occur within and across national borders, including as a result of conflict, instability or humanitarian emergencies;

12. Mainstream the issue of trafficking in persons into policies and programmes aimed at addressing economic and social development, human rights, rule of law, good governance, education, natural disaster and post-conflict reconstruction;

13. Address the underlying root causes of trafficking in persons that make people vulnerable to exploitation by this serious crime, such as poverty, inequality, armed conflicts, gender discrimination, social exclusion and marginalization as well as a culture of tolerance towards violence against women, young people and children, including sexual violence in conflict;

14. Adopt and implement comprehensive policies and programmes at the national and regional levels and other measures to prevent all forms of trafficking in persons that are in line with relevant policies and programmes on migration, education, employment, empowerment of women, and crime prevention in accordance with international human rights standards;

15. Conduct research and collection of disaggregated data by types of trafficking in persons, sex and age and data collection into the nature and extent of all forms of trafficking in persons, including root causes, trends of trafficking, information on traffickers, demand for exploitative services and labour and on the gaps and shortcomings in anti-trafficking policies and programmes;

16. Develop or strengthen processes for the identification of victims such as those developed by UNODC and other organizations, including appropriate and non-discriminatory measures that help to identify trafficked victims among vulnerable populations;

17. Promote awareness-raising campaigns to discourage the demand that fosters exploitation of persons, especially women and children, that leads to trafficking and inform persons at risk of being trafficked and the general public through education and effective involvement of mass media, non-governmental organizations and the private sector and monitor the effectiveness of such campaigns;

18. Increase prevention efforts in countries of destination and transit by focusing on the demand for trafficked labour and the goods produced as a result of such labour;

19. Adopt specific measures at the national level to combat trafficking for labour exploitation, require producers of goods to abide by these measures and educate consumers on these measures;

20. Strengthen the capacity of law enforcement, immigration, education, social welfare, labour and other relevant officials in the prevention of trafficking in persons, taking into account the need to respect human rights and child-and gender-sensitive issues and encourage cooperation with civil society, non-governmental organizations and other relevant organizations;

21. Encourage the United Nations to intensify work with Member States and relevant international, regional and sub-regional organizations to identify and share best practices to prevent trafficking in persons;

22. Reaffirm that the promotion and protection of human rights for all and effective measures to respond to trafficking in persons are complementary and mutually reinforcing;

23. Stress the need to promote and protect the rights of victims of trafficking in persons and to (re-) integrate victims into the community, in line with the Office of the High Commissioner for Human Rights Recommended Principles and Guidelines on Human Rights and Human Trafficking and the UNICEF Guidelines on the Protection of Child Victims of Trafficking;

24. Ensure that national legislation recognizes trafficked persons as victims of crime and that such legislation effectively criminalizes all forms of trafficking, regardless of the type of exploitation or the characteristics of the victim;

25. Review existing national services available to victims of trafficking, according to Article 6 of the Trafficking Protocol and strengthen those services where needed as well as support the establishment or strengthening of national referral mechanisms;

26. Strengthen the capacity of service providers and others likely to encounter and identify possible victims of trafficking, such as law enforcement personnel, border control officers, labor inspectors, consular embassy officials, judges and prosecutors and peacekeepers, and ensure the availability of needed resources to the relevant sectors and institutions, including those of civil society;

27. Prevent re-victimization in the context of investigations, in the judicial system and in victim assistance programmes, including by adopting appropriate measures to ensure that victims of trafficking are not penalized for engaging in illicit activities as a direct result of being trafficked or as a result of coercion;

28. Protect the privacy, identity, and safety of victims of trafficking in persons and their families before, during and after criminal proceedings;

29. Protect victims and witnesses from retaliation or intimidation, including by ensuring their physical safety;

30. Provide assistance and services for the physical, psychological and social recovery of trafficked persons and their rehabilitation in cooperation with non-governmental organizations, relevant organizations and sectors of civil society;

31. Consider adopting legislative or other appropriate measures that permit victims of trafficking in persons to remain in its territory, temporarily or permanently, in appropriate cases, as stipulated by the Trafficking Protocol;

32. Ensure that countries of origin accept their nationals back and guarantee such return is conducted with due regard for safety and shall preferably be voluntary as stipulated by the Trafficking Protocol;

33. Adopt labour laws that provide legal rights and protections for workers at high risk of being trafficked;

34. Provide specialized services to identified victims of trafficking in persons, in line with Article 6 of the Trafficking Protocol including access to comprehensive health services, such as access to HIV prevention, treatment, care and support services, taking into account that human trafficking for the purposes of sexual exploitation has serious, immediate and long term implications for health, including sexual and reproductive health;

35. Provide appropriate assistance and protection in the best interest of the child to children who are victims of trafficking or at risk of being trafficked, including for purposes such as the removal of organs or adoption for the purpose of exploitation, including ensuring appropriate services and measures to guarantee the physical and psychological well-being of trafficked children as well as their education and reintegration in coordination with existing child protections systems;

36. Urge the General Assembly to establish a United Nations trust fund for the rehabilitation and compensation of victims of the most serious forms of trafficking in persons, with a special focus on women and children, and request the Secretary-General to entrust UNODC with managing the trust fund;

37. Delete

38. Adopt measures to ensure that victims can seek compensation for the damage suffered as stipulated by Article 25 paragraph 2 of UNTOC and Article 6 of the Trafficking Protocol;

39. Acknowledge the important role of civil society organizations in providing assistance and empowerment to victims of trafficking and help them to seek redress as well as facilitate the care of and provision of appropriate services to victims, including meaningful engagement and coordination with law enforcement officials;

40. Ensure that domestic legal or administrative systems include measures to provide information to victims in a language they understand regarding their rights, the relevant court and administrative proceedings and assistance to enable their views and concerns to be presented and considered at appropriate stages of such proceedings;

41. Provide presumed victims of trafficking in persons with a reflection period in order for them to recover and escape the influence of traffickers and/or to take an informed decision on cooperating with the competent authorities, during which period it shall not be possible to enforce any order to expel the presumed victim from the State's territory;

42. Implement all relevant legal instruments that criminalize trafficking in persons;

43. Prosecute crimes of trafficking that encompass all forms of exploitation, which shall include at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs and all types of victims as stipulated in the Trafficking Protocol;

44. Enact and enforce legislation and strengthen existing legislation that criminalizes trafficking in persons, especially that of women and children, as reflected in the Trafficking Protocol, the Convention on the Elimination of All Forms of Discrimination Against Woman and the Convention on the Rights of the Child and its Optional Protocols;

45. Adopt legislative and other measures necessary to establish as criminal offences:

- a. Attempting to commit an offence
- b. Participating as an accomplice in an offence
- c. Organizing or directing other persons to commit an offence

As stipulated by Article 5 of the Trafficking Protocol;

46. Ensure the criminalization of trafficking in children without any requirement to establish the means as set forth in the Trafficking Protocol and the Convention on the Rights of the Child and its Optional Protocols;

47. Combat and prosecute organized criminal groups engaged in trafficking in persons;

48. Ensure liability of all categories of offenders, including the liability of legal persons;

49. Enhance efforts to investigate alleged cases of trafficking, strengthening means to combat trafficking, including through more systematic use of freezing assets for the purpose of eventual confiscation, according to the provisions of Article 12 of UNTOC, and prosecuting perpetrators, ensuring that penalties are proportionate to the gravity of the crime and to publicize convicted cases with full respect for human rights;

50. [merged with paragraph 49]

51. Make use of available technical assistance provided to strengthen the criminal justice response to trafficking in persons, including inter alia, by UNODC;

52. Promote the more systematic use of freezing and confiscating assets of traffickers as an effective means to fighting this criminal activity;

53. In line with the United Nations Convention against Corruption, and UNTOC, investigate, prosecute, and punish corrupt public officials who engage in or facilitate the trafficking of persons, and promote a zero tolerance policy against corrupt officials;

54. Strengthen coordination and cooperation among States in combating crimes that might be connected with trafficking in persons, including money laundering, corruption, smuggling of migrants and all forms of organized crime;

55. Encourage law enforcement, immigration or other relevant authorities of States to cooperate with one another by exchanging information with full respect for data protection laws and standards, in accordance with domestic law, including cooperation among states of

origin, transit and destination in order to enable joint investigations, prosecutions, and the detection of trafficking networks;

56. Encourage effective cooperation and coordination of efforts at the national, regional and international level, especially among countries of origin, transit and destination and take advantage of the networks provided by relevant organizations to share best practices in capacity-building for responding to and combating trafficking in persons, while stressing the importance of regional approaches to facilitate mutual legal assistance and the exchange of information with full respect for data protection laws and standards including operational information, programs and good practices in supplementing UNTOC and the work done by the Conference of the Parties to that Convention;

57. [merged with paragraph 56]

58. [merged with paragraph 56]

59. Conclude and implement mutual legal assistance and extradition agreements to ensure the apprehension and prosecution of perpetrators of trafficking in persons, in accordance with the relevant provisions of national and international law;

60. Promote cooperation among governments, civil society, and the private sector in order to strengthen prevention, protection and prosecution policies and programmes;

61. Strengthen cooperation between law enforcement agencies regionally and internationally;

62. Endeavour to coordinate with all stakeholders involved in the fight against trafficking in persons at the national level, including government institutions, non-governmental organizations, the private sector, including the media, and workers and employers organizations;

63. Intensify international and regional cooperation to combat trafficking in persons as well as technical assistance for countries of destination and transit aimed at strengthening their ability to prevent trafficked labour and the goods produced as a result of such labour;

64. Promote exchange of information and experiences between the Conference of the Parties of UNTOC and United Nations human rights treaty bodies and mechanisms;

65. Encourage UNODC, other UN Agencies, Funds and Programs as well as other international organizations to continue to assist Member States, upon request, to strengthen policy making, legislative arrangements, border-control and law enforcement cooperation, public awareness campaigns and capacity building; and to disseminate best practices in assisting victims of trafficking;

66. Further encourage United Nations Agencies, Funds and Programmes to continue to improve the coherence and efficiency of technical assistance delivery in the field of trafficking in persons in coordination with the efforts of the Working Group on Technical Assistance established by the Conference of the Parties to UNTOC;

67. Request the Secretary-General as a matter of priority to strengthen the capacity of UNODC to collect information and periodically report on trafficking in persons patterns and

flows at the national, regional and international levels, as well as share best practices and lessons learned from regional initiatives and mechanisms;

68. Promote coordination and cooperation across the United Nations, especially amongst existing entities focusing on trafficking in persons, including via the Inter-Agency Coordination Group against Trafficking in Persons;

69. Urge the Secretary-General to expedite the strengthening of the United Nations Inter-Agency Coordination Group against Trafficking in Persons under the coordination of UNODC, in order to ensure overall coordination and coherence in the United Nations system's efforts to respond to trafficking in persons;

70. Encourage Member States to consider making voluntary contributions to United Nations anti-human trafficking work, and to explore additional sources of funding in this regard, including reaching out to the private sector for contributions;

### **Implementation of the Global Action Plan**

Adopts the present Plan of action and its annex as the UN Global Plan on Trafficking in Persons; and

71. *Decides*, without prejudice to the continuation of the discussion within the UN System of the agenda items related to trafficking in persons, to undertake the following steps for the effective follow-up of the Plan of Action:

- a. To launch the Plan of Action at a high-level segment of its sixty-fifth session;
- b. To examine in three years progress made in the implementation of the Plan of Action;
- c. To invite the Secretary-General to contribute to the future deliberations of the General Assembly on the review of the implementation and updating of the Plan of Action;
- d. To encourage Member States, the United Nations and other appropriate international, regional and subregional organizations to support the implementation of the Plan of Action, including through mobilizing resources and expertise;
- e. To further encourage non-governmental organizations and civil society to engage, as appropriate, on how to enhance efforts to implement the Plan of Action.

## The United Nations Global Plan of Action to Combat Trafficking in Persons

### Table of Inputs on First Draft 4 June 2010

*The General Assembly,*

<p>PP1. <i>Guided</i> by the purposes and principles of the Charter of the United Nations and <i>reaffirming</i> its role under the Charter, including on questions related to development, peace and security and human rights,</p>	<p><b>Malaysia:</b> <i>Guided</i> by the purposes and principles of the Charter of the United Nations <del>and reaffirming its role under the Charter, including on questions related to development, peace and security and human rights</del></p> <p><b>Holy See:</b> ... <del>and</del> human rights <u>and dignity</u></p>
<p>PP.2 <i>Reiterating</i> its strong condemnation of trafficking in persons, as it constitutes a serious threat to development, peace and security and human rights,</p>	<p><b>African Group:</b> <i>Reiterating</i> its strong condemnation of trafficking in persons, as it constitutes a serious threat to development, peace and security and human rights, <u>and that trafficking in human beings, within and between states, is a scourge which states are determined to address.</u></p> <p><b>PP.2bis</b> <u>Reiterating its strong condemnation of the scourge of trafficking in persons, especially of women and children, within and between States, as a serious threat to human rights and human development</u></p> <p><b>PP.2 ter</b> <u>Recognizing that poverty, unemployment and the search for improved socio-economic opportunities are contributing factors, making persons vulnerable to becoming victims of trafficking.</u></p> <p><b>Colombia:</b> <i>Reiterating</i> its strong condemnation of <del>trafficking in person</del>transnational organized crime, <u>including trafficking in persons and the negative effects on</u> <del>as it constitutes a serious threat to</del> development, peace and security and human rights</p> <p><b>Malaysia:</b> <i>Reiterating</i> its strong condemnation of trafficking in persons, <del>as it constitutes a serious threat to development, peace and security and human rights,</del></p> <p><b>Nicaragua:</b> <i>Reiterating</i> its strong condemnation of trafficking in persons, <u>a form of contemporary slavery.</u></p> <p><b>Holy See:</b> ... <del>and</del> human rights <u>and dignity</u></p> <p><b>Thailand:</b> delete</p>
<p>PP.3 <i>Recalling</i> the Millennium Declaration, adopted in September 2000, where Member States resolved to intensify efforts to “fight transnational crime in its entire dimension including trafficking as well as smuggling in human beings”,</p>	<p><b>African Group:</b> <b>PP.3 bis</b> <u>Recognising that trafficking in persons is a fast-growing criminal industry that requires effective international cooperation and collaboration in order to prevent and suppress trafficking in persons and punish the perpetrators.</u></p>

	<p><b>Colombia:</b> delete. Exceeds scope of resolution and is repetitive with PP2. Would support to bring in original OP112, resolution 60/1.</p>
<p>PP.4 <i>Reaffirming</i> the General Assembly Resolution 55/25 of 2000, adopting the United Nations Convention on Transnational Organized Crime and its supplementing Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, which builds on other related conventions and instruments such as ILO convention 29 and 182, Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery of 1956, the Convention on the Rights of the Child and its Optional Protocol on the sale of children, child prostitution and child pornography, and the Convention on the Elimination of All Forms of Discrimination against Women.</p>	<p><b>Belarus:</b> ... which builds on other related conventions and instruments such as ILO conventions 29 and 182...</p> <p><b>Canada:</b> ... <del>and, which builds on</del> other related conventions</p> <p><b>IOM:</b> add International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families</p> <p><b>Japan:</b> <i>Add</i>, after “its supplementing Protocol to Prevent Suppress and Punish Trafficking in Persons, Especially Women and Children”, “(hereinafter “Trafficking in Persons Protocol)””.</p> <p><b>Malaysia:</b> PP.4 <i>Reaffirming the</i> General Assembly Resolution 55/25 of 2000, adopting the United Nations Convention against Transnational Organized Crime and its supplementing Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, <del>which builds on other related conventions and instruments such as ILO convention 29 and 182, Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery of 1956, the Convention on the Rights of the Child and its Optional Protocol on the sale of children, child prostitution and child pornography, and the Convention on the Elimination of All Forms of Discrimination against Women,</del></p> <p><del>PP.5 <i>Recognizing that the aforementioned United Nations Trafficking in Persons Protocol, which entered into and its entry into force on 25 December 2003, which provided for the first time</i> an internationally agreed definition of the crime of trafficking in persons, aiming at the prevention of trafficking in persons, protection of its victims and prosecution of its culprits,</del></p> <p><b>Thailand:</b> Persons, Especially Women and Children, <del>and which builds on</del> other related...</p> <p><b>UNICEF:</b> add Optional Protocol on the Involvement of Children in Armed Conflict</p>
<p>PP.5 <i>Recognizing</i> that the aforementioned United Nations Trafficking in Persons Protocol, which entered into force on 25 December 2003, provided for the first time an internationally agreed definition of the crime of trafficking in persons, aiming at the prevention of trafficking in persons, protection of its victims and prosecution of its culprits,</p>	<p><b>African Group:</b> Redraft as follows:  <i>Recognizing that the <u>United Nations Protocol to Prevent, Suppress and Punish Trafficking, Especially Women and Children aimed at the prevention of trafficking in persons, protection of its victims and prosecution of its culprits, provided for the first time an internationally agreed definition of the crime of trafficking in persons.</u></i></p>



	<p><b>Thailand:</b> ...crime of trafficking in persons, aiming at the prevention of trafficking in persons, protection of <del>trafficked</del>its victims and prosecution of <del>traffickers</del></p> <p><b>Malaysia:</b> (see PP.4 above)</p> <p><b>Japan:</b> <i>Delete</i> “aforementioned United Nations”</p> <p><b>Norway:</b> Paragraph PP5bis  <i>Recalling</i> the outcome of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime at its fourth session, held in Vienna from 8 to 17 October 2008, as well as the progress made by the Conference of the Parties to the United Nations Convention against Transnational Organized Crime open-ended interim Working Group on Trafficking in Persons during its meeting, held in Vienna on 14 and 15 April 2009. (taken from A/RES/64/178 pp4)</p> <p><b>UNAIDS:</b> ...crime of trafficking in persons, aiming at the prevention of trafficking in persons, protection of <del>trafficked persons</del>its <del>vietims</del> and prosecution of <del>perpetrators of trafficking</del>its <del>culprits</del>,</p>
<p>PP.6 <i>Reaffirming</i> Commission on Human Rights resolution 2004/110, to appoint a Special Rapporteur on trafficking in persons, especially in women and children to highlight the importance of a victims’ rights-based approach to combating trafficking in persons, especially women and children and Human Rights Council resolution 6/14 of 2007 to appoint a Special Rapporteur on contemporary forms of slavery, including its causes and consequences,</p>	<p><b>Thailand:</b> delete</p> <p><b>USA:</b> add the Special Rapporteur on Sale of Children and the Special Representative on Violence Against Children</p>
<p>PP.7 <i>Recalling</i> the World Summit Outcome Document (par.111-112) of 2005 adopted by the General Assembly that (a) expresses the concerns of Member States at the negative effects on development, peace and security and human rights posed by trafficking in persons, (b) recognizes that trafficking in persons continues to pose a serious challenge to humanity and requires a concerted international response, and (c) urges all States to devise, enforce and strengthen effective measures to prevent, suppress and punish trafficking in persons and to protect victims,</p>	<p><b>African Group:</b> <i>Recalling</i> the World Summit Outcome Document (<del>para. 111-112</del>) of 2005 adopted by the General Assembly that recognizes <del>a) expresses the concerns of Member States at the negative effects on development, peace, security and human rights posed by trafficking in persons, b) recognizes that trafficking in persons continues to pose a serious challenge to humanity and requires a concerted international response, and c) urges all states to devise, enforce and strengthen effective measures to prevent, suppress and punish trafficking in persons and protect victims,</del> that trafficking in persons continues to pose a serious challenge to humanity and requires a concerted <u>global</u> response, <u>based on partnership and cooperation</u> and urges all states to devise, enforce and strengthen effective measures to prevent, suppress and punish trafficking in persons and to protect victims;</p> <p><b>Colombia:</b> suggests to keep the original language in paragraph 112 of the World Summit Document referred to here.</p> <p><b>Thailand:</b> delete</p>

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	<p><b>UNAIDS:</b> ...prevent, suppress and punish trafficking in persons and to protect <u>trafficked persons</u>.</p>
<p>PP.8 <i>Recalling</i> that pursuant to a request from Economic and Social Council resolution 2006/27 “Strengthening international cooperation in preventing and combating trafficking in persons and protecting victims of such trafficking”, reinforced by GA Resolution 61/180, the Inter-Agency Coordination Group against Trafficking in Persons was established to foster coordination and cooperation among relevant United Nations agencies and other international organizations involved in combating human trafficking,</p>	<p><b>Belarus:</b> ...reinforced by GA Resolution 61/180 <u>"Improving the coordination of efforts against trafficking in persons" (20 December 2006)</u>,</p> <p><b>Norway:</b> Supporting <del>the role of</del> and cooperating with the Special Rapporteur on trafficking in persons, especially ... [This change would put the emphasis on actual cooperation with the SP and not just tacit support of the role.]</p>
<p>PP.9 <i>Recognizing</i> that the launch of UN.GIFT by the United Nations Office on Drugs and Crime in partnership with International Labor Organization, Office of the High Commissioner for Human Rights, United Nations Children’s Fund, Organization for Security and Cooperation in Europe and International Organization for Migration, in March 2007, and the Vienna Forum of 13-15 February 2008, provided all anti-trafficking actors including the United Nations, governments and civil society organizations a global forum to share respective experiences and further highlighted the need to collectively address human trafficking in a multi-faceted and holistic manner,</p>	<p><b>OHCHR:</b> <i>Recognizing</i> that the launch of UN.GIFT by <u>a partnership of UN agencies and IGOs, including</u> the United Nations Office on Drugs and Crime <del>in partnership with</del> International...</p> <p><b>IOM:</b> ...provided <del>all</del> anti-trafficking actors including the United Nations...</p>
<p>PP.10 <i>Recalling</i> the General Assembly Thematic Debate on Human Trafficking of 3 June 2008 giving Member States a framework for discussion concentrating on the “three P’s” (prevention, protection and prosecution), and the General Assembly Interactive Thematic Dialogue on "Taking Collective Action to End Human Trafficking" held on 13 May 2009,</p>	<p><b>Belarus:</b> ...held on 13 May 2009 <u>which underlined the importance of strengthening collective action by Member States and other stakeholders, including regional and international organizations, NGOs, the private sector and media,</u></p>
<p>PP.11 <i>Recalling</i> all General Assembly resolutions on measures to eliminate trafficking in persons, including the aforementioned resolution 63/194 and resolutions 64/178 on “Improving the coordination of efforts against trafficking in persons” (18 December 2009) and 61/180 also on “Improving the coordination of efforts against trafficking in persons” (20 December 2006), 61/144 on “Trafficking in women and girls” (19 December 2006), and 58/137 on “Strengthening international cooperation in preventing and combating trafficking in persons and protecting victims of such trafficking” (22 December 2003),</p>	<p><b>Belarus:</b> ...<del>613/18094</del> and resolutions 64/178 on "Improving the coordination of efforts against trafficking in persons" (18 December 2009) and <del>634/19480</del> also on "Improving the coordination of efforts against trafficking in persons" (<del>1820</del> December 2008<del>6</del>),</p> <p><b>Thailand:</b> <i>Recalling</i> all General Assembly resolutions on measures <u>improve the coordination of efforts and strengthen international cooperation to combat and</u> to eliminate trafficking in persons, <u>and in this regard, recognizing that trafficking in persons continues to post a serious challenge to humanity and requires a concerted international response based on a victim-centered approach—including the aforementioned resolution 63/194 and resolutions 64/178 on “Improving the coordination of efforts against trafficking in persons” (18 December 2009) and 61/180 also on “Improving the coordination of efforts against trafficking in persons” (20 December 2006), 61/144 on “Trafficking in women and girls” (19 December 2006), and 58/137 on “Strengthening international cooperation in preventing and combating trafficking in persons and protecting</u></p>

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<p>PP.12 <i>Noting</i> the relevant decisions adopted at the Conference of the Parties to the United Nations Convention on Transnational Organized Crime: Decision 1/5, Decision 2/3 and Decision 3/3, on the implementation of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children,</p>	<p><u>victims of such trafficking” (22 December 2003),</u>  <b>Thailand:</b> delete  <b>USA:</b> Replace “<i>Noting</i>” with “<i>Recognizing</i>” to reinforce the primacy of the Conference of Parties to the Transnational Organized Crime Convention</p>
<p>PP.13 <i>Considering</i> relevant regional mechanisms and initiatives, such as the Asia-Europe Meeting Action Plan to Combat against Trafficking in Persons, Especially Women and Children; ASEAN Declaration against Trafficking in Persons, Particularly Women and Children; Black Sea Economic Cooperation Organization Action Plan on Cooperation in Combating Crime; Coordinated Mekong Ministerial Initiative against Trafficking; Economic Community of West African States Declaration on the Fight against Trafficking in Persons; Ouagadougou Action Plan to Combat Trafficking in Human Beings, Especially Women and Children; Council of Europe Convention on Action against Trafficking in Human Beings; OSCE Action Plan to Combat Trafficking in Human Beings; Plan of Action of the Regional Conference on Migration (the Puebla Process multilateral regional forum of all Central and North American countries and the Dominican Republic); Stability Pact for South-Eastern Europe Task Force on Trafficking in Human Beings, in Particular in its Organized Forms,</p>	<p><b>African Group:</b> <i>Considering Recalling</i> relevant regional mechanisms and initiatives, such as ...Economic Community of West African States Declaration on the Fight against Trafficking in Persons; <u>ECOWAS/ECCAS Joint Plan of Action to combat Trafficking in Persons, Especially Women and Children</u>, Ouagadougou Action Plan to Combat Trafficking in Human Beings; ... Stability Pact for South-Eastern Europe Task force on Trafficking in Human Beings, in Particular in its Organized Forms, <u>as well as all other relevant national initiatives;</u></p> <p><b>Canada:</b> Add a reference to the OAS, most notably the 1<sup>st</sup> and 2<sup>nd</sup> meetings of national authorities on TiP and the development of OAS workplan to combat TiP.</p> <p><b>Colombia:</b> would prefer a general formulation instead of listings. If facilitators insist on listing, Colombia would ask to mention the Anti Trafficking in Persons section of the Organization of American States.</p> <p>Colombia would prefer a shorter formulation as follows:  <u>Recognizing the importance of initiatives and mechanisms with a regional perspective and its value in promoting and enhancing sharing of experiences, technical assistance, cooperation and mutual legal assistance,</u></p> <p>New para 13bis:  <u>Reaffirming that effective action to prevent and combat trafficking in persons, especially women and children, requires a comprehensive international approach in the countries of origin, transit and destination that includes measures to prevent such trafficking, to punish the traffickers and protect the victims of such trafficking, including by protecting their internationally recognized human rights.</u></p> <p><b>Indonesia:</b> Add reference to Bali Process in list “...in Particular in its Organized Forms,”...cognizant of the fact that these initiatives have complemented and strengthened bilateral cooperation in various regions as consequence. These initiatives also demonstrated the political will that exist in the regions to work together to combat trafficking in persons and other transnational crimes, while acknowledging each region possess its own characteristics of menace. Inviting States to further</p>

	<p>build on existing regional agreements, mechanisms, and efforts as to strengthen a network of anti-trafficking in persons.”</p> <p><b>IOM:</b> add The South Asian Association for Regional Cooperation (SAARC) Convention on Prevention and Combating the Trafficking in Women and Children for Prostitution (2002) and a regional plan of action to strengthen their cooperation.</p> <p><b>Nicaragua:</b> ... (the Puebla Process multilateral regional forum of all Central and North American countries and the Dominican Republic); <a href="#">Central American Coalition against trafficking in persons</a> Stability Pact for South-Eastern Europe Task Force on Trafficking in Human Beings, in Particular in its Organized Forms,</p> <p><b>Thailand:</b> <i>Considering</i> relevant <a href="#">sub-regional</a>, regional <a href="#">and cross-regional</a> mechanisms and initiatives, such as the Asia-Europe Meeting Action Plan to Combat against Trafficking in Persons, Especially Women and Children; ASEAN Declaration against Trafficking in Persons, Particularly Women and Children; <a href="#">the Bali Process</a>;</p> <p><b>UNICEF:</b> Recommend consideration of other regional efforts for inclusion such as EU legislation and initiatives (See: the Stockholm Programme and new Action Plan, The Stability Pact Task Force on Trafficking in Human Beings for South Eastern Europe is not operational any more. It was closed in November 2004.<sup>1</sup>)</p>
<p>PP.14 <i>Recognizing</i> the need to develop a global plan of action against trafficking in persons that will</p> <ul style="list-style-type: none"> <li>• promote universal ratification of the UN Convention against Transnational Organized Crime and its Trafficking Protocol as well as other relevant international instruments that address trafficking in persons,</li> <li>• reinforce the implementation of existing instruments against trafficking in persons,</li> <li>• help Member States to reinforce their commitments to prevent and combat trafficking in persons</li> <li>• promote comprehensive, coordinated and consistent responses, at the national, regional and international levels, to counter trafficking in persons,</li> <li>• promote a human rights based approach necessary to prevent trafficking in persons, protect its victims and prosecute its offenders</li> <li>• raise awareness within the UN system and also among States and other stakeholders such as the business sector, civil society and the international mass media and the public at</li> </ul>	<p><b>African Group:</b> delete PP14</p> <p>OP1: <a href="#">Adopts the present resolution and its annex as the United Nations Global Plan of Action to Combat Trafficking in Persons (hereinafter referred to as “the Plan of Action”) and launches the Plan of Action during the sixty-fourth session of the General Assembly.</a></p> <p>OP 1 bis <a href="#">Decides that the objectives of the United Nations Plan of Action on Trafficking in Persons shall be:</a></p> <ul style="list-style-type: none"> <li>• <a href="#">To promote universal ratification of the UN Convention against Transnational Organized Crime and its Trafficking Protocol as well as other relevant international instruments that address trafficking in persons.</a></li> <li>• <a href="#">To reinforce international and regional cooperation in accordance with the relevant</a></li> </ul>

<sup>1</sup> See also [http://ec.europa.eu/justice\\_home/fsj/crime/trafficking/fsj\\_crime\\_human\\_trafficking\\_en.htm](http://ec.europa.eu/justice_home/fsj/crime/trafficking/fsj_crime_human_trafficking_en.htm)

<p>large,</p> <ul style="list-style-type: none"> <li>• foster cooperation and coordination among all relevant stakeholders including Member States, international organizations, civil society organizations and the private sector,</li> </ul> <p>1. Adopts the present resolution and its annex as the United Nations Global Plan of Action to Combat Trafficking in Persons ("the Plan of Action"), and</p> <p>2. Decides, without prejudice to the continuation of the discussion at its relevant committees of all their agenda items related to trafficking in persons to undertake the following steps for the effective follow-up of the Plan of Action:</p> <p>(a) To launch the Plan of Action during the sixty-fourth session;</p> <p>(b) To encourage Member States, the United Nations and other international, regional and sub-regional organizations to support the implementation of the Plan of Action, including through mobilizing resources and expertise;</p> <p>(c) To further encourage civil society including non-governmental organizations and the private sector to engage, as appropriate, on how to enhance efforts to implement the Plan of Action;</p> <p>(d) To invite the Secretary-General to report annually to the General Assembly on the implementation of the Plan of Action,</p>	<p><u>provisions of the UNCTO and its protocol and provide technical assistance for an effective implementation of these instruments</u></p> <ul style="list-style-type: none"> <li>• <u>To enhance capacity building for those States in need and to this end create a Trust Fund for the implementation of the Global Plan of Action.</u></li> <li>• <u>To assist Member States to reinforce their commitments to prevent and combat trafficking in persons.</u></li> <li>• <u>To promote comprehensive, coordinated and consistent responses, at the national, regional and international levels, to counter trafficking in persons.</u></li> <li>• <u>To promote a human rights based approach necessary to prevent trafficking in persons, protect its victims and prosecute its culprits.</u></li> <li>• <u>To raise awareness within the UN system and also among States and other stakeholders such as the business sector, civil society and the international mass media and the public at large.</u></li> <li>• <u>To foster cooperation and coordination among all relevant stakeholders including Member States, international organizations, civil society organizations and the private sector.</u></li> </ul> <p>OP.2 <u>Further decides</u>, without prejudice to the continuation...</p> <p><del>(a)</del> <u>To launch the Plan of Action during the sixty-fourth session;</u></p> <p>(d) To <del>invite</del> <u>request</u> the Secretary-General to report annually to the General Assembly on the implementation of the Plan of Action.</p> <p><b>d bis)</b> <u>To encourage States to include in their periodic reporting to relevant United Nations bodies the challenges faced and progress made in the fight against trafficking in persons</u></p> <p><b>d ter)</b> <u>To further request the Secretary-General to present proposals regarding developing a monitoring mechanism for the implementation of the Plan of Action in his report to the sixty-fifth session of the General Assembly, to be considered and adopted by the General Assembly</u></p> <p><b>Belarus:</b> (b) To encourage Member States, the United Nations and other international, regional and</p>
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	<p>sub-regional organizations, <a href="#">including through interaction within Inter-Agency Coordination Group</a> to support...</p> <p><b>Canada:</b> Replace bullets with a, b, c, etc.</p> <p>Bullet 6: ...within the UN system and also among States and other stakeholders such as the <a href="#">private business</a> sector, civil society and the international mass media</p> <p>OP2(c): add a reference to the media</p> <p><b>Colombia:</b> delete PP14 Paragraph 1: Some of the following elements could be included:</p> <ul style="list-style-type: none"> <li>• Promote universal ratification and effective implementation of the Trafficking Protocol supplementing UNTOC;</li> <li>• Encourage the adoption of a comprehensive, balanced and human rights based international approach that emphasizes protection and assistance to the victims;</li> <li>• Promote international cooperation and mutual legal assistance, including at national and regional levels;</li> <li>• Raise national and international awareness to the seriousness of the crime and the risks for victims;</li> <li>• Foster coordination of efforts and the strengthening of synergies between competent entities of the UN system and other relevant stakeholders;</li> </ul> <p>Paragraph 2: delete</p> <p><b>EU:</b> replace OP2(d) with: <a href="#">Urges those Member States of the United Nations that have not yet done so to ratify or accede as soon as possible to the United Nations Convention against Transnational Organized Crime and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, considering the central role of these instruments in the Plan of Action.</a></p> <p><b>Indonesia:</b> Paragraph 2(d) requires the Secretary-General to report annually about its implementation, yet many of the paragraphs contained in the draft plan of action do lack specificities and thus would render the work of the Secretariat more complex in gauging with exactness the progress of its implementation.</p> <p><b>IOM:</b> Bullet 2</p> <ul style="list-style-type: none"> <li>• reinforce the implementation of existing instruments against trafficking in persons <a href="#">and related human rights violations.</a></li> </ul>
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	<p><b>Japan:</b>          Bullet 1.  <i>Add</i>, after “promote universal ratification” in line 1, “,acceptance, approval or accession”.  <i>Add</i>, after “and its Trafficking” in line 2, “in Persons”.          (rationale) Article 16 of the Trafficking in Persons Protocol</p> <p>OP2(b).  <i>Delete</i> “, including through mobilizing resource and expertise”          (rationale) To be submitted if necessary.</p> <p>OP2(d).  <i>Delete</i> whole paragraph.          (rationale) To be submitted if necessary.</p> <p><b>Malaysia:</b>          bullet 5: ...promote a <del>human rights based</del> balanced approach, <u>which recognizes the development, human rights and criminal justice perspectives</u> necessary to prevent trafficking in persons, protect its victims and prosecute its culprit,</p> <ul style="list-style-type: none"> <li>a) To launch the Plan of Action during the sixty-fourth session; <u>To examine in three years progress made in implementation of the Strategy;</u></li> <li>b) To encourage Member States, the United Nations and other international, regional and sub-regional organizations to support the implementation of the Plan of Action, including through mobilizing resources and expertise;</li> <li>c) To further encourage civil society including non-governmental organizations and the private sector to engage, as appropriate, on how to enhance efforts to implement the Plan of Action;</li> <li>d) To invite the Secretary-General <del>to report annually to the General Assembly on the implementation of the Plan of Action to contribute to future deliberations of the General Assembly on the review of the implementation of the Strategy;</del></li> </ul> <p><b>Singapore:</b> Recognising the need to develop a global plan of action against trafficking in persons that will ... reinforce the implementation of existing instruments against trafficking in persons <u>by State Parties</u></p> <p><b>Switzerland:</b> In OP 2, you probably mean in fact the relevant GA <u>Main</u> Committees (i.e. the 3.Com and 6.Com) when you speak of “its relevant Committees”. We note in OP 2 b that “to support the implementation of the Plan of Action, <i>including through mobilizing resources...</i>” implies that the financing of the GPoA through the UN general</p>
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	<p>budget won't suffice to implement the GPoA and thus voluntary contributions by States would be needed  Include a reference to <a href="#">existing best practices and lessons learnt</a> in PP.14.</p> <p><b>Thailand:</b> <i>Recognizing</i> the need to develop a global plan of action against trafficking in persons that will  <input type="checkbox"/> promote universal ratification of the UN Convention against Transnational Organized Crime and its Trafficking Protocol as well as other relevant international instruments that address trafficking in persons;  <input type="checkbox"/> reinforce the implementation of existing instruments against trafficking in persons;  <input type="checkbox"/> help Member States to reinforce their commitments to prevent and combat trafficking in persons  <input type="checkbox"/> promote comprehensive, coordinated and consistent responses, at the national, regional and international levels, to counter trafficking in persons;  <input type="checkbox"/> promote a human rights based approach necessary to prevent trafficking in persons, protect its victims and prosecute its culprits  <input type="checkbox"/> raise awareness within the UN system and also among States and other stakeholders such as the business sector, civil society and the international mass media and the public at large;  foster cooperation and coordination among all relevant stakeholders including Member States, international...</p> <p><del>Decides, without prejudice to the continuation of the discussion at its relevant committees of all their agenda items related to trafficking in persons to undertake the following steps for the effective follow up of the Plan of Action:</del>  <del>(a) To launch the Plan of Action during the sixty-fourth session;</del>  <del>(b) To encourage Member States, the United Nations and other international, regional and sub-regional organizations to support the implementation of the Plan of Action, including through mobilizing resources and expertise;</del>  <del>(c) To further encourage civil society including non-governmental organizations and the private sector to engage, as appropriate, on how to enhance efforts to implement the Plan of Action;</del>  <del>1. To invite the Secretary-General to report annually to the General Assembly on the implementation of the Plan of Action</del></p> <p><b>UNICEF:</b> Recommend consideration for rewording under first and second bullet points: "... as well as other international <a href="#">human rights standards and instruments</a> that address trafficking in persons..."; "... implementation of existing <a href="#">human rights standards and instruments</a> against trafficking in persons..."</p>
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	<p><b>USA:</b> Delete “Recognizing the need to develop a global plan of action against trafficking in persons that will” and replace with “Recognizing the need to promote universal ratification and implementation of the UN Convention against Transnational Organized Crime and its Trafficking Protocol, a global plan of action could,”</p> <ul style="list-style-type: none"> <li>• delete the first 2 bullets</li> <li>• 3rd bullet: delete “help” and replace with “encourage”</li> </ul> <p>OP 2 (b): Delete “to support the implementation of the Plan of Action, including through mobilizing resources and expertise.” And replace with “to take appropriate steps for the further implementation of the Trafficking in Persons Protocol.”</p> <p>OP 2 (c): Delete “on how to enhance efforts to implement the Plan of Action” and replace with “on how to enhance efforts to implement the Trafficking in Persons Protocol”.</p> <p>OP 2 (d): Delete paragraph.</p>
<p><b>ANNEX: PLAN OF ACTION</b>                  We, the States Members of the United Nations, reaffirm our commitments and decide to translate our political will into intensified efforts and concrete actions to prevent and combat trafficking in persons, protect and assist victims of trafficking, prosecute crimes of trafficking in persons and to promote partnerships to strengthen coordination and cooperation against trafficking in persons by:</p>	<p><b>New Facilitators’ Proposal (3 June 2010):</b>                  We the States Members of the United Nations, determined to put to an end to the heinous crime of trafficking in persons, especially women and children, and determined to prevent and combat trafficking in persons, protect and assist victims of trafficking, prosecute crimes of trafficking in persons and promote partnerships to strengthen coordination and cooperation, resolve to translate our political will into concrete actions by adopting a an action plan to:<sup>2</sup></p> <p><b>African Group:</b> Redraft as follows:  <u>We, the States Members of the United Nations, determined to put the heinous crime of trafficking in persons, especially women and children, have resolved to translate our political will into concrete actions by adopting the following Plan of Action:</u></p> <p><b>Belarus:</b> ...partnerships <u>with all stakeholders</u> to strengthen coordination and cooperation against trafficking in persons <u>with the aim to put an end to this shameful crime</u> by:</p> <p><b>Colombia:</b> We, the States Members of the United Nations, reaffirm our commitments <del>and decide to translate our political will into intensified efforts and concrete actions</del> to prevent and combat trafficking in persons, protect and assist victims of trafficking, prosecute <del>the crimes</del> of trafficking in persons and <del>resolve toto promote partnerships to strengthen coordination and cooperation against trafficking in persons by:</del></p>

<sup>2</sup> Since the wording of the Facilitators’ proposed chapeau has been changed, the operative verb(s) of each subsequent paragraph have also been changed accordingly. For example, the operative verb of OP1 has been changed from “condemning” to “condemn”.

	<p><b>Switzerland:</b> In the first line of the annexed GPoA, we should not only reaffirm our political commitments to prevent and combat trafficking in persons but also our legal obligations to do so.</p> <p><b>Thailand:</b> We, the <del>States</del> Members <u>States</u> of the United Nations, reaffirm our commitments <u>and political will</u> and decide to <del>translate our political will into</del><u>support our</u> intensified efforts and concrete actions to prevent and combat trafficking in persons, protect and assist victims of trafficking <u>and</u>, prosecute crimes of trafficking in persons <u>by strengthening the UN system in its anti-trafficking work and promoting</u><del>and to promote</del> partnerships to strengthen coordination and cooperation against trafficking in persons. <u>In this regard, we undertake to do the following</u></p>
<p>1. Consistently, unequivocally and strongly condemning trafficking in persons, as it constitutes a serious threat to development, peace and security, and human rights;</p>	<p><b>Facilitators' Proposal:</b> Consistently and strongly condemn trafficking in persons, as it constitutes a criminal activity violating human dignity and has negative effects on development, peace and security, and human rights;</p> <p><b>African Group:</b> <u>To universally condemn trafficking in all its forms and manifestations.</u></p> <p><b>Colombia:</b> Consistently, unequivocally and strongly condemning trafficking in persons; <del>[as it poses] OR [and its] negative effects constitutes a serious threat to</del>on development, peace and security, and human rights New Paragraph 1bis: <u>Recognize that trafficking in persons for the purpose of exploitation includes, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs as set forth in the Trafficking Protocol supplementing UNTOC.</u></p> <p><b>EU:</b> Consistently, <u>unequivocally</u> and strongly condemning trafficking in persons, as it constitutes a <u>criminal activity and serious threat has negative effects on</u><del>to</del> development, peace and security, and human rights;</p> <p><b>Holy See:</b> ...and human rights <u>and dignity</u></p> <p><b>Thailand:</b> delete</p> <p><b>Japan:</b> <i>Change</i> “development, peace and security, and human rights” to “development, peace and security, <u>human security</u> and human rights” (rationale) Trafficking in Persons is a threat to human security. There are projects funded through the United Nations Trust Fund for Human Security which aim at providing assistance to the victims of trafficking in persons.</p>

<p>2. Ensuring that the promotion and protection of the human rights of trafficked persons are at the centre of all efforts to prevent and combat trafficking in persons.</p>	<p><b>Facilitators’ Proposal:</b> Ensure that the human rights of trafficked persons are at the centre of all efforts to prevent and combat trafficking in persons and to protect, assist and provide redress to victims.</p> <p><b>African Group:</b> <u>To promote a Human Rights-based approach to addressing trafficking;</u></p> <p><b>Canada:</b> Ensuring that <del>the promotion and protection of</del> the human rights of trafficked persons are at the centre of all efforts to prevent and combat trafficking in persons <u>and to protect, assist and provide redress to victims.</u></p> <p><b>China:</b> Ensuring that the <del>promotion and protection of the human rights of trafficked persons</del> <u>severe punishment to traffickers, decrease and elimination of trafficking in persons as a crime</u> are at the centre of all efforts to prevent and combat trafficking in persons.</p> <p><b>EU:</b> Switch order of paragraph 2 and 3 New paragraph 2: Taking urgent action to prevent trafficking in persons, protect its victims and prosecute its <del>culprits</del> <u>offenders</u> and strengthen partnership...</p> <p><b>Holy See:</b> ...and human rights <u>and dignity</u></p> <p><b>Malaysia:</b> Ensuring that the promotion and protection of the human rights of trafficked persons, <u>preventing trafficking in persons through addressing its root causes and contributing factors, such as poverty, underdevelopment, and marginalisation, and strengthening the criminal justice response</u> are at the centre of all efforts to prevent and combat trafficking in persons</p> <p><b>Thailand:</b> delete</p>
<p>3. Taking urgent action to prevent trafficking in persons, protect its victims and prosecute its culprits and strengthen partnership to these ends by promoting and attaining universal ratification and effective implementation of the United Nations Convention against Transnational Organized Crime and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children as well as other relevant international instruments, including ILO convention 29 and 182, Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery of 1956, the Convention on the Rights of the Child and its Optional Protocol on the sale of children, child prostitution and child pornography, and the Convention on the Elimination of All Forms of</p>	<p><b>Facilitators’ Proposal:</b> Take urgent action to prevent trafficking in persons, protect its victims and prosecute its offenders and strengthen partnership to these ends by promoting and attaining universal ratification and effective implementation of the United Nations Convention on Transnational Organized Crime (hereinafter “UNTOC”) and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (hereinafter “the Trafficking Protocol”) as well as other relevant international instruments, including ILO convention 29 on Forced Labour; ILO Convention 182 on the Worst Forms of Child Labour; Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery of 1956; the Convention on the Rights of the Child; its Optional Protocol on the sale of children, child</p>

<p>Discrimination against Women;</p>	<p>prostitution and child pornography; its Optional Protocol on the involvement of children in armed conflict; and the Convention on the Elimination of All Forms of Discrimination against Women;<sup>3</sup></p> <p>New Paragraph 3bis And specifically consider as a priority, for those countries that have not done so, ratifying by 2012 UNTOC and the Trafficking Protocol;</p> <p><b>African Group:</b> <u>To take urgent action to prevent trafficking in persons, protect its victims and prosecute its culprits and strengthen partnership to these ends by promoting and attaining universal ratification and effective implementation of the United Nations Convention against Transnational Organized Crime and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children as well as other relevant international instruments, including ILO convention 29 and 182, Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery of 1956, the Convention on the rights of the Child and its Optional Protocol on the sale of children, child prostitution and child pornography, and the Convention on the Elimination of All forms of Discrimination against Women;</u></p> <ul style="list-style-type: none"> <li>a) <u>To address the root causes of trafficking, including poverty, insecurity, underdevelopment, conflict, discrimination and exclusion, violence against women, as well as an increased demand for sex trade and sex tourism.</u></li> <li>b) <u>To reiterate commitment to existing international, regional, sub-regional and national instruments and initiatives on trafficking;</u></li> <li>c) <u>To ensure effective coordination and coherence among the various instruments and actors;</u></li> <li>d) <u>To achieve the objectives of Prevention, Protection, Prosecution and Partnership in the fight against trafficking;</u></li> <li>e) <u>To address the demand-and-supply aspect of trafficking;</u></li> <li>f) <u>To address in particular the vulnerability of women and children;</u></li> <li>g) <u>To identify and promote the role of civil society, especially in awareness-raising and the provision of relevant services for victims.</u></li> <li>h) <u>To strengthen regional and international cooperation.</u></li> <li>i) <u>To assist member-states to share best</u></li> </ul>
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<sup>3</sup> In order to streamline the text of the Plan of Action, the first mentions of the UNTOC and the Trafficking Protocol in this paragraph have included the full name of each instrument, but in subsequent paragraphs, they are simply referred to as “UNTOC” and the “Trafficking Protocol” as indicated.

	<p><u>practices and secure technical and other assistance for implementing the various instruments and initiatives on trafficking.</u></p> <p>j) <u>To establish a Trust Fund to compensate victims of trafficking;</u></p> <p>k) <u>To establish the primary responsibility of national governments to take local action to fight trafficking</u></p> <p><b>Canada:</b> Delete first two lines and begin OP3 with ... Ratifying and effectively implementing the United Nations Convention against Transnational Organized Crime and its Protocol to Prevent,....</p> <p><b>Colombia:</b> full stop after Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children.</p> <p><b>EU:</b> Switch order of paragraph 2 and 3</p> <p>Paragraph 3 bis  <u>Taking prompt action, in the case of Member States that have not yet done so, to ratify or accede to the United Nations Convention against Transnational Organized Crime and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children and to fully implement all its provisions, notably the criminalization of human trafficking in all its forms as defined in article 3 of the said protocol.</u></p> <p><b>Indonesia:</b> Taking <u>continuously</u> urgent action...</p> <p><b>ILO:</b> add the full title of both Conventions "ILO Convention 29 on Forced Labour" and "ILO Convention 182 on the Worst Forms of Child Labour"</p> <p><b>IOM:</b> add International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families</p> <p><b>Japan:</b> <i>Add</i>, after "universal ratification", "acceptance, approval or accession".          (rationale) Article 16 of the Trafficking in Persons Protocol</p> <p><b>Malaysia:</b> <b>To split the paragraph into two as follows:</b>          Taking urgent action to prevent trafficking in persons, protect its victims and prosecute its culprits and strengthen partnership to these ends by promoting and attaining universal ratification and effective implementation of the United Nations Convention against Transnational Organized Crime and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children <u>as well as other relevant international instruments, including ILO convention 29 and 182,</u></p>
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	<p><del>Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery of 1956, the Convention on the Rights of the Child and its Optional Protocol on the sale of children, child prostitution and child pornography, and the Convention on the Elimination of All Forms of Discrimination against Women;</del></p> <p>Promote universal ratification and implementation of other relevant international legal instruments related to trafficking in persons such as ILO convention 29 and 182, Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery of 1956, the Convention on the Rights of the Child and its Optional Protocol on the sale of children, child prostitution and child pornography, and the Convention on the Elimination of All Forms of Discrimination against Women;</p> <p><del>Norway: Taking urgent action to prevent trafficking in persons, protect its victims and prosecute its culprits and strengthen partnership to these ends by</del> promoting and attaining, <b>as a matter of priority</b>, universal ratification and effective implementation of the United Nations Convention... (continues to the end unchanged)          [NOTE: The purpose of this change is to highlight the centrality of the legal framework to combat trafficking, while removing the repetition of prevention, protection and prosecution already outlined in the chapeau of the plan.]</p> <p><b>Singapore:</b> Taking urgent action to prevent trafficking in persons, protect its victims and prosecute its culprits and strengthen partnership to these ends by <del>promoting and attaining</del> <b>taking efforts to promote</b> universal ratification...</p> <p><b>Thailand:</b> delete</p> <p><b>UNICEF:</b> add Optional Protocol on the Involvement of Children in Armed Conflict (remove this reference) and International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families</p> <p><b>UNAIDS:</b> Taking urgent action to prevent trafficking in persons, protect <del>trafficked persons</del> <b>its victims</b> and prosecute <del>traffickers</del> <b>its culprits</b> and strengthen partnership...</p> <p><b>USA:</b> After “promoting and..” add “consider, as a priority, signing and ratifying by 2012” delete “attaining universal ratification” and change “effective implementation” to “effectively implementing...” Delete the list of international documents and add “as applicable” after “international instruments.”</p>
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<p>4. Recognizing the role of the Conference of the Parties to the Convention, established in accordance with Art. 32 of the UNTOC, to improve the capacity of States Parties to promote and review the implementation of the Convention, including the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children;</p>	<p><b>Facilitators’ Proposal:</b> Recognize that, in accordance with Art.32 of UNTOC, the Conference of Parties to the Convention is established to improve the capacity of States Parties to promote and review the implementation of the Convention, including the Trafficking Protocol;</p> <p><b>African Group:</b> <del>Recognizing To Recognize</del> the role of the Conference of Parties to the Convention, established...</p> <p><b>Canada:</b> Recognizing the <u>primary</u> role of the Conference of Parties to the Convention <u>against Transnational Organized Crime</u>, established in accordance with Art. 32 of the UNTOC, to improve the capacity of States Parties to promote and review the implementation of the Convention, including the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children</p> <p><b>EU:</b> Recognizing <u>and supporting</u> the role of the Conference of Parties <del>to the Convention</del>, established in accordance with Art. 32 of the UNTOC, to improve the capacity of States Parties to promote and review the implementation of the Convention, <u>and its additional protocols including the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children</u></p> <p><b>Japan:</b> <i>Change</i> “the Conference of Parties to the Convention” to “the Conference of <u>the</u> Parties to the Convention”.</p> <p><b>Thailand:</b> delete</p> <p><b>USA:</b> Delete “Recognizing the role of the Conference of Parties to the Convention established in accordance with Art.32 of the UNTOC” and replace with “Reaffirming that, in accordance with Art.32 of the UNTOC, the Conference of Parties to the Convention is established...”</p>
<p>5. Supporting the establishment of a review mechanism to monitor the implementation of the United Nations Convention against Transnational Organized Crime and its Protocols;</p>	<p><b>Facilitators’ Proposal:</b> Encourage the Conference of the Parties to the UNTOC Convention to establish an appropriate and effective review mechanism to monitor the implementation of the Convention and Protocols thereto;</p> <p><b>African Group:</b> <del>Supporting To support</del> the establishment of a review mechanism...</p> <p><b>Belarus:</b> Supporting the establishment of a review mechanism to monitor the implementation of the United Nations Convention against Transnational Organized Crime and its <del>Protocols to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children</del></p>

	<p><b>Canada:</b> replace OP5 with... Encouraging the Conference of the Parties to the UNTOC Convention to continue its efforts in exploring options regarding an appropriate and effective mechanism to assist the Conference in the review of implementation of the Convention and Protocols thereto.</p> <p><b>China:</b> delete</p> <p><b>Colombia:</b> delete</p> <p><b>EU:</b> Supporting the establishment <u>through the UNTOC Conference of the Parties, of an effective</u> review mechanism to monitor the implementation of the <del>United Nations Convention against Transnational Organized Crime and its Protocols</del> <u>UNTOC and its additional protocols</u></p> <p><b>Indonesia:</b> merge with paragraph 4 as it contains the same idea. In paragraph 4, it is rightly so mentioned that the CoP of UNTOC plays an important role in reviewing the implementation of the UNTOC. This is echoed by the formulation of paragraph 5.</p> <p><b>Liechtenstein:</b> <del>Supporting Encouraging the Conference of States Parties the-to establishment-of</del> a review mechanism to monitor the implementation of the UNTOC and its Protocols;</p> <p><b>Thailand:</b> delete</p> <p><b>USA:</b> After “establishment” add “through the UNTOC Conference of Parties, of an effective pilot” after “Convention” add “and its additional protocols</p>
<p>6. Taking into account the recommendations of the Working Group on Trafficking in Persons established by the Conference of the Parties to the UN Convention against Transnational Organized Crime;</p>	<p><b>Facilitators’ Proposal:</b> Take into account the activities and recommendations of the open-ended interim Working Group on Trafficking in Persons established by the Conference of the Parties to the UN Convention against Transnational Organized Crime;</p> <p><b>African Group:</b> <del>Taking-To take</del> into account...</p> <p><b>Canada:</b> Taking into account the <u>activities and recommendations of the open-ended interim Working Group...</u></p> <p><b>Indonesia:</b> add: “<u>Welcoming the progress made by various activities and working groups under the auspices of Conference of the State Parties of the UN Convention against TOC and further encouraging them to make progresses in the areas of technical assistance.</u>”</p> <p><b>Thailand:</b> delete</p>



<p>7. Supporting the Human Rights Council, and contributing to its work on the question of the promotion and protection of human rights for all in the fight against trafficking in persons;</p>	<p><b>Facilitators’ Proposal:</b> Support the Human Rights Council and contribute to its work on the question of the promotion and protection of human rights for all in the fight against trafficking in persons;</p> <p><b>African Group:</b> <del>Taking-To take into account and support</del> the Human Rights Council...</p> <p><b>Thailand:</b> delete</p>
<p>8. Supporting the role of the Special Rapporteur on trafficking in persons, especially women and children, the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, the Special Rapporteur on violence against women, its causes and consequences, Special Rapporteur on the sale of children, child prostitution and child pornography, Special Representative to the Secretary-General on Violence Against Children and other relevant Special Rapporteurs and Representatives. The Special Rapporteurs should assist States by offering concrete advice, making country visits, liaising with the United Nations and regional organizations, and reporting on these issues;</p>	<p><b>Facilitators’ Proposal:</b> Support the role of the Special Rapporteur on trafficking in persons, especially women and children, the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, the Special Rapporteur on violence against women, its causes and consequences, Special Rapporteur on the sale of children, child prostitution and child pornography, Special Representative to the Secretary-General on Violence Against Children and other relevant Special Rapporteurs and Representatives. The mandate holders should assist States by offering concrete advice, making country visits, liaising with the United Nations and regional organizations, and reporting on these issues;</p> <p><b>African Group:</b> <del>Supporting-To support</del> the role of the Special Rapporteur...</p> <p><b>Canada:</b> Supporting the <del>efforts and specific mandates role</del> of the Special Rapporteur</p> <p>delete last sentence “The Special Rapporteurs should...”</p> <p><b>China:</b> ...Special Representative to the Secretary-General on Violence Against Children and other relevant Special Rapporteurs and Representatives <del>while taking into account the code of conduct for special procedure mandate holders</del>. The Special Rapporteurs, <del>at the request or with the consent of States</del>, should assist States by offering...</p> <p><b>EU:</b> ...The <del>Special Rapporteurs-mandate holders</del> should assist States by offering concrete advice, making country visits, liaising with the United Nations and regional organizations, and reporting on these issues. <del>UN Member States are asked to accede to requests for visits by the mandate holders</del></p> <p><b>Indonesia:</b> Special Rapporteurs, <del>upon the request of Member-State</del>, should assist...”</p>

	<p><b>ILO:</b> Add new paragraph between 8 and 9 that reads: "Supporting the ILO programmes to combat forced labour and to eliminate child labour, and implementing the respective global action plans endorsed by the ILO Governing Body in 2006 and 2009 aiming at the elimination of these practices."</p> <p><b>IOM:</b> add Special Rapp on the Human Rights of Migrants</p> <p><b>Norway:</b> Supporting <del>the role of</del> <u>and cooperating with</u> the Special Rapporteur on trafficking in persons, especially...</p> <p>[This change would put the emphasis on actual cooperation with the SP and not just tacit support of the role.]</p> <p><b>Thailand:</b> delete</p> <p><b>UNICEF:</b> Recommend reference be made of the <u>UN Special Rapporteur on the Human Rights of Migrants</u></p> <p><b>USA:</b> Delete "The Special Rapporteurs should assist States by offering concrete advice, making country visits, liaising with the United Nations and regional organizations, and reporting on these issues. Add after "..... Representatives" "by acceding to their requests for country visits in order that they may assist States in offering recommendations for improving national responses."</p>
<p>9. Reaffirming the central role of the United Nations Office on Drugs and Crime (UNODC) in combating trafficking in persons and providing technical assistance to implement the United Nations Convention against Transnational Organized Crime and its Trafficking in Persons Protocol, by making use of existing capacity building tools, lessons learned and expertise available in international organizations, including inter alia, the International Framework for Action to Implement the Trafficking in Persons Protocol;</p>	<p><b>Facilitators' Proposal:</b> Reaffirm the central role of the United Nations Office on Drugs and Crime (UNODC) in combating trafficking in persons and providing technical assistance to implement UNTOC and the Trafficking Protocol, by making use of existing capacity building tools, lessons learned and expertise available in international organizations, including inter alia, the International Framework for Action to Implement the Trafficking in Persons Protocol;</p> <p><b>African Group:</b> <u>Reaffirming-To stress</u> the central role of the United Nations Office on Drugs and Crime (UNODC)...</p> <p><b>Canada:</b> recommend splitting as follows: <u>9(a)</u> Reaffirming the central role of the United Nations Office on Drugs and Crime (UNODC) <u>as mandated in UNGA resolution 55/25</u> in combating trafficking in persons and providing technical assistance to implement the United Nations Convention against Transnational Organized Crime and its Trafficking in Persons Protocol. <u>9(b)</u> <u>M</u>by making use of existing capacity building tools, lessons learned and expertise available in international organizations, including inter alia, the</p>

	<p>International Framework for Action to Implement the Trafficking in Persons Protocol</p> <p><b>Malaysia:</b> To move up further in the text as point 7, after the points regarding the Conventions and the work of the COP. As the main United Nations agency to combat and coordinate action on TiP, this paragraph should be moved further up to reflect the important role of the UNODC.</p> <p><b>OHCHR:</b> <a href="#">Paragraph 9bis</a>  <a href="#">Reaffirming the leading role of OHCHR on promoting a human rights-based approach to all aspects of combating human trafficking, as provided for in the Recommended Principles and Guidelines on Human Rights and Human Trafficking, and as recognized by the Human Rights Council.</a></p> <p><b>Thailand:</b> “Reaffirming the central role of the United Nations Office on Drugs and Crime (UNODC) in combating trafficking in persons and providing technical assistance to implement the United Nations Convention against Transnational Organized Crime and its Trafficking in Persons Protocol, by making use of existing capacity building tools, lessons learned and expertise available in international organizations, including inter alia, the International Framework for Action to Implement the Trafficking in Persons Protocol.”</p> <p><b>USA:</b> Place paragraph after OP 6</p>
<p>10. Also noting the important work of the United Nations High Commissioner for Refugees, the United Nations Children’s Fund (UNICEF), the International Labor Organization, and the International Organization for Migration (IOM) in the global fight against trafficking in persons;</p>	<p><b>Facilitators’ Proposal:</b>          Note the important work of the United Nations High Commissioner for Human Rights, the United Nations Children’s Fund (UNICEF), the International Labor Organization, and the International Organization for Migration (IOM) in the global fight against trafficking in persons;</p> <p>New Paragraph 10bis          Strongly urging all responsible UN entities to coordinate their efforts to fight trafficking in persons effectively and protect the human rights of its victims, including via the Inter-Agency Coordination Group against Trafficking in Persons and UN.GIFT;</p> <p><b>African Group:</b> <del>Also noting To Recognize</del> the important work of the United Nations High Commissioner for Refugees...</p> <p><b>Belarus:</b> ...Refugees (<a href="#">UNHCR</a>), the United Nations Children's Fund (UNICEF), the International Labor Organization (<a href="#">ILO</a>), and the International Organization for Migration (IOM) <u>as well as <a href="#">International Criminal Police (INTERPOL)</a> and <a href="#">UNESCO</a></u> in the global fight against trafficking in persons;</p>

	<p><b>Colombia:</b> delete. The organizations or entities mentioned in the document should be restricted to the ones participating in the Inter-Agency Coordination Group against Trafficking in Persons (ICAT), and for the sake of coherence any of them should be singularized in a separated paragraph.</p> <p><b>EU:</b> Also noting the important work of the United Nations High Commissioner for <a href="#">Refugees Human Rights</a>, the United Nations Children’s Fund...</p> <p>Paragraph 10bis  <a href="#">Strongly urging all responsible UN entities to coordinate their efforts to fight trafficking in persons effectively and protect the human rights of its victims, including via the Inter-Agency Coordination Group against Trafficking in Persons and UN.GIFT;</a></p> <p>Paragraph 10ter (moved from paragraph 39)  <a href="#">Commending the role of civil society organizations and non-governmental organizations in providing assistance and empowerment to victims of trafficking and helping them to seek redress as well as facilitating the care of and provision of appropriate services to victims, including meaningful engagement and coordination with law enforcement officials;</a></p> <p><b>ILO:</b> ... the International Labor Organization (<a href="#">ILO</a>)...</p> <p><b>IOM:</b> when analyzing the language of paragraph 9, the introductory language of paragraph 10 is very weak and we would appreciate if Member States could a) recognize (rather than note) the important work and b) the existing capacity building tools, etc. of paragraph 9 should be replicated in paragraph 10</p> <p><b>Japan:</b> <i>Add</i>, after “United Nations Children’s Fund (UNICEF),” in line 2, “United Nations Educational, Scientific and Cultural Organization (UNESCO), Office of the High Commissioner for Human Rights (OHCHR),” .          (rationale) To be submitted if necessary.</p> <p><b>Thailand:</b> replace with “<a href="#">Note/Also noting</a> the important work of the United Nations High Commissioner for Refugees, the United Nations Children’s Fund (UNICEF), the International Labor Organization, and the International Organization for Migration (IOM) in the global fight against trafficking in persons”</p> <p><b>UNICEF:</b> Suggest adding reference to the <a href="#">Office of the High Commissioner for Human Rights (OHCHR)</a></p>
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<p>11. Making a commitment to address all forms of trafficking in persons that occur within and across national borders;</p>	<p><b>Facilitators’ Proposal:</b>          Make a commitment to address all forms of trafficking in persons that occur within and across national borders, including as a result of conflict, instability or humanitarian emergencies;</p> <p><b>African Group:</b> <u>To make a commitment to address all forms of trafficking in persons that occur within and across national borders and in doing so to consider establishing direct channels of communication between the relevant and competent authorities, agencies and services, including special units and focal points and where appropriate, establish joint border patrols trained in the prevention of trafficking in human beings and strengthen the existing ones.</u></p> <p><u>11 bis</u>  <u>To adopt appropriate strategies which take into account the specificity of all cases and further coordinate the actions at local, national, sub-regional, regional and international levels in an inclusive manner</u></p> <p><b>Belarus:</b> <u>...national borders, including trafficking in human organs, tissue and cells</u></p> <p><b>Canada:</b> <del>Making a commitment to</del> <u>Addressing</u> all forms of trafficking in persons that occur within and across national borders</p> <p><b>EU:</b> Making a commitment to address all forms of trafficking in persons that occur within and across national borders, <u>including as a result of conflict, instability or humanitarian emergencies</u></p> <p><b>Indonesia:</b> Making a commitment to address all forms of trafficking in persons <del>that occur within and across national borders</del>. The explanation is as follows: The last part of this paragraph brings confusion at the technical level as the definition of trafficking as stipulated by the UNTOC covers both within and across national border. The last paragraph is simply redundant. Moreover, the first part is also redundant because the urge to make commitment is already being covered by the chapeau of this draft</p> <p><b>Indonesia:</b> Paragraph 11 bis:  <u>Stressing that trafficking in persons are global problems in nature involving origin, transit and destination countries, which require comprehensive international cooperation in combating it.</u></p> <p><b>Indonesia:</b> Paragraph 11ter:  <u>Noting with grave concerns the links between trafficking in persons and other forms of transnational crime and are concerned that many of</u></p>
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	<p><u>the trafficking activities were being orchestrated by criminal networks that were also involved in the illicit trafficking of narcotics, document fraud, money laundering, arms smuggling, terrorism and other transnational crimes.</u></p> <p><b>OHCHR:</b> Making a commitment to address all forms of trafficking in persons that occur within and across national borders <u>both in peace time and in the context of armed conflict;</u></p> <p><b>Thailand:</b> delete</p> <p><b>IOM:</b> We would suggest inserting a paragraph that specifically addresses the issue of internal trafficking and the need for states to demonstrate commitment to addressing the problem.</p>
<p><b>I. Preventing trafficking in persons</b></p> <p>12. Mainstreaming the issue of trafficking in persons into policies and programmes aimed at addressing economic development, human rights, rule of law, good governance, natural disaster and post-conflict reconstruction;</p>	<p><b>Facilitators’ Proposal:</b> Mainstream the issue of trafficking in persons into policies and programmes aimed at addressing economic and social development, human rights, rule of law, good governance, education, natural disaster and post-conflict reconstruction;</p> <p><b>African Group:</b> <b>I. <del>Preventing</del>Prevention of trafficking in persons</b> <u>We resolve to undertake the following measures to prevent and combat trafficking in persons:</u></p> <p>12. <u>Mainstreaming To mainstream</u> the issue of trafficking in persons into policies ...</p> <p><b>Australia:</b> It would be misleading and unhelpful to suggest that all human rights policies and programmes would and should address the issue of people trafficking as they have a much broader function.</p> <p><b>Belarus:</b> ...good governance, <u>education</u>, natural disaster</p> <p><b>China:</b> Mainstreaming the issue of trafficking in persons, <u>as appropriate</u>, into...</p> <p><b>EU:</b> ...at addressing economic <u>and social</u> development...</p> <p><b>Thailand:</b> delete</p> <p><b>UNICEF:</b> Suggest considering <u>“mainstreaming in migration managements and gender equality and empowerment work”</u> and adding <u>“strengthening child protection systems”</u></p>
<p>13. Addressing the underlying root causes of trafficking in persons that make people vulnerable to exploitation, such as poverty, inequality, gender discrimination, and a culture of tolerance towards violence against women and children;</p>	<p><b>Facilitators’ Proposal:</b> Address the underlying root causes of trafficking in persons that make people vulnerable to exploitation by this serious crime, such as poverty, inequality, armed conflicts, gender discrimination, social exclusion and marginalization as well as a culture of</p>

	<p>tolerance towards violence against women, young people and children;</p> <p><b>African Group:</b> <del>Addressing</del> <u>To address</u> the underlying root causes of trafficking...</p> <p><b>Belarus:</b> ...poverty, <u>lack of decent work</u>, inequality.... women and children <u>as well as armed conflicts</u></p> <p><b>Canada:</b> vulnerable to exploitation, <del>such</del> <u>as including</u> poverty, inequality, <u>lack of opportunity, social exclusion...</u></p> <p><b>Colombia:</b> delete OR change to:          “Address the social and economic factors that increase vulnerability to trafficking and create awareness of trafficking, its causes and consequences. “</p> <p><b>EU:</b> ...that make people vulnerable to exploitation <u>by this serious crime</u>, such as poverty, inequality, gender discrimination, <u>social exclusion and marginalization</u> and a culture of tolerance towards violence against women, <u>young people</u> and children;</p> <p><b>ILO:</b> ...<del>and</del> a culture of tolerance towards violence against women and children, <u>and lack of decent work in source and destination countries, and governance problems of labour markets and migration systems</u>;</p> <p><b>Japan:</b> We would like to know if the list of root causes of trafficking in persons described in this paragraph is a direct quote of agreed language.</p> <p><b>Nicaragua:</b> Addressing the underlying root causes of trafficking in persons that make people vulnerable to exploitation, <u>particularly the extreme poverty and hunger which are the greatest global threat that requires the collective commitment of the international community for its eradication</u>, as well as,...</p> <p><b>Holy See:</b> ...gender discrimination, <u>armed conflicts, instability</u></p> <p><b>Thailand:</b> delete</p> <p><b>UNAIDS:</b> Addressing the underlying root causes of trafficking in persons that make people vulnerable to exploitation, such as poverty, inequality, gender <u>and ethnic</u> discrimination, <u>racism</u>, and a culture of tolerance towards violence against women and children;</p>
<p>14. Adopting or implementing comprehensive policies and programmes at the national and regional levels and other measures to prevent all forms of trafficking in persons that are in</p>	<p><b>Facilitators’ Proposal:</b>          Adopt and implement comprehensive policies and programmes at the national and regional levels and other measures to prevent all forms of trafficking in</p>

<p>line with relevant policies and programmes on migration, education, employment and crime prevention;</p>	<p>persons that are in line with relevant policies and programmes on migration, education, employment, empowerment of women, and crime prevention in accordance with international human rights standards;</p> <p><b>African Group:</b> <del>Adopting</del> <b>To adopt and/or Implementing</b> <del>implement</del> comprehensive policies and programmes...</p> <p><b>Belarus:</b> 14.bis <u>Encouraging developing by UNESCO and UNICEF together with other international organizations, state and private funds, respective non-governmental organizations educational programmes aimed at prevention of human trafficking and their dissemination among Member States;</u></p> <p><b>Cuba:</b> 14 bis: “Encouraging States Parties to take or strengthen measures, including through bilateral or multilateral cooperation, to alleviate the factors that make persons, especially women and children, vulnerable to trafficking, such as poverty, underdevelopment and lack of equal opportunity.” (A/RES/55/25)</p> <p><b>Cuba:</b> 14 ter: “Urging the developed countries to fulfill their Official Development Commitments in a timely and predictable manner as been agreed in the Major United Nations Conferences and Summits, in order to support the efforts of developing countries to fight the trafficking in persons.” (Based in paragraph 309 Final Document Sharm El-Sheikh)</p> <p><b>EU:</b> Adopting <del>or</del> <u>and</u> implementing comprehensive policies and programmes at the national and regional levels and other measures to prevent all forms of trafficking in persons that are in line with relevant policies and programmes on migration, education, employment <u>combating all forms of discrimination</u> and crime prevention</p> <p><b>OHCHR:</b> <del>Adopting or implementing comprehensive policies and programmes at the national and regional levels and other measures to prevent all forms of trafficking in persons that are in line with relevant policies and programmes on migration, education, employment and crime prevention;</del> Adopting or implementing comprehensive policies and programmes at the national and regional levels and other measures to prevent all forms of trafficking in persons that are in line with relevant policies and programmes on <u>safe and gainful migration, education, employment, empowerment of women and participation in decision-making,</u> -and crime prevention <u>and in accordance with international human rights standards</u></p>
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	<p><b>Singapore:</b> Adopting or implementing <u>as</u> necessary comprehensive policies and programmes at the national and regional levels and other measures, <u>in line with relevant domestic laws, policies and programmes on migration, education, employment and crime prevention</u>, to prevent all forms of trafficking in persons <del>that are in line with relevant policies and programmes on migration, education, employment and crime prevention;</del>”</p> <p><b>Thailand:</b> delete</p> <p><b>UNICEF:</b> Recommend adding: “ <u>human rights and child rights, gender equality</u>” after “in line with relevant policies and programmes on migration...”</p>
<p>15. Conducting research and collection of disaggregated data by types of trafficking in persons, sex and age and data collection into the nature and extent of all forms of trafficking in persons, including root causes, trends of trafficking, information on traffickers, demand for exploitative services and labour and on the gaps and shortcomings in anti-trafficking policies and programmes;</p>	<p><b>Facilitators’ Proposal:</b> Conduct research and collection of disaggregated data by types of trafficking in persons, sex and age and data collection into the nature and extent of all forms of trafficking in persons, including root causes, trends of trafficking, information on traffickers, demand for exploitative services and labour and on the gaps and shortcomings in anti-trafficking policies and programmes;</p> <p><b>African group:</b> <del>Conducting</del> <u>To conduct</u> research and collect disaggregated...</p> <p><u>15bis To involve local communities, local authorities, non-governmental organizations, faith-based organizations, members of civil society and the business community/sector in awareness-raising campaigns and to educate them on the provisions of existing legal instruments on human trafficking.</u></p> <p><b>Belarus:</b> 15.bis <u>Encouraging UNODC together with IOM and other relevant organizations to work out the universally acceptable concept definition of the “victim of trafficking” to be used as a guide by all law enforcement and other organizations and agencies in their actions towards the trafficking victims;</u></p> <p><b>Canada:</b> <del>...</del>trafficking in persons, <u>as well as including</u> root causes, trends of trafficking, information on <del>traffickersperpetrators, the demand that fosters all forms of exploitation, demand for exploitative services and labour</del> and on the gaps <del>and shortcomings</del> in anti-trafficking <u>laws, policies and programmes;</u></p> <p><b>China:</b> Conducting research <del>and collection of</del> disaggregated data by types of trafficking in persons, sex and age and data collection into the nature and extent of all forms of trafficking in persons, including root causes, trends of trafficking, information on traffickers, demand for exploitative services and labour <del>and on</del> the gaps and shortcomings in anti-trafficking policies and</p>

	<p>programmes</p> <p><b>Colombia:</b> ... all forms of trafficking in persons, including <del>root causes</del> <u>conditions of vulnerability</u>, trends...</p> <p><b>EU:</b> <del>Conducting research and collection of data that should be suitably disaggregated to enable a proper analysis of the nature and extent of trafficking in a comparative fashion; disaggregated data by types of trafficking in persons, sex and age and data collection into the nature and extent of all forms of trafficking in persons, including root causes, trends of trafficking, information on traffickers, demand for exploitative services and labour and on the gaps and shortcomings in anti-trafficking policies and programmes;</del></p> <p><b>Nicaragua:</b> and labour and on the gaps and shortcomings in anti-trafficking policies and programmes; <u>Giving priority to information provided by national official sources</u></p> <p><b>Singapore:</b> <u>Endeavouring to conduct</u> <del>Conducting</del> research and collection of disaggregated data by types of trafficking in persons, sex and age and data collection into the nature and extent of all forms of trafficking in persons, including root causes, trends of trafficking, information on traffickers, demand for exploitative services and labour and on the gaps and shortcomings in anti-trafficking policies and programme</p> <p><b>Japan:</b> <i>Delete</i> whole paragraph. (rationale) To be submitted if necessary.</p> <p><b>Thailand:</b> delete</p> <p><b>UNICEF:</b> suggest adding the following after: “...gaps and shortcomings in anti-trafficking policies and programmes, <u>and including participatory and applied research with men, women and children who have been identified as victims of trafficking or potential victims or are considered to be at risk of trafficking</u>”</p> <p><b>USA:</b> Delete “by types of trafficking in persons, sex and age and data collection into the nature and extent of all forms of trafficking in persons” and “including”. After “data” add “with the aim of understanding”.</p>
<p>16. Developing or strengthening processes for the identification of victims such as those developed by UNODC and IOM, including appropriate and non-discriminatory measures that help to identify trafficked victims among vulnerable populations;</p>	<p><b>Facilitators’ Proposal:</b> Develop or strengthen processes for the identification of victims such as those developed by UNODC and other organizations, including appropriate and non-discriminatory measures that help to identify trafficked victims among vulnerable populations;</p>

	<p><b>African Group:</b> <del>Developing or strengthening</del> <u>To develop and/or strengthen</u> processes for the identification of victims such as...</p> <p><b>Belarus:</b> ...nondiscriminatory measures, <u>criteria and methodology</u> that help...</p> <p><b>EU:</b> ...by UNODC <del>and IOM</del> <u>and other organisations</u>, including...</p> <p><b>Malaysia:</b> Developing or strengthening processes for the identification of victims <del>such as those developed by UNODC and IOM</del>, including appropriate and non-discriminatory measures that help to identify trafficked victims among vulnerable populations;</p> <p><b>Thailand:</b> delete</p> <p><b>UNAIDS:</b> Developing or strengthening processes for the identification of <del>trafficked persons</del> <u>victims</u>, such as those developed by UNODC and IOM, including appropriate and non-discriminatory measures that help to identify trafficked <del>persons</del> <u>victims</u> among vulnerable populations;</p> <p><b>UNICEF:</b> the aim here is most likely to be “to proactively identify potential victims among vulnerable populations without discriminatory measures”. Also suggest adding at the end of the paragraph “<u>particularly in mixed migration flows</u>”</p>
<p>17. Promoting awareness-raising campaigns to discourage the demand that fosters exploitation and inform persons at risk of being trafficked and the general public through education and effective involvement of mass media and monitoring the effectiveness of such campaigns;</p>	<p><b>Facilitators’ Proposal:</b> Promote awareness-raising campaigns to discourage the demand that fosters exploitation of persons, especially women and children, that leads to trafficking and inform persons at risk of being trafficked and the general public through education and effective involvement of mass media, non-governmental organizations and the private sector and monitor the effectiveness of such campaigns;</p> <p>New Paragraph 17bis Stress the role of education in raising awareness on the prevention of trafficking in persons and to promote education in particular human rights education, and human rights learning as a sustainable way to prevent trafficking in persons;</p> <p>New Paragraph 17ter Reinforce mechanisms for the registration of births and the provision of identity documents;</p> <p><b>African Group:</b> <del>Promoting</del> <u>To carry out</u> awareness-raising campaigns to discourage the demand that fosters...</p> <p><u>17bis To stress the role of education in raising awareness on the prevention of trafficking in</u></p>

	<p><u>persons and to promote education in particular human rights education, and human rights learning as a sustainable way to prevent trafficking in persons;</u></p> <p><u>17ter To reinforce mechanisms for the registration of births and the provision of identity documents,</u></p> <p><b>Belarus:</b> ...mass media, <u>non-governmental organizations and private sector,</u> and</p> <p>17.bis <u>Encouraging the United Nations to organize global campaign against trafficking in persons in international mass media with participation of international organizations, Member States, NGOs and business community;</u></p> <p><b>Canada:</b> Promoting awareness-raising campaigns to discourage the demand that fosters <u>all forms of exploitation, especially women and children, that leads to trafficking</u> and inform...</p> <p><b>Colombia:</b> delete OR change to : <u>Promote awareness raising campaigns aimed at the most vulnerable groups by providing potential victims of trafficking with sufficient information about the risks of human trafficking</u></p> <p>17bis: <u>Discourage the demand for services of trafficking persons for sexual exploitation, forced labour, slavery or other practices similar to slavery and servitude and, in this connection, promoting zero tolerance towards all forms of trafficking</u></p> <p><b>EU:</b> <del>Promoting awareness-raising campaigns to discourage the demand that fosters exploitation and inform persons at risk of being trafficked and the general public through education and effective involvement of mass media and monitoring the effectiveness of such campaigns; Increasing prevention through the promotion of effective awareness-raising campaigns in countries of destination to discourage the demand that fosters exploitation and in country of origins to inform persons at risk of being trafficked and the general public. These campaigns should be conducted through education and effective involvement of mass media and should be monitored to assess their effectiveness;</del></p> <p><b>Holy See:</b> ...that fosters exploitation <u>and fuels trafficking</u></p> <p><b>Japan:</b> <i>Delete</i> “and monitoring the effectiveness of such campaigns”. (rationale) To be submitted if necessary.</p> <p><b>OHCHR:</b> Promoting awareness-raising campaigns to discourage the demand <u>as a root cause of</u></p>
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	<p><del>trafficking, which that</del> fosters exploitation, <u>including sexual exploitation</u>, and inform persons at risk of being trafficked and the general public through education and effective involvement of mass media and monitoring the effectiveness of such campaigns;</p> <p><b>Singapore:</b> Promoting awareness-raising campaigns to discourage the demand that fosters exploitation <u>of persons, especially women and children, that leads to trafficking</u> and inform persons at risk of being trafficked and the general public through education and effective involvement of mass media and monitoring the effectiveness of such campaigns</p> <p><b>Thailand:</b> delete</p>
<p>18. Increasing prevention efforts in countries of destination and transit by focusing on the demand for trafficked and exploited migrant labour and forced labour, and the demand for the goods produced as a result of such labour;</p>	<p><b>Facilitators’ Proposal:</b> Increase prevention efforts in countries of destination and transit by focusing on the demand for trafficked labour and the goods produced as a result of such labour;</p> <p><b>African Group:</b> <del>Increasing prevention efforts. To develop prevention mechanisms</del> in countries of destination and...</p> <p><b>Australia:</b> Drafters should consider carefully the specifics of any measures that might in the future be contemplated as part of action under paragraphs 18 and 19. Any such measures would need to be fully consistent with international trade obligations.</p> <p><b>Belarus:</b> ...result of such labour <u>with the involvement into such efforts of private sector and civil society</u>;</p> <p><b>Canada:</b> Increasing prevention efforts in countries of <u>origin</u>, destination and transit by focusing on the demand <del>for trafficked and exploited migrant labour and forced labour</del> <u>that fosters all forms of trafficking including labour trafficking and;</u> <del>and</del> the demand for the goods...</p> <p><b>EU:</b> delete</p> <p><b>Holy See:</b> the phrase “<i>focusing on the demand for trafficked and exploited migrant and forced labour</i>” contains two different concepts (trafficking and exploitation of migrant labour) which need to be reconsidered, as the exploitative conditions of work do not automatically qualify as trafficking or forced labour</p> <p><b>Thailand:</b> delete</p> <p><b>UNICEF:</b> suggest adding at the end of the paragraph after “of such labour”; <u>strengthening the monitoring of labour standards and working conditions in sectors that are known to be prone to precarious work or labour exploitation, including in</u></p>

	<p><u>the informal sectors, and increasing the identification of sites of exploitation</u></p> <p><b>USA:</b> Add “source,” before “destination.” Change “...trafficked and exploited migrant labour and forced labour...” to “trafficked and exploited labour” Delete “the goods produced as a result of such labour” and replace with “cheap labor, as well as addressing the demand for children and the exploitation of trafficking victims in the commercial sex trade”</p>
<p>19. Adopting specific measures to combat trafficking for labour exploitation and calling on producers and consumers of goods to abide by these measures;</p>	<p><b>Facilitators’ Proposal:</b> Adopt specific measures at the national level to combat trafficking for labour exploitation, require producers of goods to abide by these measures and educate consumers on these measures;</p> <p><b>African Group:</b> <del>Adopting To adopt</del> specific measures to combat trafficking...</p> <p><b>Australia:</b> Drafters should consider carefully the specifics of any measures that might in the future be contemplated as part of action under paragraphs 18 and 19. Any such measures would need to be fully consistent with international trade obligations.</p> <p><b>Canada:</b> delete and address outstanding issues with OP18 and section on prosecution</p> <p><b>Colombia:</b> delete</p> <p><b>EU:</b> Adopting specific measures to combat trafficking <del>for labour exploitation and calling on producers and consumers of goods to abide by these measures within countries</del></p> <p><b>Japan:</b> <i>Delete</i> whole paragraph. (rationale) It is unclear what “specific measures” are in this paragraph. We therefore would suggest deleting this whole paragraph.</p> <p><b>Nicaragua:</b> <u>19 bis Adopting specific measures to eliminate the demand for trafficking in person for the purpose of sexual exploitation</u> (A/RES/64/178)PP15</p> <p><b>Holy See:</b> the phrase “<i>Adopting specific measures</i>” is vague and unclear. After §19 a new paragraph (§19 bis) could be added: <u>Adopting, where appropriate, and strengthening the existing laws against prostitution, child pornography and sexual exploitation</u></p> <p><b>Thailand:</b> delete</p> <p><b>Syria:</b> there is a need to adopt specific measures to combat trafficking for commercial exploitation, including the exploitation of the prostitution of others or other forms of sexual exploitation</p>

<p>20. Strengthening the capacity of law enforcement, immigration and other relevant officials in the prevention of trafficking in persons, taking into account the need to respect human rights and child-and gender-sensitive issues and encouraging cooperation with non-governmental organizations, other relevant organizations and other elements of civil society;</p>	<p><b>Facilitators’ Proposal:</b> Strengthen the capacity of law enforcement, immigration, education, social welfare, labour and other relevant officials in the prevention of trafficking in persons, taking into account the need to respect human rights and child-and gender-sensitive issues and encourage cooperation with civil society, non-governmental organizations and other relevant organizations;</p> <p><b>African Group:</b> <del>Strengthening</del> <u>To strengthen</u> the capacity of law enforcement, immigration... other relevant organizations and other elements of civil society, <u>in accordance with national law;</u></p> <p><b>Belarus:</b> ...immigration, <u>education</u> and other relevant officials</p> <p><b>Canada:</b> ...taking into account the need to respect human rights and child-and gender-sensitive issues and encouraging cooperation with <u>civil society, including</u> non-governmental organizations, other relevant organizations <del>and other elements of civil society;</del></p> <p><b>EU:</b> Strengthening <u>or continuing to strengthen</u> the capacity...</p> <p><b>Holy See:</b> ...human rights and <u>child-and best interest of the child and</u> gender-sensitive issues...with non-governmental organizations, <u>religious-based communities...</u></p> <p><b>ILO:</b> Strengthening the capacity of law enforcement, immigration, <u>labour administration and labour inspection</u> and other relevant officials...</p> <p><b>Singapore:</b> Strengthening the capacity of law enforcement...and encouraging cooperation, <u>where appropriate,</u> with non-governmental organizations, other relevant organizations and other elements of civil society</p> <p><b>Thailand:</b> delete</p> <p><b>UNICEF:</b> Suggest adding “<u>social welfare, labour</u>” before “law enforcement, immigration and other relevant officials”</p>
<p>21. Encouraging the United Nations to work with Member States and relevant international, regional and sub-regional organizations to identify and share best practices to prevent trafficking in persons.</p>	<p><b>Facilitators’ Proposal:</b> Encourage the United Nations to intensify work with Member States and relevant international, regional and sub-regional organizations to identify and share best practices to prevent trafficking in persons;</p> <p><b>African Group:</b> <del>Encouraging</del> <u>To encourage</u> the United Nations to work with Member...</p> <p><b>Canada:</b> delete or replace with “Working together</p>

	<p>and in conjunction with relevant international, regional and sub-regional organizations to identify and share best practices to prevent trafficking in persons.”</p> <p><b>Cuba:</b> 21 bis: “Encouraging national efforts being made to prevent and combat this scourge and to work together in a collaborative manner and within a regional and international framework without imposing unilateral requirements or evaluations on States.” (Based in paragraph 509 Final Document Sharm El-Sheikh)</p> <p><b>Indonesia:</b> Encouraging the United Nations to <u>intensify</u> work with</p> <p><b>Thailand:</b> delete</p>
<p><b>II. Protecting and assisting victims of trafficking</b></p> <p>22. Reaffirming that the promotion and protection of human rights for all and effective measures to respond to trafficking in persons are complementary and mutually reinforcing;</p>	<p><b>Facilitators’ Proposal:</b> Reaffirm that the promotion and protection of human rights for all and effective measures to respond to trafficking in persons are complementary and mutually reinforcing;</p> <p><b>African Group:</b> <del>Protecting and assisting</del> <u>Protection of and assistance to victims of trafficking</u> <u>We resolve to undertake the following measures reaffirming that the promotion and protection of human rights and effective measures to respond to trafficking in persons are complementary and mutually reinforcing:</u></p> <p>Paragraph 22: delete</p> <p><b>Canada:</b> delete (repetitive with OP1 and 2)</p> <p><b>Thailand:</b> delete</p>
<p>23. Stressing the need to promote and protect the rights of victims of trafficking in persons and to (re-) integrate both victims and perpetrators in the community, in line with the Office of the High Commissioner for Human Rights Guidelines on Human Rights and Human Trafficking and the UNICEF Guidelines on the Protection of Child Victims of Trafficking;</p>	<p><b>Facilitators’ Proposal:</b> Stress the need to promote and protect the rights of victims of trafficking in persons and to (re-) integrate victims into the community, in line with the Office of the High Commissioner for Human Rights Recommended Principles and Guidelines on Human Rights and Human Trafficking and the UNICEF Guidelines on the Protection of Child Victims of Trafficking;</p> <p><b>African Group:</b> <del>Stressing-To stress</del> the need to promote and protect the rights of victims of trafficking in persons and to (re-) integrate victims in the community-<u>taking into consideration the supportive role of the Office of the High Commissioner for Human Rights (OHCHR) and the United Nations Children’s Fund (UNICEF) in this regard;</u></p> <p><b>Colombia:</b> ...(re-)integrate-<del>both victims and perpetrators</del> in the community, in</p>



	<p><b>EU:</b> Stressing the need to promote and protect the rights of victims of trafficking in persons <del>and to (re-) integrate both victims and perpetrators in the community, in line with taking into account</del> the Office of the High Commissioner for Human Rights Guidelines on Human Rights and Human Trafficking and the UNICEF Guidelines on the Protection of Child Victims of Trafficking <del>and stressing also the need to reintegrate the victims in society;</del>  <u>23bis Stressing the need to fully implement the respective Articles referring to victim protection of UNTOC and its additional Protocols</u></p> <p><b>IOM:</b> add IOM’s Handbook on Direct Assistance for Victims of Trafficking is cited as one of the three concrete tools that provides detailed guidance on protection and assistance translating the Protocol’s provisions into a human rights based approach to implementation</p> <p><b>OHCHR:</b> ... in line with the Office of the High Commissioner for Human Rights <u>Recommended Principles and Guidelines on Human Rights...</u></p> <p><b>Thailand:</b> delete</p> <p><b>UNAIDS:</b> Stressing the need to promote and protect the rights of <del>trafficked persons</del> <u>victims of trafficking in persons</u> and to (re-) integrate both <u>them</u> <del>victims</del> and perpetrators in the community;</p> <p><b>UNICEF:</b> Recommend reference to the <u>UN Guidelines on Justice in Matters Affecting Child Victims and Witnesses of Crime</u></p> <p><b>USA:</b> Delete “both” and “and perpetrators.” The correct title of OHCHR’s document is “Recommended Principles and Guidelines on Human Rights and Human Trafficking.” Add at the end of paragraph “..and the WHO’s Ethical and Safety Recommendations for Interviewing Trafficked Women.”</p>
<p>24. Ensuring that national legislation recognizes trafficked persons as victims of crime regardless of nationality, gender, age or form of exploitation or similar features;</p>	<p><b>Facilitators’ Proposal:</b>          Ensure that national legislation recognizes trafficked persons as victims of crime and that such legislation effectively criminalizes all forms of trafficking, regardless of the type of exploitation or the characteristics of the victim;</p> <p><b>African Group:</b> <del>Ensuring</del> <u>To ensure</u> that national legislation recognizes trafficked persons as victims of crime regardless of nationality, gender, age or form of exploitation or similar features, <u>while encouraging national legislation to criminalize trafficking in human beings;</u></p> <p><b>Canada:</b> replace with “Ensuring that national legislation effectively criminalizes all forms of trafficking, regardless of the type of exploitation of</p>

	<p>the characteristics of the victim”</p> <p><b>EU:</b> Ensuring that <del>national legislation recognizes trafficked persons are recognised, first and foremost</del> as...</p> <p><b>Japan:</b> We think that it is not appropriate for this Plan of Action to give guidance to the content of national legislation.</p> <p><b>OHCHR:</b> Ensuring that national legislation recognizes trafficked persons as victims of a crime regardless of nationality, <del>immigration status</del>, gender, age or form of exploitation or similar features</p> <p><b>Singapore:</b> Ensuring that <del>national legislation recognizes trafficked persons</del> <del>trafficked persons are treated</del> as victims of crime regardless of nationality, gender, age or form of exploitation or similar features</p> <p><b>Thailand:</b> delete</p> <p><b>UNICEF:</b> Suggest adding “<del>immigration status</del>” to the current list beginning with “nationality, gender, age or form of exploitation or similar features”; suggest further adding “... and irrespective of the collaboration of the victim of trafficking with law enforcement authorities, the outcome of a related trial and a conviction of the perpetrator under the anti-trafficking law”</p> <p><b>USA:</b> delete</p>
<p>25. Reviewing existing national services available to national and foreign victims of trafficking, and strengthening those services where needed as well as supporting the establishment or strengthening of national referral mechanisms;</p>	<p><b>Facilitators’ Proposal:</b> Review existing national services available to victims of trafficking, according to Article 6 of the Trafficking Protocol and strengthen those services where needed as well as support the establishment or strengthening of national referral mechanisms;</p> <p><b>African Group:</b> <del>Reviewing</del> <del>To review</del> existing national services available to <del>national and foreign</del> victims of trafficking, and <del>to strengthening</del> those services, where needed as well as supporting the establishment or strengthening of national referral mechanisms;</p> <p><b>Canada:</b> ...of national referral mechanisms, <del>as appropriate</del>.</p> <p><b>EU:</b> Reviewing existing national services available to national and foreign victims of trafficking, <del>according to Article 6 of the Protocol to Prevent, Suppress and Punish trafficking in persons</del> and strengthening those services where needed as well as supporting the establishment or strengthening of <del>national</del> referral mechanisms</p> <p><b>Japan:</b> <i>Change</i> “services” to “measures”. We think that it is up to each State to decide</p>

	<p>whether or not they support the establishment or the strengthening of referral mechanisms. (rationale) To be submitted if necessary.</p> <p><b>OHCHR:</b> referral mechanisms <u>as well as by creating the institution of a National Rapporteur on trafficking in persons</u>;</p> <p><b>Thailand:</b> delete</p> <p><b>UNAIDS:</b> Reviewing existing national services available to national and foreign <u>trafficked persons</u> <del>victims of trafficking</del>, and strengthening those services where needed as well as supporting the establishment or strengthening of national referral mechanisms</p> <p><b>UNICEF:</b> Needs clarification on what is meant by “national services”. It is unclear whether this means services that are provided by the state (i.e. government) or whether “national services” means all services including those implement by NGOs, civil society and international organizations. Also suggested replacing the word “foreign” with “<u>non-national</u>”</p>
<p>26. Strengthening the capacity of service providers and others likely to encounter and identify possible victims of trafficking, such as law enforcement personnel, border control officers, consular embassy officials, judges and prosecutors and peacekeepers, and ensuring the availability of needed resources to the relevant sectors and institutions, including those of civil society;</p>	<p><b>Facilitators’ Proposal:</b> Strengthen the capacity of service providers and others likely to encounter and identify possible victims of trafficking, such as law enforcement personnel, border control officers, labor inspectors, consular embassy officials, judges and prosecutors and peacekeepers, and ensure the availability of needed resources to the relevant sectors and institutions, including those of civil society;</p> <p><b>African Group:</b> <del>Strengthening</del> <u>To strengthen</u> the capacity of service providers...</p> <p><b>Canada:</b> ...consular embassy officials, <del>judges and prosecutors and</del> peacekeepers, and...</p> <p><b>EU:</b> Strengthening <u>or continuing to strengthen social protection mechanisms and</u> the capacity <u>and training</u> of service providers and others, <u>as stipulated by Art. 29 of UNTOC and Art. 10 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons likely to encounter and identify possible victims of trafficking, such as law enforcement personnel, border control officers, consular embassy officials, judges and prosecutors and peacekeepers, and ensuring the availability of needed resources to the relevant sectors and institutions, including those of civil society</u>;</p> <p><b>Japan:</b> <i>Change</i> “service providers and others” to “officials”. (rationale) To be submitted if necessary.</p> <p><b>Thailand:</b> delete</p>

	<p><b>UNAIDS:</b> Strengthening the capacity of service providers and others likely to encounter and identify possible <del>victims of trafficked</del><u>ing persons</u>, such as...</p> <p><b>UNICEF:</b> Again suggest adding “<u>social welfare and labour personnel and professionals in the health sector</u>” to the currently listed entities such as “law enforcement, border control offices, consular embassy officials, judges and prosecutors and peacekeeper”</p> <p><b>USA:</b> After “border control officers” add “labor inspectors”</p>
<p>27. Preventing secondary victimization in the context of investigations, in the judicial system and in victim assistance programmes, including by adopting appropriate measures to ensure that victims of trafficking are not penalized for engaging in illicit activities as a direct result of being trafficked or as a result of coercion;</p>	<p><b>Facilitators’ Proposal:</b> Prevent re-victimization in the context of investigations, in the judicial system and in victim assistance programmes, including by adopting appropriate measures to ensure that victims of trafficking are not penalized for engaging in illicit activities as a direct result of being trafficked or as a result of coercion;</p> <p><b>African Group:</b> <del>Preventing</del><u>To prevent</u> secondary victimization...</p> <p><b>Canada:</b> replace with “Urges Governments to take all appropriate measures to ensure that victims of trafficking are not penalized for being trafficked and that they do not suffer from victimization as a result of actions taken by government authorities, and encourages Governments to prevent, within their legal framework and in accordance with national policies, victims of trafficking in persons from being prosecuted for their illegal entry or residence.”</p> <p><b>EU:</b> Preventing <del>secondary re-victimization, as stipulated by Art. 9 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons in the context of investigations, in the judicial system and in victim assistance programmes, including by adopting appropriate measures to ensure that victims of trafficking are not penalized for engaging in illicit activities as a direct result of being trafficked or as a result of coercion;</del></p> <p><b>Holy See:</b> §27, page 7: after the “<i>illicit activities</i>” include <u>or for being irregular migrants</u></p> <p><b>Japan:</b> <i>Add</i>, after “measures” in line 3, “within the limits of domestic law of each Member States”. <i>Add</i>, after “victims of trafficking” in the same line, “in persons”. <i>Add</i>, after “are not penalized” in the same line, “in appropriate cases”. (rationale) To be submitted if necessary.</p> <p><b>Singapore:</b> delete</p> <p><b>Thailand:</b> delete</p>

	<p><b>UNAIDS:</b> Preventing secondary victimization in the context of investigations, in the judicial system and in <del>victim</del> assistance programmes <del>for trafficked persons</del>, including by adopting appropriate measures to ensure that <del>trafficked persons</del><del>victims of trafficking</del> are not penalized...</p> <p><b>UNICEF:</b> Currently the paragraph only makes reference to one aspect of “means” used to trafficking people, namely coercion. Singling out one “means” places undue weight to the element and loses out the significance of others. Also suggest including also reference to the protection from sanctions under other than criminal law: “... ensure that victims of trafficking are not ‘<del>sanctioned or</del>’ penalised for ‘<del>illegal entry or stay</del>’ or engaging...”</p>
<p>28. Protecting the privacy and identity of victims of trafficking in persons before, during and after criminal proceedings, including, inter alia, by making legal proceedings relating to such trafficking confidential;</p>	<p><b>Facilitators’ Proposal:</b> Protect the privacy, identity, and safety of victims of trafficking in persons and their families before, during and after criminal proceedings;</p> <p><b>African Group:</b> <del>Protecting</del><del>To protect</del> the privacy and identity of victims...</p> <p><b>EU:</b> Protecting the privacy and identity <del>and promoting the safety of witnesses, victims of trafficking in persons and their families, in particular before, of victims of trafficking in persons before,</del> during and after criminal proceedings, <del>as stipulated by Art. 24 and Art. 25 of UNTOC and Art.6 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons including, inter alia, by making legal proceedings relating to such trafficking confidential;</del></p> <p><b>Holy See:</b> It is unclear what is meant by “<i>making legal proceedings relating to such trafficking confidential</i>” and what such confidentiality will entail</p> <p><b>Singapore:</b> <del>In appropriate cases and to the extent possible under its domestic law, P</del>protecting the privacy and identity of victims of trafficking in persons <del>before, during and after criminal proceedings,</del> including, inter alia, by making legal proceedings relating to such trafficking confidential</p> <p><b>Thailand:</b> delete</p> <p><b>UNAIDS:</b> Protecting the privacy and identity of <del>victims of</del>trafficked<del>ing in</del> persons before...</p> <p><b>UNICEF:</b> Suggest adding explicit reference to data protection</p> <p><b>USA:</b> After “..proceedings” delete “including, inter alia, by making legal proceedings relating to such trafficking confidential.”</p>
<p>29. Protecting victims and witnesses from retaliation or intimidation, including by</p>	<p><b>Facilitators’ Proposal:</b> Protect victims and witnesses from retaliation or</p>

<p>ensuring their physical safety;</p>	<p>intimidation, including by ensuring their physical safety;</p> <p><b>African Group:</b> <del>Protecting-To protect</del> victims and witnesses...</p> <p><b>EU:</b> delete</p> <p><b>Singapore:</b> <del>Protecting victims and witnesses from retaliation or intimidation, including by ensuring their physical safety</del> Endeavouring to provide for the physical safety of victims of trafficking in persons while they are within its territory</p> <p><b>Thailand:</b> delete</p> <p><b>UNAIDS:</b> Protecting <del>trafficked persons victims</del> and witnesses from retaliation or intimidation, including by ensuring their physical safety;</p> <p><b>UNICEF:</b> Suggest reference be made to <a href="#">the special needs of child victims and witnesses of crime as per the ECOSOC Resolution of 2005/20 on Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime</a>. Also suggest adding reference to the “<a href="#">safety of their family members when necessary</a>”</p> <p><b>USA:</b> Request revision as follows: “Protecting victims and witnesses from retaliation or intimidation, and <a href="#">facilitating their cooperation with law enforcement</a>, including by ensuring their physical safety, and <a href="#">devising alternatives to incarceration or criminal detention</a>.”</p>
<p>30. Providing assistance and services for the physical, psychological and social recovery of trafficked persons and their full rehabilitation in cooperation with non-governmental organizations, other relevant organizations and other elements of civil society;</p>	<p><b>Facilitators’ Proposal:</b> Provide assistance and services for the physical, psychological and social recovery of trafficked persons and their rehabilitation in cooperation with non-governmental organizations, relevant organizations and sectors of civil society;</p> <p><b>African Group:</b> <del>Providing-To provide</del> assistance and services for the physical, psychological and social recovery of trafficked persons and their full rehabilitation in their communities in cooperation with <a href="#">sub-regional, regional and international organizations as well as</a> non-governmental organizations, other relevant organizations and civil society;</p> <p><b>EU:</b> Providing assistance and services for the physical, psychological and social recovery of trafficked persons and their <del>full</del> rehabilitation in cooperation with non-governmental organizations, other relevant organizations and other <del>elements</del><a href="#">actors</a> of civil society <a href="#">as stipulated by Article 6 of the UN Protocol on Prevent, Suppress and Punish Trafficking in persons</a></p> <p><b>Holy See:</b> §30, page 7: it is imprecise whether the</p>

	<p>activities of “<i>providing assistance and services</i>” will be primarily funded by the United Nations trust fund (cf. §36). Further, after “<i>non-governmental organizations</i>” include <u>religious-based communities</u></p> <p><b>Japan:</b> <i>Change</i> “and their full rehabilitation” to “and their rehabilitation”. (rationale) It is not always possible to achieve victims’ “full” rehabilitation.</p> <p><b>Singapore:</b> <u>Considering the implementation of measures to provide</u> for the physical, psychological and social recovery of victims of trafficking <u>trafficked persons and their full rehabilitation including, in appropriate cases, in cooperation with</u> non-governmental organizations, other relevant organizations and other elements of civil society</p> <p><b>Thailand:</b> delete</p>
<p>31. Adopting legislative or other appropriate measures to allow foreign victims to legalize their immigration status or pursue permanent residency or citizenship, in appropriate cases;</p>	<p><b>Facilitators’ Proposal:</b> Consider adopting legislative or other appropriate measures that permit victims of trafficking in persons to remain in its territory, temporarily or permanently, in appropriate cases, as stipulated by the Trafficking Protocol;</p> <p><b>African Group:</b> <del>Adopting legislative or other appropriate</del> <u>To enact, where it does not already exist, and adopting legislative or other appropriate and all necessary</u> measures to allow foreign victims to...</p> <p><b>Canada:</b> Adopting legislative or other appropriate measures to allow foreign victims to <del>legalize their immigration status or pursue permanent residency or citizenship</del> <u>remain in the territory temporarily or permanently,</u> in appropriate cases;</p> <p><b>EU:</b> Adopting legislative or other appropriate measures <del>that may permit to allow foreign</del> <u>victims of trafficking in persons to remain in its territory, temporarily or permanently, in appropriate cases, as stipulated by Art. 7 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons</u> <del>to legalize their immigration status or pursue permanent residency or citizenship, in appropriate cases;</del></p> <p><b>IOM:</b> OP31bis “Making use of available technical assistance to member states in providing assistance for protection of victims of trafficking in persons, including inter alia, by IOM”</p> <p><b>Japan:</b> <i>Change</i> whole paragraph to “Considering the adoption of legislative or other appropriate measures that permit victims of trafficking in persons to remain in its territory, temporarily or permanently, in appropriate cases”. (rationale) It should be agreeable to all delegations to quote Article 7 paragraph 1 of the Trafficking in Persons Protocol.</p>

	<p><b>Malaysia:</b> delete</p> <p><b>OHCHR:</b> ...permanent residency or citizenship, <u>including access to the asylum process</u>, in appropriate cases...</p> <p><b>Singapore:</b> delete</p> <p><b>Thailand:</b> delete</p> <p><b>UNAIDS:</b> Adopting legislative or other appropriate measures to allow foreign <u>trafficked persons</u> victims to legalize...</p> <p><b>UNICEF:</b> Ideally, paragraph 41 should come before paragraph 31 or else the two paragraphs can be combined. Recommend language <u>to propose reflection and recovery period, possibilities for temporary residency, and possibilities that temporary residency is reckonable towards a long-term status – pathways to permanent residency and citizenship</u></p> <p><b>USA:</b> After “..citizenship” add “..or obtain temporary work permits,</p>
<p>32. Ensuring the commitment by countries of origin to accept their nationals back and facilitate access to care and services and ensuring that the return of a foreign suspected victim of trafficking in persons to a State of which that person is a citizen or permanent resident is voluntary and is conducted with due regard for the safety of that person;</p>	<p><b>Facilitators’ Proposal</b> Ensure that countries of origin accept their nationals back and guarantee such return is conducted with due regard for safety and shall preferably be voluntary as stipulated by the Trafficking Protocol;</p> <p><b>African Group:</b> <u>Ensuring To ensure</u> the commitment by countries of origin... and is conducted with due <u>regard respect</u> for the safety of that person;</p> <p><b>Australia:</b> retains the right to remove unlawful non-citizens involuntarily, consistent with international obligations and Australian domestic law.</p> <p><b>Canada:</b> ...of which that person is a citizen or permanent resident is <u>preferably</u> voluntary and...</p> <p><b>China:</b> Ensuring the commitment by countries of origin to accept their nationals back and facilitate access to care and services and ensuring <del>that that</del> the return of a foreign suspected victim of trafficking in persons to a State of which that person is a citizen or permanent resident and <u>is voluntary and is conducted with due regard for</u> the safety of that person</p> <p><b>Cuba:</b> Ensuring the commitment by countries of origin to accept <u>in accordance with national legislation</u> their national back and facilitate access to care and services and ensuring that the return of a foreign suspected victim of trafficking in person to a State of which that person is a citizen or permanent</p>



	<p>resident is voluntary and is conducted with due regard for the safety of that person</p> <p><b>EU:</b> Ensuring the commitment by countries of origin to accept their nationals back and <u>ensuring that the return is conducted with due regard to safety and shall preferably be voluntary, as stipulated by Art. 8 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons</u> facilitate access to care and services and ensuring that the return of a foreign suspected victim of trafficking in persons to a State of which that person is a citizen or permanent resident is voluntary and is conducted with due regard for the safety of that person;</p> <p><b>Holy See:</b> after “safety” include <u>and dignity</u></p> <p><b>Japan:</b> <i>Change</i> “is voluntary” to “is preferably voluntary”. (rationale) It should be agreeable to all delegations to adhere to Article 8 paragraph 2 of the Trafficking in Persons Protocol.</p> <p><b>OHCHR:</b> ...of a foreign <del>suspected</del> <u>presumed suspected</u> victim of trafficking in persons...</p> <p><b>Singapore:</b> permanent resident <del>is voluntary and</del> is conducted with due regard for the safety of that person</p> <p><b>Thailand:</b> delete</p> <p><b>UNAIDS:</b> ...facilitate access to care and services and ensuring that the return of a foreign suspected <del>victim of trafficked in</del> person...</p> <p><b>UNICEF:</b> Suggest inclusion of <u>family tracing and family assessment</u> as additional requisite to the currently identified requisites of voluntariness and due regard for safety for the return of trafficked victims. Further suggest inclusion of a sentence or a creation of a new paragraph along the lines of “<u>Individual case assessment is done for each individual person, including a best interests determination for children, taking the child’s own views into account, and that includes also family tracing and assessment, prior to a decision about stay or return being made</u>”</p> <p><b>USA:</b> delete</p>
<p>33. Adopting labour laws that provide legal rights and protections for workers at high risk for trafficking;</p>	<p><b>Facilitators’ Proposal:</b> Adopt labour laws that provide legal rights and protections for workers at high risk of being trafficked;</p> <p><b>African Group:</b> <del>Adopting</del> <u>To adopt</u> labour laws that provide legal rights and protections for workers at high risk of trafficking ...</p>

	<p><b>Belarus:</b> ... trafficking <u>and encouraging involvement of labour market institutions in the fight against human trafficking;</u></p> <p><b>Canada:</b> clarify that protections would be afforded to all workers</p> <p><b>EU:</b> delete</p> <p><b>Japan:</b> We would like to seek clarification as to whether the purpose of this paragraph is to protect workers that are often subject to victimization by establishing labor laws that provides workers with rights and adequate protection.</p> <p><b>OHCHR:</b> Adopting labour laws that provide legal rights and protections for workers at high risk <u>of being for-trafficked</u></p> <p><b>Singapore:</b> delete</p> <p><b>Thailand:</b> delete</p> <p><b>UNICEF:</b> Suggest moving the sentence to the prevention section and adding here a reference to the possibility of labour migrants and persons who have worked under exploitative conditions to seek and receive legal advice and assistance in claiming their rights without risking sanctions due to an undocumented immigration status and / or working situation</p>
<p>34. Providing specialized services to identified victims of trafficking in persons, including access to HIV prevention, treatment, care and support services;</p>	<p><b>Facilitators' Proposal:</b> Provide specialized services to identified victims of trafficking in persons, in line with Article 6 of the Trafficking Protocol including access to comprehensive health services, such as access to HIV prevention, treatment, care and support services, taking into account that human trafficking for the purposes of sexual exploitation has serious, immediate and long term implications for health, including sexual and reproductive health;</p> <p><b>African Group:</b> <del>Providing</del> <u>To provide</u> specialized services ...</p> <p><b>China:</b> Providing specialized services to identified victims of trafficking in persons, <del>including-such as</del> access to HIV prevention, treatment, care and support services</p> <p><b>EU:</b> Providing specialized services to identified victims of trafficking in persons, <u>in line with Article 6 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, including access to comprehensive health services, including access to HIV prevention, treatment, care and support services, taking into account that human trafficking for the purposes of sexual exploitation has serious, immediate and long term implications for health, including sexual and</u></p>

	<p><a href="#">reproductive health</a>;</p> <p><b>Japan:</b> <i>Delete</i> whole paragraph. (rationale) Reference is already made to the provision of assistance and services for physical recovery in paragraph 30 which is based on Article 6 paragraph 3 of the Trafficking in Persons Protocol. We also think that there is no reason to emphasize the provision of HIV / AIDS prevention, treatment, care and support services.</p> <p><b>Singapore:</b> Providing, <a href="#">where appropriate</a>, specialized services to identified victims of trafficking in persons, <del>including access to HIV prevention, treatment, care and support service</del></p> <p><b>Thailand:</b> delete</p> <p><b>UNAIDS:</b> Providing <a href="#">access to</a> specialized services, <a href="#">which shall be voluntary, confidential and with informed consent</a>, to identified <del>vietims of</del> <del>trafficking in</del> persons, including HIV prevention, treatment, care and support services.</p> <p><b>UNICEF:</b> Suggest inclusion of other services such as <a href="#">“legal and psycho-social services and health”</a> services. Giving “access to HIV prevention ... services” as a sole example in this paragraph further reinforces the current misconception that trafficking occurs only for the end purpose of sexual exploitation. Also, given the gaps in formal victim identification process, it is suggested that “providing specialised services” be made not only to identified victims of trafficking but also <a href="#">“suspected”</a> victims of trafficking <a href="#">“on a confidential basis with informed consent”</a></p>
<p>35. Providing appropriate assistance and protection to children who are victims of trafficking or at risk of being trafficked, including for purposes such as illegal adoption or the removal of organs, including ensuring appropriate services and measures to guarantee the physical and psychological well-being of trafficked children as well as their education and reintegration in coordination with existing child protections systems;</p>	<p><b>Facilitators’ Proposal:</b> Provide appropriate assistance and protection in the best interest of the child to children who are victims of trafficking or at risk of being trafficked, including for purposes such as the removal of organs or adoption for the purpose of exploitation, including ensuring appropriate services and measures to guarantee the physical and psychological well-being of trafficked children as well as their education and reintegration in coordination with existing child protections systems;</p> <p><b>African Group:</b> <del>Providing To further provide</del> appropriate assistance and protection to...</p> <p><b>Canada:</b> replace with ”Ensuring that all actions undertaken in relation to child victims and children at risk should be guided by applicable human rights standards and in particular by the principles of protection and respect for children’s rights as set out in the UN CRC and in its Optional Protocol on the sale of children, child prostitution and child</p>

	<p>pornography. 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 the primary consideration.”</p> <p><b>Colombia:</b> Providing appropriate assistance and protection to children who are victims of trafficking or at risk of being trafficked, <del>including for purposes such as illegal adoption or the removal of organs;</del> including...</p> <p><b>EU:</b> Providing appropriate assistance and protection <u>in the best interest of the child</u> to children who are victims of trafficking, <del>or at risk of being trafficked, including for purposes such as illegal adoption or the removal of organs;</del> <u>as stipulated in Art. 6 para 4 of the Palermo Protocol,</u> including...</p> <p><b>OHCHR:</b> ...<del>including by</del> ensuring appropriate services...</p> <p><b>Thailand:</b> delete</p> <p><b>UNAIDS:</b> Providing appropriate assistance and protection to children who are <del>victims of</del> trafficked<del>ing</del> or at risk of being trafficked...</p> <p><b>UNICEF:</b> Suggest change the currently cited end purposes of “illegal adoption” to either “<u>child marriage</u>” as an example or “<u>adoption for the purpose of exploitation</u>”. Referring only to “illegal adoption” does not send the right message as “illegal adoption” may not be for the end purposes of exploitation by the adopting parties as the illegality is mostly undertaken in processing papers for adoption. Referring to “illegal adoption” is like confusing the concepts of “smuggling” and “trafficking” where the former focuses on the illegality and the latter on exploitation</p> <p><b>USA:</b> After “..trafficking or” add “..to the best extent possible, those...”. Delete “including for purposes such as illegal adoption or the removal of organs.”</p>
<p>36. Urging the General Assembly to establish a United Nations trust fund for the rehabilitation and compensation of victims of the most serious forms of trafficking in persons, with a special focus on women and children, and requesting the Secretary-General to entrust UNODC with managing the trust fund;</p>	<p><b>Facilitators’ Proposal:</b> Urge the General Assembly to establish a United Nations trust fund for the rehabilitation and compensation of victims of the most serious forms of trafficking in persons, with a special focus on women and children, and request the Secretary-General to entrust UNODC with managing the trust fund;</p> <p><b>African Group:</b> <u>Urging To urge</u> the General Assembly to establish a United Nations Trust...</p> <p><b>Australia:</b> it would be more appropriate for funding</p>

	<p>issues to be addressed in 5th Committee discussions or in other UN fora (such as the Conference of Parties to the UN Convention against Transnational Organised Crime (UNTOC) and the Commission on Crime Prevention and Criminal Justice). Funding needs to be handled in a manner consistent with the usual budgetary measures.</p> <p><b>EU:</b> delete</p> <p><b>Holy See:</b> Setting up a United Nations trust fund for victims is worthwhile.</p> <p><b>IOM:</b> In addition to the managing agency however, we suggest the establishment of a Steering Committee, as is usually the practice. Given IOM’s work and capacity on compensation and reparation of victims of other human rights violations, we would gladly volunteer to be part of such a Steering Committee</p> <p><b>Japan:</b> We think that the establishment of a trust fund for victims of trafficking in persons is questionable. There already exist trust funds for assisting victims of trafficking in persons such as the United Nations Voluntary Trust Fund on Contemporary Forms of Slavery and the United Nations Trust Fund for Human Security and duplication of funds must be avoided.</p> <p>With reference to A/RES/46/122 which established the abovementioned trust fund on contemporary forms of slavery, the description of the criteria for this new trust fund for the victims of trafficking in persons is not sufficient. Having said that, we think that this plan of action is not the right place to refer to the establishment of a trust fund.</p> <p>In any case “and compensation” in line 2 should be deleted.</p> <p><b>OHCHR:</b> ...trust fund for the...  <u>[alternative: To consider reinforcing the existing Trust Fund for Victims of Contemporary Forms of Slavery, administered by OHCHR, which already provides a substantial portion of its funding to rehabilitation of victims of trafficking, including by altering the name of the Fund to better reflect its role in assisting the victims of trafficking through efforts at the UN level. Providing compensation to the victims of trafficking, including through confiscation of the assets of traffickers, should be properly addressed through the national judicial system of each Member State. Effective monitoring of the process for provision of compensation to the victims should be established on the national level in order to ensure fairness and accountability of such process in the service of the human rights of the victims.]</u></p>
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	<p><b>Switzerland:</b> It seems odd to urge the GA to do so in an annex of the same GA resolution, especially if such a political request at international level is mentioned among many other measures of a more technical character to be implemented on the national level. In other words, shouldn't such an urgent request be mentioned in the draft resolution itself?</p> <p><b>Thailand:</b> delete</p> <p><b>UNAIDS:</b> Urging the General Assembly to establish a United Nations trust fund for the rehabilitation and compensation of <u>persons who have experienced victims of</u> the most...</p> <p><b>USA:</b> delete</p>
<p>37. Providing victims of trafficking the possibility of obtaining compensation from confiscated proceeds of crime, at the national level;</p>	<p><b>Facilitators' Proposal:</b> delete</p> <p><b>African Group:</b> delete</p> <p><b>Canada:</b> Providing victims of trafficking the possibility of obtaining compensation <del>from confiscated proceeds of crime</del>, at the national level</p> <p><b>China:</b> <u>Endeavoring to provide</u> victims of trafficking the possibility of obtaining compensation <del>from confiscated proceeds of crime</del>, at the national level</p> <p><b>Colombia:</b> delete OR change to <u>Adopt measures that offer victims of trafficking in persons the possibility of obtaining compensation for damage suffered</u></p> <p><b>EU:</b> delete</p> <p><b>Japan:</b> <i>Delete</i> whole paragraph. (rationale) It is irrelevant to impose obligations as such on States.</p> <p><b>Singapore:</b> <u>Where appropriate and applicable</u>, <del>Providing</del> victims of trafficking the possibility of obtaining compensation <u>for damage suffered from confiscated proceeds of crime, at the national level</u>')</p> <p><b>Thailand:</b> delete</p> <p><b>UNAIDS:</b> Providing <del>victims of trafficking</del> <u>persons</u> the possibility of obtaining compensation from confiscated proceeds of crime, at the national level;</p> <p><b>UNICEF:</b> Suggest adding reference to standard procedures of compensation for victims of crime to the extent that they exist at the national level: "... possibility of obtaining compensation <u>for victims of crime, including</u> from confiscated proceeds</p>
<p>38. Adopting measures to assist victims in pursuing civil damages against their traffickers;</p>	<p><b>Facilitators' Proposal:</b> Adopt measures to ensure that victims can seek</p>

	<p>compensation for the damage suffered as stipulated by Article 25 paragraph 2 of UNTOC and Article 6 of the Trafficking Protocol;</p> <p><b>African Group:</b> <del>Adopting</del> <u>To adopt</u> measures to assist victims in pursuing civil damages against their traffickers;</p> <p><b>Belarus:</b>...services, <u>including shelters for rehabilitation,</u> to victims, <u>as well as including</u> meaningful</p> <p><b>EU:</b> Adopting measures to <u>assist ensure that</u> victims <u>can seek compensation for the damage suffered as stipulated by Art. 25 para 2 of UNTOC and Article 6 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons in pursuing civil damages against their traffickers;</u></p> <p><b>OHCHR:</b> Adopting measures to <u>effectively</u> assist victims in pursuing civil damages against their traffickers</p> <p><b>Thailand:</b> delete</p> <p><b>UNAIDS:</b> Adopting measures to assist <u>trafficked persons</u><del>victims</del> in pursuing civil damages against their traffickers;</p>
<p>39. Commending the role of civil society organizations in providing assistance and empowerment to victims of trafficking and helping them to seek redress as well as facilitating the care of and provision of appropriate services to victims, including meaningful engagement and coordination with law enforcement officials;</p>	<p><b>Facilitators' Proposal:</b> Acknowledge the important role of civil society organizations in providing assistance and empowerment to victims of trafficking and help them to seek redress as well as facilitate the care of and provision of appropriate services to victims, including meaningful engagement and coordination with law enforcement officials;</p> <p><b>African Group:</b> (PLEASE NOTE THAT PARAS. 39 - 41 were re-arranged thus: previous para 39 now 41, 40 moved to 39 and 41 moved to 40. This was to ensure that the issue of the role of the CSOs is not placed in the middle of actions by member states)</p> <p>New Paragraph 39: <del>Ensuring that domestic</del>-<u>To ensure that national</u> legal or administrative systems include measures to provide information to victims regarding their rights, the relevant court and administrative proceedings and assistance to enable their views and concerns to be presented and considered at appropriate stages of such proceedings;</p> <p><b>Belarus:</b> ...facilitating the care of and provision of appropriate services, <u>including shelters for rehabilitation,</u> to victims, <u>as well as including</u> meaningful engagement and coordination with law enforcement officials;</p> <p><b>Canada:</b> recommend moving to preamble</p>

	<p><b>EU:</b> moved to paragraph 10 ter</p> <p><b>OHCHR:</b> ...officials <u>and to provide support to victims by providing financial assistance to service providers, as well as extend protection to ensure the safety of victims and service providers;</u></p> <p><b>Singapore:</b> <u>Considering, where appropriate, the adoption of Adopting</u> measures to assist victims in pursuing civil damages against their traffickers</p> <p><b>Thailand:</b> delete</p> <p><b>UNAIDS:</b> Commending the role of civil society organizations in providing assistance and empowerment to <u>victims of trafficked personsing</u> and helping them to seek...</p> <p><b>USA:</b> Delete “Commending” and replace with “Acknowledging the important...”. Delete sentence starting with “including” and replace with “and encouraging law enforcement agencies to explore ways to enhance meaningful engagement and coordination with civil society organizations</p>
<p>40. Ensuring that domestic legal or administrative systems include measures to provide information to victims regarding their rights, the relevant court and administrative proceedings and assistance to enable their views and concerns to be presented and considered at appropriate stages of such proceedings;</p>	<p><b>Facilitators’ Proposal:</b> Ensure that domestic legal or administrative systems include measures to provide information to victims in a language they understand regarding their rights, the relevant court and administrative proceedings and assistance to enable their views and concerns to be presented and considered at appropriate stages of such proceedings;</p> <p><b>African Group:</b> New paragraph 40 <u>Providing suspected To provide victims of trafficking in persons with a recovery and reflection period in order for them to recover and escape the influence of traffickers and/or to take an informed decision on cooperating with the competent authorities, during which period it shall not be possible to enforce any order to expel the suspected victim from the State’s territory.</u></p> <p><b>EU:</b> ...appropriate stages of such proceedings <u>as stipulated by Art. 25 of UNTOC and Art. 6 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons</u></p> <p><b>Singapore:</b> Ensuring that domestic legal or administrative systems <del>include</del> <u>contains</u> measures to provide information to victims <u>of trafficking in persons, in appropriate cases regarding their rights, the information on</u> relevant court and administrative proceedings and assistance to enable their views and concerns to be presented and considered at appropriate stages of <del>such proceedings-criminal</del> <u>proceedings against offenders, in a manner not prejudicial to the rights of the defence</u></p>



	<p><b>Thailand:</b> delete</p> <p><b>UNAIDS:</b> Ensuring that domestic legal or administrative systems include measures to provide information to <del>trafficked person</del><sup>victims</sup> regarding their rights <del>and legal assistance in</del> <del>the</del> relevant court and administrative</p> <p><b>USA:</b> After “victims” add “in a language they understand” Before “assistance” add “facilitate access to”</p>
<p>41. Providing suspected victims of trafficking in persons with a recovery and reflection period in order for them to recover and escape the influence of traffickers and/or to take an informed decision on cooperating with the competent authorities, during which period it shall not be possible to enforce any order to expel the suspected victim from the State’s territory;</p>	<p><b>Facilitators’ Proposal:</b> Provide presumed victims of trafficking in persons with a reflection period in order for them to recover and escape the influence of traffickers and/or to take an informed decision on cooperating with the competent authorities, during which period it shall not be possible to enforce any order to expel the presumed victim from the State’s territory;</p> <p><b>African Group:</b> New Paragraph 41 <u>Commending To stress the importance of the role of civil society organizations and the private sector in providing assistance and empowerment to victims of trafficking and helping them to seek redress as well as facilitating the care of and provision of appropriate services to victims, including meaningful engagement and coordination with law enforcement officials</u></p> <p><b>China:</b> delete</p> <p><b>EU:</b> delete</p> <p><b>Indonesia:</b> Paragraph 41bis <u>Noting cooperation should be based on an acknowledgment that each State had a sovereign right and legitimate interest to develop and implement its own laws to address trafficking in persons. Noting also that trans-organized criminal groups are continuously adapting and arming themselves with new technologies and methods of victimizing innocent people. Further noting that victims of trafficking require specific and sustained assistance to allow them to gain their livelihood free from the fear reach of traffickers. Furthermore, acknowledging that victims of trafficking should be provided unconditional access to assistance services, regardless of whether the person has reported to the police or given a statement in criminal proceedings, as soon as the competent authorities have an indication that she or he has been the subject to the crime of trafficking.</u></p> <p><u>a. Inviting States to review and enact strong national legislation criminalizing trafficking in persons, strong law enforcement mechanisms and cooperation in the effective prosecution of such activities in accordance with their domestic law.</u></p>

	<p><u>b. Further inviting States to consider in enhancing continuously its victim support programs to cater the sprawling needs of victims of trafficking, inter-alia, provision of shelter and other basic needs, health care, well-being, and livelihood.</u></p> <p><u>c. Inviting also States, where appropriate and in accordance with their national laws, to consider the possibility to set up national compensation fund from funder from confiscated proceed to assist victims of trafficking.</u></p> <p><u>d. Urging governments and other stakeholders to facilitate the dignified and humane assistance to victims of trafficking.</u></p> <p><u>e. Requesting UNODC and its developmental partners to continue to implement victim support projects.</u></p> <p><u>f. Further requesting UNODC to conduct study on ways and means to increase participation of civil society and philanthropic organizations to provide meaningful and sustainable assistance to victims of trafficking.</u></p> <p><u>g. Urging UNODC in cooperation with relevant stakeholders to increase public awareness campaign on trafficking in persons namely victims of trafficking.</u></p> <p><u>h. Inviting civil society organizations in the field of providing assistance to victims of trafficking to increase its role in empowering trafficked persons and helping them to seek redress that would in turn complement the work of governments and international organization and contribute in combating trafficking in persons at the national, regional, and global levels.</u></p> <p><b>Malaysia:</b> delete</p> <p><b>OHCHR:</b> ...any order to expel the <del>suspected</del> <del>presumed</del> victim from the State's territory.</p> <p><b>Singapore:</b> delete</p> <p><b>Thailand:</b> delete</p> <p><b>UNAIDS:</b> Providing suspected <del>victims of</del> <del>trafficking in</del> persons with a recovery and reflection period in order for them to recover and escape the influence of traffickers and/or to take an informed decision on cooperating with the competent authorities, during which period it shall not be possible to enforce any order to expel the suspected <del>trafficked person</del> <del>victim</del> from the State's territory;</p>
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	<p><b>USA:</b> Delete “with a recovery and reflection period in order for them to recover and escape the influence of traffickers and/or to take an informed decision on cooperating with the competent authorities, during which period it shall not be possible to enforce any order to expel the suspected victims from the State’s territory.” Replace with “..the opportunity to consult with non-governmental organization advisors to assist victims in decision-making regarding cooperation with law enforcement and their participation in judicial proceedings.”</p>
<p><b>III. Prosecuting crimes of trafficking in persons</b>  42. Ensuring the effective implementation of the United Nations Convention against Transnational Organized Crime by criminalizing trafficking in persons as defined by Article 3 of its supplementing Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children;</p>	<p><b>Facilitators’ Proposal:</b>  Implement all relevant legal instruments that criminalize trafficking in persons;</p> <p><b>African Group: <del>Prosecuting Prosecution of crimes of trafficking in persons</del></b></p> <p><u>We resolve to undertake the following measures to maximize law enforcement measures in respect of the crime of trafficking in persons and with due regard to the need to deter the commission of such a crime:</u></p> <p><del>42. To ensuring the effective implementation of the United Nations Convention against Transnational Organized Crime by implement all relevant legal instruments criminalizing that criminalize trafficking in persons. as defined by Article 3 of its supplementing Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children</del></p> <p><b>Belarus...</b> Prosecuting crimes of <u>transnational and non-transnational</u> trafficking</p> <p><b>Canada:</b> replace with “Criminalizing all forms of trafficking in persons in accordance with Article 3 of the Protocol to Prevent,…”</p> <p><b>Liechtenstein:</b> We do not see the need for extensive quotation, paraphrasing or reference to the implementation of the provisions of UNTOC and its Protocols (as for example in para 42, 43, 44, 45, 46, 47, 48). In general, to include a chapter on Prosecution does not seem to bring specific value added with regard to the provisions of the Palermo regime. It would clearly fall within the responsibility of the Conference of States Parties to assign the competence to assess national implementation (to which the chapter makes extensive reference). Any insecurity concerning this competence that might arise with the inclusion of a chapter on prosecution in the GPA should be avoided.</p> <p><b>Singapore:</b> Streamline paragraphs that duplicate existing provisions in the Palermo Protocols regarding the criminalization/prosecution of crimes of trafficking by deleting paragraphs 43, 44, 45, 46 and 42, and incorporate the substance of these</p>

	<p>paragraphs in amended paragraph 42</p> <ul style="list-style-type: none"> <li>42. Ensuring the effective implementation of <u>Member States’ obligations under</u> the United Nations Convention against Transnational Organised Crime, <u>where applicable</u>, by criminalizing trafficking in persons <u>in accordance with Article 5 as defined by Article 3</u> of its supplementing Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children</li> </ul> <p><b>Thailand:</b> delete</p>
<p>43. Prosecuting crimes of trafficking that encompass all forms of exploitation, including at a minimum the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs and all types of victims;</p>	<p><b>Facilitators’ Proposal:</b> Prosecute crimes of trafficking that encompass all forms of exploitation, which shall include at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs and all types of victims as stipulated in the Trafficking Protocol;</p> <p><b>African Group:</b> <del>Prosecuting</del> <u>To prosecute</u> crimes of trafficking that encompass all forms <u>and types of</u> exploitation, including <u>commercial and sexual</u> exploitation, <del>including at a minimum the exploitation of the prostitution of others or</del> other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs and <u>tissues all types of victims;</u></p> <p><b>Belarus:</b> Prosecuting crimes of <u>transnational and non-transnational</u> trafficking that encompass...</p> <p><b>EU:</b> Prosecuting <u>all forms of human crimes of</u> trafficking <u>as stipulated by Article 3 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons that encompass all forms of exploitation, including at a minimum the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs and all types of victims;</u></p> <p><b>Japan:</b> <i>Add</i>, after “all forms of exploitation,” in line 1, “within the limits of domestic law of each Member States.” <i>Delete</i> “and all types of victims” in line 4. (rationale) To be submitted if necessary.</p> <p><b>Singapore:</b> delete</p> <p><b>Thailand:</b> delete</p> <p><b>UNAIDS:</b> <u>replace with full Palermo definition: “The recruitment, transportation, transfer, harbouring or receipt of persons by means of threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of</u></p>

	<p><u>power, or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at minimum, the exploitation of prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.”</u></p> <p>USA: delete</p>
<p>44. Ensuring the existence of legislation or offence criminalizing trafficking in persons which specifies that the consent of the victim is irrelevant when any of the improper means mentioned in the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children have been utilized;</p>	<p><b>Facilitators’ Proposal:</b> Enact and enforce legislation and strengthen existing legislation that criminalizes trafficking in persons, especially that of women and children, as reflected in the Trafficking Protocol, the Convention on the Elimination of All Forms of Discrimination Against Woman and the Convention on the Rights of the Child and its Optional Protocols;</p> <p><b>African Group:</b> <del>Ensuring the existence of legislation or offence criminalizing trafficking in persons, which specifies that especially women and children even where it has been with the consent of the victim is irrelevant when any of the improper means mentioned as reflected</del> <u>To enact and enforce legislations or offence and strengthen existing ones that criminalize</u> trafficking in persons, <del>which specifies that especially women and children even where it has been with the consent of the victim is irrelevant when any of the improper means mentioned as reflected</del> <u>in the Protocol to Prevent Suppress and Punish Trafficking in Persons, especially Women and Children have been utilized, the Convention on the Elimination of All Forms of Discrimination Against Women and the Convention on the Rights of the Child and its Optional Protocols,</u></p> <p><b>Canada:</b> delete (streamlined with OP42)</p> <p><b>China:</b> <del>Ensuring the existence of legislation or offence criminalizing trafficking in persons which specifies that the consent of the a victim of</del> <u>trafficking in persons to the intended exploitation set forth in the Art. 3(a) of is irrelevant when any of the improper means mentioned in the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children shall be irrelevant where any of the means set forth in this Art. 3(a) of the Protocol have been utilizedused</u></p> <p><b>EU:</b> Ensuring the existence of legislation or offence criminalizing trafficking in persons <u>and guidelines</u> which specify<u>es</u> that the consent of the victim <u>of the exploitation</u> is irrelevant when any of the improper means <u>referred to in Article 3 of mentioned in</u> the Protocol...</p> <p><b>Japan:</b> <i>Change</i> whole paragraph to “Ensuring the existence of legislation or offence criminalizing trafficking in persons consistent with Article 3 (b) of the Trafficking in Persons Protocol which establishes that the consent of a victim of trafficking in persons to the intended exploitation set forth in</p>

	<p>subparagraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used”.</p> <p>(rationale) It should be agreeable to all delegations to quote Article 3 (b) of the Trafficking in Persons Protocol.</p> <p><b>Singapore:</b> delete</p> <p><b>Thailand:</b> delete</p> <p><b>USA:</b> delete</p>
<p>45. Adopting legislative and other measures necessary to establish as criminal offences:</p> <ol style="list-style-type: none"> <li>a. Attempting to commit an offence, as prescribed in the Protocol</li> <li>b. Participating as an accomplice in an offence, as prescribed in the Protocol</li> <li>c. Organizing or directing other persons to commit an offence, as prescribed in the Protocol</li> </ol>	<p><b>Facilitators’ Proposal:</b></p> <p>Adopt legislative and other measures necessary to establish as criminal offences:</p> <ol style="list-style-type: none"> <li>a. Attempting to commit an offence</li> <li>b. Participating as an accomplice in an offence</li> <li>c. Organizing or directing other persons to commit an offence</li> </ol> <p>As stipulated by Article 5 of the Trafficking Protocol;</p> <p><b>African Group:</b> <del>Adopting</del> <u>To adopt</u> legislative and other measures necessary to establish <u>trafficking in persons</u> as criminal offences...</p> <p><b>China:</b> Adopting legislative and other measures necessary to establish as criminal offences:</p> <ol style="list-style-type: none"> <li>a. <u>Subject to the basic concepts of its legal system, Attempting to commit an offence established in accordance with paragraph 1 of article 5 of the , as prescribed in the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children</u></li> <li>b. Participating as an accomplice in an offence <u>established in accordance with paragraph 1 of article 5 of, as prescribed in the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children</u></li> <li>c. Organizing or directing other persons to commit an offence <u>established in accordance with paragraph 1 of article 5 of , as prescribed in the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children</u></li> </ol> <p><b>EU:</b> Adopting legislative and other measures necessary to establish as criminal offences:</p> <ol style="list-style-type: none"> <li>d. Attempting to commit an offence, <del>as prescribed in the Protocol</del></li> <li>e. Participating as an accomplice in an offence, <del>as prescribed in the Protocol</del></li> <li>f. Organizing or directing other persons to commit an offence, <del>as prescribed in the Protocol</del></li> </ol> <p><u>As stipulated by Article 5 of the Protocol on Prevention, Suppression and Punishment of</u></p>

	<p><u><a href="#">Trafficking in Persons.</a></u></p> <p><b>Singapore:</b> delete</p> <p><b>Thailand:</b> delete</p> <p><b>USA:</b> delete</p>
<p>46. Ensuring the existence of legislation criminalizing trafficking in children which specifies there is no need to establish the means as set forth in the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, and the Convention on the Rights of the Child and its Optional Protocols;</p>	<p><b>Facilitators' Proposal:</b> Ensure the criminalization of trafficking in children without any requirement to establish the means as set forth in the Trafficking Protocol and the Convention on the Rights of the Child and its Optional Protocols;</p> <p><b>African Group:</b> delete (idea moved to paragraph 44)</p> <p><b>Belarus:</b> 46.bis <u><a href="#">Ensuring further the existence of legislation criminalizing trafficking in persons for the purpose of removal of organs and tissues for transplantation;</a></u></p> <p><b>Canada:</b> delete (streamlined with OP42)</p> <p><b>China:</b> Ensuring <u><a href="#">that the recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered trafficking in persons even if this does not involve any of the means set forth in Art. 3(a) of existence of legislation criminalizing trafficking in children which specifies there is no need to establish the means as set forth in</a></u> the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, and the Convention on the Rights of the Child and its Optional Protocols</p> <p><b>Colombia:</b> delete</p> <p><b>EU:</b> Ensuring the existence of legislation criminalizing trafficking in children <u><a href="#">regardless of the means used to that purpose as stipulated by Article 3 of the which specifies there is no need to establish the means as set forth in the</a></u> Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, <u><a href="#">and the Convention on the Rights of the Child and its Optional Protocols;</a></u></p> <p><b>Japan:</b> <i>Change</i> whole paragraph to “Ensuring the existence of legislation criminalizing trafficking in children consistent with Article 3 (c) of the Trafficking in Persons Protocol which establishes that the recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered “trafficking in persons” even if this does not involve any of the means set forth in subparagraph (a) of this article”. (rationale) It should be agreeable to all delegations to quote Article 3 (c) of the Trafficking in Persons Protocol.</p>

	<p><b>Singapore:</b> delete</p> <p><b>Thailand:</b> delete</p> <p><b>UNICEF:</b> Suggest moving the paragraph up to follow after paragraph 44</p> <p><b>USA:</b> After “Ensuring the..” add “criminalization of” and delete “existence of legislation criminalizing” After “children” add “without any requirement..” and delete “which specifies there is no need...”</p>
<p>47. Combating, dismantling and prosecuting organized criminal groups engaged in trafficking in persons;</p>	<p><b>Facilitators’ Proposal:</b> Combat and prosecute organized criminal groups engaged in trafficking in persons;</p> <p><b>African Group:</b> <del>Combating, dismantling and prosecuting</del> <u>To combat, dismantle and prosecute</u> organized criminal groups engaged in trafficking in persons;</p> <p><b>Australia:</b> goal not achievable</p> <p><b>Canada:</b> replace with “Ensuring that participating in the activities of an organized criminal group is criminalized in accordance with Article 5 of UNTOC and taking steps to investigate, dismantle, and prosecute organized criminal groups engaged in trafficking in persons.”</p> <p><b>Colombia:</b> delete OR change to: <u>Criminalize, combat, prosecute and dismantle organized crime groups engaged in trafficking in persons in accordance with UNTOC.</u></p> <p><b>EU:</b> <del>Combating, dismantling</del> and prosecuting organized criminal groups engaged in trafficking in persons</p> <p><b>Thailand:</b> delete</p>
<p>48. Ensuring liability of all categories of offenders, including the liability of legal persons;</p>	<p><b>Facilitators’ Proposal:</b> Ensure liability of all categories of offenders, including the liability of legal persons;</p> <p><b>African Group:</b> <del>Ensuring</del> <u>To ensure</u> liability of all categories of offenders, including the liability of legal persons</p> <p><b>Australia:</b> goal not achievable</p> <p><b>China:</b> Ensuring liability of all categories of offenders, (delete “including liability of legal persons”)</p> <p><b>EU:</b> Ensuring liability of all categories of offenders, including the liability of legal persons, <u>as stipulated by Article 10 of UNTOC</u></p> <p><b>OHCHR:</b> Ensuring liability of all categories of</p>



	<p>offenders, including <u>public and private actors and including</u> the liability of legal persons</p> <p><b>Thailand:</b> delete</p>
<p>49. Enhancing efforts to investigate alleged cases of trafficking, to prosecute perpetrators and to publicize convicted cases with full respect to human rights;</p>	<p><b>Facilitators’ Proposal:</b> Enhance efforts to investigate alleged cases of trafficking, strengthening means to combat trafficking, including through more systematic use of freezing assets for the purpose of eventual confiscation, according to the provisions of Article 12 of UNTOC, and prosecuting perpetrators, ensuring that penalties are proportionate to the gravity of the crime and to publicize convicted cases with full respect for human rights;</p> <p><b>African Group:</b> <del>Enhancing</del> <u>To enhance</u> efforts to investigate alleged cases of trafficking...</p> <p><b>EU:</b> Enhancing efforts to investigate alleged cases of trafficking, <u>strengthening means to combat trafficking, including through more systematic use of freezing assets for the purpose of eventual confiscation, according to the provisions of Article 12 of UNTOC, and to prosecute</u> perpetrators, ensuring that the penalties are proportionate to the gravity of the crime and to publicize convicted cases with full respect to human rights;</p> <p><b>Thailand:</b> delete</p> <p><b>USA:</b> After “with full respect to human rights” add “of victims”</p>
<p>50. Ensuring that penalties and sanctions for trafficking crimes are appropriate and proportionate to the gravity of the crime;</p>	<p><b>Facilitators’ Proposal:</b> [merged with paragraph 49]</p> <p><b>African Group:</b> <del>Ensuring</del> <u>To ensure</u> that penalties and sanctions for trafficking crimes...</p> <p><b>EU:</b> delete</p> <p><b>Japan:</b> We think that it is not appropriate for this Plan of Action to give guidance to the content of national legislation.</p> <p>It is also the discretion of the judicial branch to decide the appropriate and proportionate penalties on a case by case basis.</p> <p><b>Thailand:</b> delete</p>
<p>51. Making use of available technical assistance provided to strengthen the criminal justice response to trafficking in persons, including inter alia, by UNODC;</p>	<p><b>Facilitators’ Proposal:</b> Make use of available technical assistance provided to strengthen the criminal justice response to trafficking in persons, including inter alia, by UNODC;</p> <p><b>African Group:</b> <del>Making</del> <u>To make</u> use of available technical assistance provided to...</p> <p><b>Thailand:</b> delete</p>

<p>52. Promoting the more systematic use of freezing and confiscating assets of traffickers as an effective means to fight organized crime;</p>	<p><b>Facilitators’ Proposal:</b> Promote the more systematic use of freezing and confiscating assets of traffickers as an effective means to fighting this criminal activity;</p> <p><b>African Group:</b> <del>Promoting the more systematic use of freezing and confiscating of</del> <u>To freeze and confiscate the</u> assets of traffickers as an effective means to fight organized crime, <u>in accordance with national laws</u>;</p> <p><b>Canada:</b> Promoting the more systematic use of freezing and confiscating assets of traffickers as an effective means <del>to fight organized crime</del> <u>to fighting this criminal activity</u></p> <p><b>Colombia:</b> redraft in accordance with UNTOC provisions on confiscation and seizure</p> <p><b>EU:</b> delete</p> <p><b>Holy See:</b> §52, page 9, could be stronger in its formulation, so that all assets and profits obtained by trafficking in persons will be confiscated. This should be expressed in line with §§37-38 on page 7</p> <p><b>Japan:</b> We think that it is up to each State to decide how to make use of the freezing and confiscating of assets established in national laws.</p> <p><b>Thailand:</b> delete</p> <p><b>USA:</b> Delete “fight organized crime” and replace with “remove any financial benefits from traffickers and provide restitution to victims.”</p>
<p>53. Vigorously investigating, prosecuting, and punishing corrupt public officials who engage in or facilitate the trafficking of persons, recognizing that trafficking would likely not occur at current levels without official complicity, and promoting a zero tolerance policy against corrupt officials;</p>	<p><b>Facilitators’ Proposal:</b> In line with the United Nations Convention against Corruption, and UNTOC, investigate, prosecute, and punish corrupt public officials who engage in or facilitate the trafficking of persons, and promote a zero tolerance policy against corrupt officials;</p> <p><b>African Group:</b> <del>Vigorously investigating, prosecuting and punishing corrupt</del> <u>To investigate, prosecute and strongly punish</u> public officials <del>who engaged in or facilitate</del> <u>accused of engaging in or facilitating</u> the trafficking of persons, recognizing that trafficking would likely not occur at current levels without official complicity, and promoting a zero tolerance policy against <u>such</u> officials;</p> <p><b>Canada:</b> replace with “Examining the linkages between corruption and human trafficking and taking legislative, programming and policy action to specifically respond to the linkages between these two issues.”</p> <p><b>China:</b> Vigorously investigating, prosecuting, and punishing corrupt public officials who engage in or</p>

	<p>facilitate the trafficking of persons, <del>recognizing that trafficking would likely not occur at current levels without official complicity,</del> and promoting a zero tolerance policy against corrupt officials</p> <p><b>Colombia:</b> redraft in accordance with UNTOC: <u>Ensure that national legislation and anti-corruption policies provide measures to investigate, prosecute and punish public officials who engage in or facilitate trafficking in persons.</u></p> <p><b>EU:</b> <u>In line with the United Nations Convention against Corruption, and UNTOC, Vigorously investigating, prosecuting, and punishing corrupt public officials who engage in or facilitate the trafficking of persons, and promoting a zero tolerance policy against corrupt officials.</u> recognizing that trafficking would likely not occur at current levels without official complicity, <del>and promoting a zero tolerance policy against corrupt officials;</del></p> <p><b>Thailand:</b> delete</p>
<p>54. Strengthening coordination and cooperation among States in combating crimes that might be connected with trafficking in persons, including money laundering, corruption, smuggling of migrants and all forms of organized crime;</p>	<p><b>Facilitators' Proposal:</b> Strengthen coordination and cooperation among States in combating crimes that might be connected with trafficking in persons, including money laundering, corruption, smuggling of migrants and all forms of organized crime;</p> <p><b>African Group:</b> <del>Strengthening</del> <u>To strengthen</u> coordination and cooperation among States <u>and within the framework of activities undertaken in sub-regional, regional and international organizations</u> in combating crimes that might be connected with trafficking in persons, including money laundering, corruption, smuggling of migrants and all forms of organized crime, <u>including through the exchange of information and best practices.</u> (MOVE Para TO PARTNERSHIP SECTION)</p> <p><b>EU:</b> delete</p> <p><b>Thailand:</b> delete</p>
<p>55. Encouraging law enforcement, immigration or other relevant authorities of States to cooperate with one another by exchanging information, in accordance with domestic law, including cooperation among states of origin, transit and destination in order to enable joint investigations, prosecutions, and the detection of trafficking chains;</p>	<p><b>Facilitators' Proposal:</b> Encourage law enforcement, immigration or other relevant authorities of States to cooperate with one another by exchanging information with full respect for data protection laws and standards, in accordance with domestic law, including cooperation among states of origin, transit and destination in order to enable joint investigations, prosecutions, and the detection of trafficking networks;</p> <p><b>African Group:</b> <del>Encouraging</del> <u>To encourage</u> law enforcement, immigration or other...</p>

	<p><b>EU:</b> delete</p> <p><b>Thailand:</b> delete</p> <p><b>UNICEF:</b> Recommend inserting following “by exchanging information” <u>“with full respect for data protection laws and standards</u>”</p>
<p><b>IV. Strengthening partnerships against trafficking in persons</b></p> <p>56. Taking advantage of the networks provided by relevant international, regional and sub-regional organizations to share best practices in capacity-building for responding to trafficking in persons, and to facilitate their contributions to the international community's efforts in this area;</p>	<p><b>Facilitators' Proposal:</b> Encourage effective cooperation and coordination of efforts at the national, regional and international level, especially among countries of origin, transit and destination and take advantage of the networks provided by relevant organizations to share best practices in capacity-building for responding to and combating trafficking in persons, while stressing the importance of regional approaches to facilitate mutual legal assistance and the exchange of information with full respect for data protection laws and standards including operational information, programs and good practices in supplementing UNTOC and the work done by the Conference of the Parties to that Convention;</p> <p><b>African Group: IV. Strengthening partnerships against trafficking in persons</b> <u>We recognize that capacity-building is an essential component in combating trafficking in persons and we resolve to undertake the following measures to develop State capacity to prevent and combat trafficking in persons and enhance coordination and coherence within United Nations system in this regard:</u></p> <p>56. <del>Taking</del> <u>To take</u> advantage of the networks provided by relevant...</p> <p><del>EU: Taking advantage of the networks provided by relevant international, regional and sub-regional organizations to share best practices in capacity-building for responding to trafficking in persons, and to facilitate their contributions to the international community's efforts in this area</del> <u>Encouraging effective cooperation and coordination of efforts at the national, regional and international level, especially among countries of origin, transit and destination and taking advantage of the networks provided by relevant organizations to share best practices in capacity-building for responding to and combating trafficking in persons, while stressing the importance of regional approaches to facilitate mutual legal assistance and the exchange of information including operational information, programs and good practices in supplementing the UNTOC and the work done by the Conference of the Parties to that Convention;</u></p> <p><b>Thailand:</b> “<del>Taking</del> advantage of the networks provided by relevant international, regional and sub-regional organizations to share best practices in capacity-building for responding to trafficking in</p>

	<p>persons, and to facilitate their contributions to the international community's efforts in this area”</p>
<p>57. Encouraging effective cooperation and coordination of efforts at the national, regional and international level by developing bilateral, regional and international cooperation agreements, especially among countries of origin, transit and destination;</p>	<p><b>Facilitators’ Proposal:</b> [merged with paragraph 56]</p> <p><b>African group:</b> <del>Encouraging</del> <u>To encourage</u> effective cooperation and coordination of...</p> <p><b>EU:</b> delete</p> <p><b>USA:</b> Delete “bilateral, regional and international cooperation” and replace with “cooperative”.</p> <p><b>Thailand:</b> “Encouraging effective cooperation and coordination of efforts at the <del>national</del><u>bilateral</u>, regional, <del>sub-regional</del> and international level by developing bilateral, regional, <del>sub-regional</del> and international cooperation agreements, especially among countries of origin, transit and destination”</p>
<p>58. Stressing the importance of regional approaches to facilitate mutual legal assistance and the exchange of information including operational information, programs and good practices;</p>	<p><b>Facilitators’ Proposal:</b> [merged with paragraph 56]</p> <p><b>African Group:</b> <del>Stressing</del> <u>To stress</u> the importance of regional approaches to facilitate...</p> <p><b>Canada:</b> suggest merging with OP59</p> <p><b>EU:</b> <del>Stressing the importance of regional approaches to facilitate mutual legal assistance and the exchange of information including operational information, programs and good practices</del> <u>Strengthening coordination and cooperation among States in combating crimes that might be connected with trafficking in persons, including all forms of organized crime;</u></p> <p><b>Thailand:</b> delete</p> <p><b>Japan:</b> We would like to seek clarification as to what “regional approaches to facilitate mutual legal assistance” is in detail.</p> <p><b>UNICEF:</b> Recommend inclusion of “data protection” in this paragraph in line with paragraph 55</p> <p><b>USA:</b> At the end of the paragraph add “in supplementing the United Nations Convention against Transnational Organized Crime and the work done by the Conference of the Parties to that Convention.”</p>
<p>59. Concluding and implementing mutual legal assistance and extradition agreements to ensure the apprehension and prosecution of perpetrators of human trafficking, in accordance with the relevant provisions of national and international law;</p>	<p><b>Facilitators’ Proposal:</b> Conclude and implement mutual legal assistance and extradition agreements to ensure the apprehension and prosecution of perpetrators of trafficking in persons, in accordance with the relevant provisions of national and international law;</p>

	<p><b>African Group:</b> <del>Concluding and implementing To promote</del> mutual legal assistance and the exchange of information including operational information, programs and good practices, <del>including through regional approaches;</del></p> <p><b>Canada:</b> suggest merging with OP 58</p> <p><b>EU:</b> <del>Concluding and implementing mutual legal assistance and extradition agreements to ensure the apprehension and prosecution of perpetrators of human trafficking, in accordance with the relevant provisions of national and international law</del>  <u>Encouraging Member States that are party to the United Nations Convention against Transnational Organized Crime to enhance international cooperation in extradition and mutual legal assistance, including confiscation, in accordance with the Convention, taking into account the extended scope of cooperation available under its article 16, on extradition, and article 18, on mutual legal assistance, and the internal legal requirements of States parties for the application of the Convention;</u></p> <p>New paragraph 59bis  <u>Encouraging law enforcement, immigration, judicial authorities or other relevant authorities of States to cooperate with one another by exchanging information, in accordance with domestic law, including cooperation among states of origin, transit and destination in order to enable joint investigations, prosecutions, and the detection of trafficking chains.</u></p> <p><b>Japan:</b> <i>Add</i>, after “extradition agreements” in line 1, “, where appropriate,”.  <i>Change</i> “human trafficking” to “trafficking in persons”          (rationale) To be submitted if necessary.</p> <p><b>Singapore:</b> <del>Considering, where appropriate, the need to concluding and implementing</del> mutual legal assistance and extradition agreements to ensure the apprehension and prosecution of perpetrators of human trafficking, in accordance with the relevant provisions of national and <del>Member States’ obligations under</del> international law</p> <p><b>Thailand:</b> “<u>Study additional and more effective ways to ensure the apprehension and prosecution of perpetrators of human trafficking, in accordance with the relevant provisions of national and international law, including by concluding and implementing mutual legal assistance and extradition agreements</u>”</p> <p><b>USA:</b> Rephrase as follows: “Facilitating mutual</p>
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	<p>legal assistance and extradition to ensure the apprehension and prosecution of perpetrators of human trafficking.”</p>
<p>60. Promoting cooperation between governmental institutions and non-governmental organizations, and other elements of civil society in establishing prevention, protection and prosecution policies and programmes;</p>	<p><b>Facilitators’ Proposal:</b> Promote cooperation among governments, civil society, and the private sector in order to strengthen prevention, protection and prosecution policies and programmes;</p> <p><b>African Group:</b> <del>Promoting To promote</del> cooperation between <del>among governmental institution governments, and non-governmental organizations, and other elements of</del> civil society <del>and the private sector in establishing in order to strengthen</del> prevention, protection and prosecution policies and programmes;</p> <p><b>Colombia:</b> redraft: the role of NGOs in prosecution programmes should be explained</p> <p><b>EU:</b> ...governmental organizations, and other <del>elements</del> <u>actors</u> of civil society...</p> <p><b>IOM:</b> OP60bis “Promoting cooperation between governments in regions through established Regional Consultative Processes on Migration.”</p> <p><b>Holy See:</b> §60, page 9: after “<i>non-governmental organizations</i>” include <b>religious-based communities</b></p> <p><b>Japan:</b> Delete whole paragraph. (rationale) The aim of this paragraph could be reflected by amending paragraph 62.</p> <p><b>OHCHR:</b> Paragraph 60bis <u>Providing an ongoing forum for the victims and survivors of trafficking, under the leadership of the High Commissioner for Human Rights, to contribute comments and recommendations in the development and implementation of the Plan, so their voices are heard;</u></p> <p><b>Singapore:</b> Promoting cooperation, <u>where appropriate</u>, between governmental institutions and non-governmental organizations and other elements of civil society in establishing prevention, protection and prosecution policies and programmes</p> <p><b>Thailand:</b> delete</p> <p><b>UNICEF:</b> Recommend the inclusion of “<u>National Referral Mechanism</u>” as it provides practical coordination on the effective return and repatriation side of trafficking interventions</p>
<p>61. Strengthening formal and informal cooperation between law enforcement agencies regionally and internationally;</p>	<p><b>Facilitators’ Proposal:</b> Strengthen cooperation between law enforcement agencies regionally and internationally;</p>

	<p><b>African Group:</b> <del>Strengthening</del> <u>To strengthen</u> formal and informal cooperation between law enforcement <del>agencies- authorities</del> regionally and internationally, <u>in the prevention, investigation and prosecution of perpetrators and protection of and assistance to victims of trafficking in persons;</u></p> <p><b>EU:</b> Strengthening <del>formal and informal</del> cooperation between law enforcement agencies regionally and internationally</p> <p><b>Thailand:</b> “Strengthening formal and informal cooperation, <u>as appropriate,</u> between <u>border control and</u> law enforcement agencies <u>bilaterally,</u> regionally, <u>sub-regionally</u> and internationally”<del>on Trafficking in Persons established by the Conference of the Parties to the UN Convention against Transnational Organized Crime</del></p> <p><b>USA:</b> Delete “formal and informal</p>
<p>62. Endeavoring to coordinate all stakeholders involved in the fight against trafficking in persons at the national level, including government institutions, non-governmental organizations, the private sector and workers and employers organizations;</p>	<p><b>Facilitators’ Proposal:</b> Endeavour to coordinate with all stakeholders involved in the fight against trafficking in persons at the national level, including government institutions, non-governmental organizations, the private sector, including the media, and workers and employers organizations;</p> <p><b>African Group:</b> delete</p> <p><b>Canada:</b> Endeavoring to coordinate <u>and work together with</u> all stakeholders...</p> <p><b>EU:</b> Endeavoring to coordinate <u>with</u> all stakeholders involved in the fight against trafficking in persons at the national level, including government institutions, non-governmental organizations, the private sector, <u>including the media,</u> and workers and employers organizations</p> <p><b>Japan:</b> <i>Add,</i> after “Endeavoring to coordinate” in line 1, “and to enhance cooperation among”.</p> <p><b>Thailand:</b> delete</p> <p><b>UNICEF:</b> Recommend the inclusion of “<u>National Referral Mechanism</u>” as it provides practical coordination on the effective return and repatriation side of trafficking interventions</p>
<p>63. Intensifying international cooperation to combat trafficking, consistent with the work of the open-ended working group on trafficking in persons and on international cooperation established by the Conference of the Parties to United Nations Convention against Transnational Organized Crime;</p>	<p><b>Facilitators’ Proposal:</b> Intensify international and regional cooperation to combat trafficking in persons as well as technical assistance for countries of destination and transit aimed at strengthening their ability to prevent trafficked labour and the goods produced as a result of such labour;</p> <p><b>African Group:</b> redraft as follows: <u>To intensify international and regional cooperation as well as</u></p>



	<p><u>technical assistance for countries of destination and transit aimed at strengthening their ability to prevent trafficked and exploited migrant labour and forced labour as well as the demand for the goods produced as a result of such labour;</u></p> <p><b>Colombia:</b> delete OR change to: <u>To intensify international cooperation in accordance with decisions 4/2 “Implementation to the provisions on international cooperation of the UNTOC” and decision 4/4 “Trafficking in Human Beings” adopted by the Conference of the Parties to UNTOC at its fourth session, held in Vienna from 8 to 17 October 2008</u></p> <p><b>Thailand:</b> delete</p>
<p>64. Promoting exchange of information and experiences between the Conference of the Parties of United Nations Convention against Transnational Organized Crime and United Nations human rights treaty bodies and mechanisms;</p>	<p><b>Facilitators’ Proposal:</b> Promote exchange of information and experiences between the Conference of the Parties of UNTOC and United Nations human rights treaty bodies and mechanisms;</p> <p><b>African Group:</b> <del>Promoting</del> <u>To promote</u> exchange of information and experiences between...</p> <p><b>Canada:</b> replace with “Strengthening and supporting ICAT to improve coordination and cooperation amongst relevant UN bodies and other international organizations”</p> <p><b>Colombia:</b> delete</p> <p><b>ILO:</b> ... human rights treaty bodies and mechanisms <u>and the supervisory mechanism of ILO;</u></p> <p><b>Thailand:</b> <del>Promoting</del> <u>exchange</u> of information and experiences between the Conference of the Parties of United Nations Convention against Transnational Organized Crime and United Nations human rights treaty bodies and mechanisms <u>(seek further clarification);</u></p>
<p>65. Encouraging UNODC and other international organizations to continue to assist States, upon request, to strengthen policy making, legislative arrangements and law enforcement practices, public awareness campaigns and capacity building; and to disseminate best practices in assisting victims of trafficking;</p>	<p><b>Facilitators’ Proposal:</b> Encourage UNODC, other UN Agencies, Funds and Programs as well as other international organizations to continue to assist Member States, upon request, to strengthen policy making, legislative arrangements, border-control and law enforcement cooperation, public awareness campaigns and capacity building; and to disseminate best practices in assisting victims of trafficking;</p> <p><b>African Group:</b> <del>Encouraging</del> <u>To encourage</u> UNODC and other international...</p> <p><b>Belarus:</b> assisting victims of trafficking <u>by elaborating respective guidelines and through special-purpose training courses;</u></p> <p><b>EU:</b> <u>Encouraging UNODC and other international</u></p>

	<p><del>organizations to continue to assist States, upon request, to strengthen policy making, legislative arrangements and law enforcement practices, public awareness campaigns and capacity building; and to disseminate best practices in assisting victims of trafficking</del> <u>Encouraging UNODC, UN Agencies, Funds and Programs and other international organizations to continue to assist States, upon request, to strengthen policy making, legislative arrangements and law enforcement practices, public awareness campaigns and capacity building; and to disseminate best practices in assisting victims of trafficking and to continue to improve the coherence and efficiency of technical assistance delivery in the field of trafficking in persons in coordination with the efforts of the Working Group on Technical Assistance established by the Conference of the Parties to the UNTOC;</u></p> <p><b>OHCHR:</b> ...UNODC, <u>OHCHR</u> and other international... victims of trafficking; <u>and to promote and implement a human rights-based approach to combating trafficking;</u></p> <p><b>UNICEF:</b> Suggest adding “... <u>and encouraging national Governments to seek such assistance</u>”</p> <p><b>Thailand:</b> “Encourage<u>ing</u> UNODC and other international organizations to continue to assist <u>Member</u> States, upon request, to strengthen policy making, legislative arrangements and <u>border-control and law enforcement practicescooperation</u>, public awareness campaigns and capacity building; and to disseminate best practices in assisting victims of trafficking”</p> <p><b>USA:</b> Add “to coordinate with OHCHR, other UN agencies” after “UNODC”</p>
<p>66. Further encouraging UNODC as well as other United Nations Agencies, Funds and Programmes to continue to improve the coherence and efficiency of technical assistance delivery in the field of trafficking in persons in coordination with the efforts of the Working Group on Technical Assistance established by the Conference of the Parties to the United Nations Convention against Transnational Organized Crime;</p>	<p><b>Facilitators’ Proposal:</b> Further encourage United Nations Agencies, Funds and Programmes to continue to improve the coherence and efficiency of technical assistance delivery in the field of trafficking in persons in coordination with the efforts of the Working Group on Technical Assistance established by the Conference of the Parties to UNTOC;</p> <p><b>African Group:</b> Further <u>encouraging to encourage</u> UNODC as well as other United...</p> <p><b>Australia:</b> There is a heavy emphasis on the role of the UNODC in the current draft; however, it will be very important that a range of UN agencies are engaged on people trafficking issues. As UNODC does not have the mandate to cover everything mentioned in the Global Plan, other agencies, particularly those with responsibilities for human rights, including labour rights issues, need to be involved too. Consultation would need to be undertaken with other UN bodies about any role</p>

	<p>they might play in implementation of the Global Plan.</p> <p><b>Colombia:</b> delete</p> <p><b>EU:</b> delete</p> <p><b>IOM:</b> Further encouraging UNODC as well as other <del>relevant international organizations</del> <u>United Nations Agencies, Funds and Programmes</u> to continue...</p> <p><b>Thailand:</b> Further encourage<del>ing</del> UNODC as well as other United Nations Agencies, Funds and Programmes to continue to improve the coherence and efficiency of technical assistance delivery in the field of trafficking in persons<del>;</del></p>
<p>67. Requesting the Secretary-General as a matter of priority to strengthen the capacity of UNODC to collect information and periodically report on trafficking in persons patterns and flows at the national, regional and international levels, as well as share best practices and lessons learned from regional initiatives and mechanisms;</p>	<p><b>Facilitators’ Proposal:</b> Request the Secretary-General as a matter of priority to strengthen the capacity of UNODC to collect information and periodically report on trafficking in persons patterns and flows at the national, regional and international levels, as well as share best practices and lessons learned from regional initiatives and mechanisms;</p> <p><b>African Group:</b> <del>Requesting To request</del> the Secretary-General as a matter of priority to strengthen the capacity of UNODC to collect information and periodically report on trafficking in persons patterns and flows at the national, regional and international levels, as well as share best practices <del>and lessons learned from regional initiatives and mechanisms;</del></p> <p><b>Australia:</b> Onerous reporting diverts resources from frontline activities devised to combat trafficking, particularly in countries of origin. In developing countries with limited resources and a high number of trafficking cases, this diversion of resources seems particularly counterproductive. The draft could propose streamlining current reporting processes on trafficking in persons, including higher level co-operation between UN bodies and fora to further encourage information sharing and enhance cooperation.</p> <p><b>EU:</b> Requesting <del>the Secretary-General as a matter of priority to strengthen the capacity of</del> UNODC to <del>continue</del> collecting information...</p> <p><b>Thailand:</b> Request<del>ing</del> the Secretary-General as a matter of priority to strengthen the capacity of UNODC to collect <u>accurate, verifiable and reliable</u> information and periodically report on trafficking in persons patterns and flows at the national, regional and international levels, <u>as well as in particular on</u> share best practices and lessons learned from <u>bilateral, regional, sub-regional and cross-regional</u> initiatives and mechanisms</p>

	<p><b>UNICEF:</b> Recommend consideration of an additional paragraph, to consider the creation of <a href="#">National Rapporteurs on Trafficking</a> as this would assist with data collection and analysis at the national level which is critical to getting it right at the global level</p> <p><b>USA:</b> Rephrase as follows: “Requesting the UNODC to continue to monitor implementation of the Protocol, including through periodically reporting on trafficking in persons patterns and flows at the national, regional and international levels, as well as share best practices and lessons learned from the Conference of the Parties, regional initiatives and mechanisms.”</p>
<p>68. Promoting coordination and cooperation across the United Nations, especially amongst the existing various entities focusing on trafficking in persons, including via the Inter-Agency Coordination Group against Trafficking in Persons and UN.GIFT;</p>	<p><b>Facilitators’ Proposal:</b> Promote coordination and cooperation across the United Nations, especially amongst existing entities focusing on trafficking in persons, including via the Inter-Agency Coordination Group against Trafficking in Persons;</p> <p><b>African Group:</b> <del>Promoting</del> <a href="#">To promote</a> coordination and cooperation <del>aeross</del> <a href="#">within</a> the United Nations...</p> <p><b>Belarus:</b> ...especially amongst the existing various entities <a href="#">as well as Special Rapporteurs and Representatives focusing on trafficking in persons,</a></p> <p><b>Canada:</b> suggest deleting UN.GIFT as it is not a separate entity but a brand that is used by UNODC and others to promote anti-trafficking work.</p> <p><b>Colombia:</b> delete and draft a para on ICAT as follows: <a href="#">Support the Inter-Agency Coordination Group against Trafficking in Persons (ICAT) aim of improving coordination and cooperation between UN agencies and other international organizations to facilitate a holistic approach to preventing and combating trafficking in persons including protection of and support for victims of trafficking.</a></p> <p><b>EU:</b> delete</p> <p><b>Japan:</b> We would like to seek clarification on what role UN. GIFT will play in accordance with this paragraph.</p> <p><b>Thailand:</b> replace with “<a href="#">Promoting</a> coordination and cooperation across the United Nations, especially amongst the existing various entities focusing on trafficking in persons, including via the Inter-Agency Coordination Group against Trafficking in Persons and UN.GIFT; <a href="#">and</a>”</p> <p><b>IOM:</b> coordination and cooperation across the <a href="#">United Nationsrelevant international organizations,</a> especially amongst the existing...</p>

<p>69. Urging the Secretary-General to expedite the strengthening of the United Nations Inter-Agency Coordination Group against Trafficking in Persons under the coordination of UNODC, in order to ensure overall coordination and coherence in the United Nations system's efforts to respond to trafficking in persons;</p>	<p><b>Facilitators' Proposal:</b> Urge the Secretary-General to expedite the strengthening of the United Nations Inter-Agency Coordination Group against Trafficking in Persons under the coordination of UNODC, in order to ensure overall coordination and coherence in the United Nations system's efforts to respond to trafficking in persons;</p> <p><b>African Group:</b> <del>Urging</del> <u>To urge</u> the Secretary-General to expedite the strengthening of...</p> <p><b>OHCHR:</b> ...coordination of UNODC, <u>and with rotating chairpersonship among its member entities</u>, in order to ensure overall coordination and coherence in the United Nations system's efforts to respond to trafficking in persons, <u>and that all approaches to combating trafficking, including the human rights-based approach, are considered and applied through efforts which foster their complementarity</u>;</p> <p><b>Thailand:</b> replace with “<u>Urging</u> the Secretary-General to expedite the strengthening of the United Nations Inter-Agency Coordination Group against Trafficking in Persons under the coordination of UNODC, in order to ensure overall coordination and coherence in the United Nations system's efforts to respond to trafficking in persons <u>(seek further clarification)</u>”</p>
<p>70. Encouraging Member States to consider making voluntary contributions to United Nations anti-human trafficking work, and to explore additional sources of funding in this regard, including reaching out to the private sector for contributions;</p>	<p><b>Facilitators' Proposal:</b> Encourage Member States to consider making voluntary contributions to United Nations anti-human trafficking work, and to explore additional sources of funding in this regard, including reaching out to the private sector for contributions;</p> <p><b>African Group:</b> <del>Encouraging</del> <u>To encourage</u> Member States to consider making voluntary...</p> <p><b>IOM:</b> Encouraging Member States to consider making voluntary contributions to <del>United Nations</del> <u>relevant international organizations'</u> anti-human trafficking</p> <p><b>Japan:</b> <i>Delete</i> whole paragraph. (rationale) We think that a plan of action is not the appropriate place to call for financial contributions.</p> <p><b>UNICEF:</b> Suggest adding “... making voluntary contributions to United Nations <u>human rights, child rights and</u> anti-trafficking work...”</p>
	<p><b>African Group:</b> add new section <u>Implementation of the Global Action Plan</u> <u>Adopts the present Plan of action and its annex as the UN Global Plan on Trafficking in Persons; and</u> <u>71. Decides, without prejudice to the continuation of the discussion within the UN System of the agenda</u></p>

	<p><u>items related to trafficking in persons, to undertake the following steps for the effective follow-up of the Plan of Action:</u></p> <p><u>(a) To launch the Plan of Action at a high-level segment of its sixty-fifth session;</u></p> <p><u>(b) To examine in three years progress made in the implementation of the Plan of Action;</u></p> <p><u>(c) To invite the Secretary-General to contribute to the future deliberations of the General Assembly on the review of the implementation and updating of the Plan of Action;</u></p> <p><u>(d) To encourage Member States, the United Nations and other appropriate international, regional and subregional organizations to support the implementation of the Plan of Action, including through mobilizing resources and expertise;</u></p> <p><u>(e) To further encourage non-governmental organizations and civil society to engage, as appropriate, on how to enhance efforts to implement the Plan of Action.</u></p>
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## The United Nations Global Plan of Action to Combat Trafficking in Persons

### Table of Inputs on First Draft

*The General Assembly,*

<p>PP1. <i>Guided</i> by the purposes and principles of the Charter of the United Nations and <i>reaffirming</i> its role under the Charter, including on questions related to development, peace and security and human rights,</p>	<p><b>Malaysia:</b> <i>Guided</i> by the purposes and principles of the Charter of the United Nations <del>and reaffirming its role under the Charter, including on questions related to development, peace and security and human rights</del></p> <p><b>Holy See:</b> ... <del>and</del> human rights <u>and dignity</u></p>
<p>PP.2 <i>Reiterating</i> its strong condemnation of trafficking in persons, as it constitutes a serious threat to development, peace and security and human rights,</p>	<p><b>African Group:</b> <i>Reiterating</i> its strong condemnation of trafficking in persons, as it constitutes a serious threat to development, peace and security and human rights, <del>and that trafficking in human beings, within and between states, is a scourge which states are determined to address,</del></p> <p><b>PP.2bis</b> <i>Reiterating its strong condemnation of the scourge of trafficking in persons, especially of women and children, within and between States, as a serious threat to human rights and human development</i></p> <p><b>PP.2 ter</b> <i>Recognizing that poverty, unemployment and the search for improved socio-economic opportunities are contributing factors, making persons vulnerable to becoming victims of trafficking,</i></p> <p><b>Colombia:</b> <i>Reiterating</i> its strong condemnation of <del>transnational organized crime, including trafficking in persons and the negative effects on</del> development, peace and security and human rights</p> <p><b>Malaysia:</b> <i>Reiterating</i> its strong condemnation of trafficking in persons, <del>as it constitutes a serious threat to development, peace and security and human rights,</del></p> <p><b>Nicaragua:</b> <i>Reiterating</i> its strong condemnation of trafficking in persons, <del>a form of contemporary slavery,</del></p> <p><b>Holy See:</b> ... <del>and</del> human rights <u>and dignity</u></p> <p><b>Thailand:</b> delete</p>
<p>PP.3 <i>Recalling</i> the Millennium Declaration, adopted in September 2000, where Member States resolved to intensify efforts to “fight transnational crime in its entire dimension including trafficking as well as smuggling in human beings”,</p>	<p><b>African Group:</b> <b>PP.3 bis</b> <i>Recognising that trafficking in persons is a fast-growing criminal industry that requires effective international cooperation and collaboration in order to prevent and suppress trafficking in persons and punish the perpetrators,</i></p> <p><b>Colombia:</b> delete. Exceeds scope of resolution and is repetitive with PP2. Would support to bring in original OP112, resolution 60/1.</p>

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<p>PP.4 <i>Reaffirming</i> the General Assembly Resolution 55/25 of 2000, adopting the United Nations Convention against Transnational Organized Crime and its supplementing Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, which builds on other related conventions and instruments such as ILO convention 29 and 182, Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery of 1956, the Convention on the Rights of the Child and its Optional Protocol on the sale of children, child prostitution and child pornography, and the Convention on the Elimination of All Forms of Discrimination against Women.</p>	<p><b>Belarus:</b> ...which builds on other related conventions and instruments such as ILO conventions 29 and 182...</p> <p><b>Canada:</b>...<u>and</u> other related conventions</p> <p><b>IOM:</b> add International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families</p> <p><b>Japan:</b> <i>Add</i>, after “its supplementing Protocol to Prevent Suppress and Punish Trafficking in Persons, Especially Women and Children”, “(hereinafter “Trafficking in Persons Protocol”).</p> <p><b>Malaysia:</b> PP.4 <i>Reaffirming the</i> General Assembly Resolution 55/25 of 2000, adopting the United Nations Convention against Transnational Organized Crime and its supplementing Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, <del>which builds on other related conventions and instruments such as ILO convention 29 and 182, Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery of 1956, the Convention on the Rights of the Child and its Optional Protocol on the sale of children, child prostitution and child pornography, and the Convention on the Elimination of All Forms of Discrimination against Women,</del></p> <p><del>PP.5 <i>Recognizing</i> that the aforementioned United Nations Trafficking in Persons Protocol, which entered into and its entry into force on 25 December 2003, which provided for the first time an internationally agreed definition of the crime of trafficking in persons, aiming at the prevention of trafficking in persons, protection of its victims and prosecution of its culprits,</del></p> <p><b>Thailand:</b> Persons, Especially Women and Children, <u>and</u> other related...</p> <p><b>UNICEF:</b> add Optional Protocol on the Involvement of Children in Armed Conflict</p>
<p>PP.5 <i>Recognizing</i> that the aforementioned United Nations Trafficking in Persons Protocol, which entered into force on 25 December 2003, provided for the first time an internationally agreed definition of the crime of trafficking in persons, aiming at the prevention of trafficking in persons, protection of its victims and prosecution of its culprits,</p>	<p><b>African Group:</b> Redraft as follows: <i>Recognizing</i> that the <u>United Nations Protocol to Prevent, Suppress and Punish Trafficking, Especially Women and Children aimed at the prevention of trafficking in persons, protection of its victims and prosecution of its culprits, provided for the first time an internationally agreed definition of the crime of trafficking in persons,</u></p> <p><b>Thailand:</b> ...crime of trafficking in persons, aiming at the prevention of trafficking in persons, protection of <u>trafficked</u> victims and prosecution of <u>traffickers</u></p>

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	<p><b>Malaysia:</b> (see PP.4 above)</p> <p><b>Japan:</b> <i>Delete</i> “aforementioned United Nations”</p> <p><b>Norway:</b> Paragraph PP5bis  <i>Recalling</i> the outcome of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime at its fourth session, held in Vienna from 8 to 17 October 2008, as well as the progress made by the Conference of the Parties to the United Nations Convention against Transnational Organized Crime open-ended interim Working Group on Trafficking in Persons during its meeting, held in Vienna on 14 and 15 April 2009. (taken from A/RES/64/178 pp4)</p> <p><b>UNAIDS:</b> ...crime of trafficking in persons, aiming at the prevention of trafficking in persons, protection of <a href="#">trafficked persons</a>, and prosecution of <a href="#">perpetrators of trafficking</a>.</p>
<p>PP.6 <i>Reaffirming</i> Commission on Human Rights resolution 2004/110, to appoint a Special Rapporteur on trafficking in persons, especially in women and children to highlight the importance of a victims’ rights-based approach to combating trafficking in persons, especially women and children and Human Rights Council resolution 6/14 of 2007 to appoint a Special Rapporteur on contemporary forms of slavery, including its causes and consequences,</p>	<p><b>Thailand:</b> delete</p> <p><b>USA:</b> add the Special Rapporteur on Sale of Children and the Special Representative on Violence Against Children</p>
<p>PP.7 <i>Recalling</i> the World Summit Outcome Document (par.111-112) of 2005 adopted by the General Assembly that (a) expresses the concerns of Member States at the negative effects on development, peace and security and human rights posed by trafficking in persons, (b) recognizes that trafficking in persons continues to pose a serious challenge to humanity and requires a concerted international response, and (c) urges all States to devise, enforce and strengthen effective measures to prevent, suppress and punish trafficking in persons and to protect victims,</p>	<p><b>African Group:</b> <i>Recalling</i> the World Summit Outcome Document (<del>para. 111-112</del>) of 2005 adopted by the General Assembly that recognizes <del>a) expresses the concerns of Member States at the negative effects on development, peace, security and human rights posed by trafficking in persons, b) recognizes that trafficking in persons continues to pose a serious challenge to humanity and requires a concerted international response, and c) urges all states to devise, enforce and strengthen effective measures to prevent, suppress and punish trafficking in persons and protect victims,</del> that trafficking in persons continues to pose a serious challenge to humanity and requires a concerted <a href="#">global</a> response, <a href="#">based on partnership and cooperation</a> and urges all states to devise, enforce and strengthen effective measures to prevent, suppress and punish trafficking in persons and to protect victims;</p> <p><b>Colombia:</b> suggests to keep the original language in paragraph 112 of the World Summit Document referred to here.</p> <p><b>Thailand:</b> delete</p> <p><b>UNAIDS:</b> ...prevent, suppress and punish trafficking in persons and to protect <a href="#">trafficked persons</a>.</p>
<p>PP.8 <i>Recalling</i> that pursuant to a request from Economic</p>	<p><b>Belarus:</b> ...reinforced by GA Resolution 61/180</p>

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<p>and Social Council resolution 2006/27 “Strengthening international cooperation in preventing and combating trafficking in persons and protecting victims of such trafficking”, reinforced by GA Resolution 61/180, the Inter-Agency Coordination Group against Trafficking in Persons was established to foster coordination and cooperation among relevant United Nations agencies and other international organizations involved in combating human trafficking,</p>	<p><a href="#">"Improving the coordination of efforts against trafficking in persons" (20 December 2006)</a>,   <b>Norway:</b> Supporting <del>the role of</del> and cooperating with the Special Rapporteur on trafficking in persons, especially ...                  [This change would put the emphasis on actual cooperation with the SP and not just tacit support of the role.]</p>
<p>PP.9 <i>Recognizing</i> that the launch of UN.GIFT by the United Nations Office on Drugs and Crime in partnership with International Labor Organization, Office of the High Commissioner for Human Rights, United Nations Children’s Fund, Organization for Security and Cooperation in Europe and International Organization for Migration, in March 2007, and the Vienna Forum of 13-15 February 2008, provided all anti-trafficking actors including the United Nations, governments and civil society organizations a global forum to share respective experiences and further highlighted the need to collectively address human trafficking in a multi-faceted and holistic manner,</p>	<p><b>OHCHR:</b> <i>Recognizing</i> that the launch of UN.GIFT by <a href="#">a partnership of UN agencies and IGOs</a>, <a href="#">including</a> the United Nations Office on Drugs and Crime <del>in partnership with</del> International...   <b>IOM:</b> ...provided <del>all</del> anti-trafficking actors including the United Nations...</p>
<p>PP.10 <i>Recalling</i> the General Assembly Thematic Debate on Human Trafficking of 3 June 2008 giving Member States a framework for discussion concentrating on the “three P’s” (prevention, protection and prosecution), and the General Assembly Interactive Thematic Dialogue on "Taking Collective Action to End Human Trafficking" held on 13 May 2009,</p>	<p><b>Belarus:</b> ...held on 13 May 2009 <a href="#">which underlined the importance of strengthening collective action by Member States and other stakeholders, including regional and international organizations, NGOs, the private sector and media</a>,</p>
<p>PP.11 <i>Recalling</i> all General Assembly resolutions on measures to eliminate trafficking in persons, including the aforementioned resolution 63/194 and resolutions 64/178 on “Improving the coordination of efforts against trafficking in persons” (18 December 2009) and 61/180 also on “Improving the coordination of efforts against trafficking in persons” (20 December 2006), 61/144 on “Trafficking in women and girls” (19 December 2006), and 58/137 on “Strengthening international cooperation in preventing and combating trafficking in persons and protecting victims of such trafficking” (22 December 2003),</p>	<p><b>Belarus:</b> ...<del>61/180</del> and resolutions 64/178 on "Improving the coordination of efforts against trafficking in persons" (18 December 2009) and <del>63/194</del> also on "Improving the coordination of efforts against trafficking in persons" (<del>18</del> December 2008).   <b>Thailand:</b> <i>Recalling</i> all General Assembly resolutions on measures <a href="#">improve the coordination of efforts and strengthen international cooperation to combat and eliminate trafficking in persons, and in this regard, recognizing that trafficking in persons continues to post a serious challenge to humanity and requires a concerted international response based on a victim-centered approach</a>,</p>
<p>PP.12 <i>Noting</i> the relevant decisions adopted at the Conference of the Parties to the United Nations Convention against Transnational Organized Crime: Decision 1/5, Decision 2/3 and Decision 3/3, on the implementation of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children,</p>	<p><b>Thailand:</b> delete   <b>USA:</b> Replace “<i>Noting</i>” with “<i>Recognizing</i>” to reinforce the primacy of the Conference of Parties to the Transnational Organized Crime Convention</p>
<p>PP.13 <i>Considering</i> relevant regional mechanisms and initiatives, such as the Asia-Europe Meeting Action Plan to Combat against Trafficking in Persons, Especially Women and Children; ASEAN Declaration against Trafficking in Persons, Particularly Women and</p>	<p><b>African Group:</b> <del>Considering</del> <i>Recalling</i> relevant regional mechanisms and initiatives, such as ...Economic Community of West African States Declaration on the Fight against Trafficking in Persons; <a href="#">ECOWAS/ECCAS Joint Plan of Action to</a></p>

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<p>Children; Black Sea Economic Cooperation Organization Action Plan on Cooperation in Combating Crime; Coordinated Mekong Ministerial Initiative against Trafficking; Economic Community of West African States Declaration on the Fight against Trafficking in Persons; Ouagadougou Action Plan to Combat Trafficking in Human Beings, Especially Women and Children; Council of Europe Convention on Action against Trafficking in Human Beings; OSCE Action Plan to Combat Trafficking in Human Beings; Plan of Action of the Regional Conference on Migration (the Puebla Process multilateral regional forum of all Central and North American countries and the Dominican Republic); Stability Pact for South-Eastern Europe Task Force on Trafficking in Human Beings, in Particular in its Organized Forms,</p>	<p><u>combat Trafficking in Persons, Especially Women and Children</u>, Ouagadougou Action Plan to Combat Trafficking in Human Beings; ... Stability Pact for South-Eastern Europe Task force on Trafficking in Human Beings, in Particular in its Organized Forms, <u>as well as all other relevant national initiatives</u>;</p> <p><b>Canada:</b> Add a reference to the OAS, most notably the 1<sup>st</sup> and 2<sup>nd</sup> meetings of national authorities on TiP and the development of OAS workplan to combat TiP.</p> <p><b>Colombia:</b> would prefer a general formulation instead of listings. If facilitators insist on listing, Colombia would ask to mention the Anti Trafficking in Persons section of the Organization of American States.</p> <p>Colombia would prefer a shorter formulation as follows:  <u>Recognizing the importance of initiatives and mechanisms with a regional perspective and its value in promoting and enhancing sharing of experiences, technical assistance, cooperation and mutual legal assistance.</u></p> <p>New para 13bis:  <u>Reaffirming that effective action to prevent and combat trafficking in persons, especially women and children, requires a comprehensive international approach in the countries of origin, transit and destination that includes measures to prevent such trafficking, to punish the traffickers and protect the victims of such trafficking, including by protecting their internationally recognized human rights.</u></p> <p><b>Indonesia:</b> Add reference to Bali Process in list “...in Particular in its Organized Forms,”...cognizant of the fact that these initiatives have complemented and strengthened bilateral cooperation in various regions as consequence. These initiatives also demonstrated the political will that exist in the regions to work together to combat trafficking in persons and other transnational crimes, while acknowledging each region possess its own characteristics of menace. Inviting States to further build on existing regional agreements, mechanisms, and efforts as to strengthen a network of anti-trafficking in persons.”</p> <p><b>IOM:</b> add The South Asian Association for Regional Cooperation (SAARC) Convention on Prevention and Combating the Trafficking in Women and Children for Prostitution (2002) and a regional plan of action to strengthen their cooperation.</p> <p><b>Nicaragua:</b> ...(the Puebla Process multilateral regional forum of all Central and North American countries and the Dominican Republic); <u>Central</u></p>
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	<p><a href="#">American Coalition against trafficking in persons</a> Stability Pact for South-Eastern Europe Task Force on Trafficking in Human Beings, in Particular in its Organized Forms,</p> <p><b>Thailand:</b> <i>Considering</i> relevant <a href="#">sub-regional</a>, regional <a href="#">and cross-regional</a> mechanisms and initiatives, such as the Asia-Europe Meeting Action Plan to Combat against Trafficking in Persons, Especially Women and Children; ASEAN Declaration against Trafficking in Persons, Particularly Women and Children; <a href="#">the Bali Process</a>;</p> <p><b>UNICEF:</b> Recommend consideration of other regional efforts for inclusion such as EU legislation and initiatives (See: the Stockholm Programme and new Action Plan, The Stability Pact Task Force on Trafficking in Human Beings for South Eastern Europe is not operational any more. It was closed in November 2004.<sup>1</sup>)</p>
<p>PP.14 <i>Recognizing</i> the need to develop a global plan of action against trafficking in persons that will</p> <ul style="list-style-type: none"> <li>• promote universal ratification of the UN Convention against Transnational Organized Crime and its Trafficking Protocol as well as other relevant international instruments that address trafficking in persons,</li> <li>• reinforce the implementation of existing instruments against trafficking in persons,</li> <li>• help Member States to reinforce their commitments to prevent and combat trafficking in persons</li> <li>• promote comprehensive, coordinated and consistent responses, at the national, regional and international levels, to counter trafficking in persons,</li> <li>• promote a human rights based approach necessary to prevent trafficking in persons, protect its victims and prosecute its offenders</li> <li>• raise awareness within the UN system and also among States and other stakeholders such as the business sector, civil society and the international mass media and the public at large,</li> <li>• foster cooperation and coordination among all relevant stakeholders including Member States, international organizations, civil society organizations and the private sector,</li> </ul> <p>1. Adopts the present resolution and its annex as the United Nations Global Plan of Action to Combat Trafficking in Persons (“the Plan of Action”), and</p> <p>2. Decides, without prejudice to the continuation of the discussion at its relevant committees of all their agenda items related to trafficking in persons to undertake the following steps for the effective follow-up of the Plan of Action:</p>	<p><b>African Group:</b> delete PP14</p> <p>OP1: <a href="#">Adopts the present resolution and its annex as the United Nations Global Plan of Action to Combat Trafficking in Persons (hereinafter referred to as “the Plan of Action”) and launches the Plan of Action during the sixty-fourth session of the General Assembly.</a></p> <p>OP 1bis <a href="#">Decides that the objectives of the United Nations Plan of Action on Trafficking in Persons shall be:</a></p> <ul style="list-style-type: none"> <li>• <a href="#">To promote universal ratification of the UN Convention against Transnational Organized Crime and its Trafficking Protocol as well as other relevant international instruments that address trafficking in persons.</a></li> <li>• <a href="#">To reinforce international and regional cooperation in accordance with the relevant provisions of the UNCTO and its protocol and provide technical assistance for an effective implementation of these instruments</a></li> <li>• <a href="#">To enhance capacity building for those States in need and to this end create a Trust Fund for the implementation of the Global Plan of Action.</a></li> <li>• <a href="#">To assist Member States to reinforce their commitments to prevent and combat trafficking in persons.</a></li> <li>• <a href="#">To promote comprehensive, coordinated</a></li> </ul>

<sup>1</sup> See also [http://ec.europa.eu/justice\\_home/fsj/crime/trafficking/fsj\\_crime\\_human\\_trafficking\\_en.htm](http://ec.europa.eu/justice_home/fsj/crime/trafficking/fsj_crime_human_trafficking_en.htm)

<p>(a) To launch the Plan of Action during the sixty-fourth session;</p> <p>(b) To encourage Member States, the United Nations and other international, regional and sub-regional organizations to support the implementation of the Plan of Action, including through mobilizing resources and expertise;</p> <p>(c) To further encourage civil society including non-governmental organizations and the private sector to engage, as appropriate, on how to enhance efforts to implement the Plan of Action;</p> <p>(d) To invite the Secretary-General to report annually to the General Assembly on the implementation of the Plan of Action,</p>	<p><u>and consistent responses, at the national, regional and international levels, to counter trafficking in persons.</u></p> <ul style="list-style-type: none"> <li>• <u>To promote a human rights based approach necessary to prevent trafficking in persons, protect its victims and prosecute its culprits.</u></li> <li>• <u>To raise awareness within the UN system and also among States and other stakeholders such as the business sector, civil society and the international mass media and the public at large.</u></li> <li>• <u>To foster cooperation and coordination among all relevant stakeholders including Member States, international organizations, civil society organizations and the private sector.</u></li> </ul> <p>OP.2 Further decides, without prejudice to the continuation...</p> <p><del>(a) To launch the Plan of Action during the sixty-fourth session;</del></p> <p>(d) To <del>invite</del> request the Secretary-General to report annually to the General Assembly on the implementation of the Plan of Action.</p> <p><b>d bis)</b> <u>To encourage States to include in their periodic reporting to relevant United Nations bodies the challenges faced and progress made in the fight against trafficking in persons</u></p> <p><b>d ter)</b> <u>To further request the Secretary-General to present proposals regarding developing a monitoring mechanism for the implementation of the Plan of Action in his report to the sixty-fifth session of the General Assembly, to be considered and adopted by the General Assembly</u></p> <p><b>Belarus:</b> (b) To encourage Member States, the United Nations and other international, regional and sub-regional organizations, <u>including through interaction within Inter-Agency Coordination Group</u> to support...</p> <p><b>Canada:</b> Replace bullets with a, b, c, etc.</p> <p>Bullet 6: ... within the UN system and also among States and other stakeholders such as the <u>private</u>, sector, civil society and the international mass media</p> <p>OP2(c): add a reference to the media</p> <p><b>Colombia:</b> delete PP14</p>
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	<p>Paragraph 1: Some of the following elements could be included:</p> <ul style="list-style-type: none"> <li>• Promote universal ratification and effective implementation of the Trafficking Protocol supplementing UNTOC;</li> <li>• Encourage the adoption of a comprehensive, balanced and human rights based international approach that emphasizes protection and assistance to the victims;</li> <li>• Promote international cooperation and mutual legal assistance, including at national and regional levels;</li> <li>• Raise national and international awareness to the seriousness of the crime and the risks for victims;</li> <li>• Foster coordination of efforts and the strengthening of synergies between competent entities of the UN system and other relevant stakeholders;</li> </ul> <p>Paragraph 2: delete</p> <p><b>EU:</b> replace OP2(d) with: <u><a href="#">Urges those Member States of the United Nations that have not yet done so to ratify or accede as soon as possible to the United Nations Convention against Transnational Organized Crime and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, considering the central role of these instruments in the Plan of Action.</a></u></p> <p><b>Indonesia:</b> Paragraph 2(d) requires the Secretary-General to report annually about its implementation, yet many of the paragraphs contained in the draft plan of action do lack specificities and thus would render the work of the Secretariat more complex in gauging with exactness the progress of its implementation.</p> <p><b>IOM:</b> Bullet 2</p> <ul style="list-style-type: none"> <li>• reinforce the implementation of existing instruments against trafficking in persons <u><a href="#">and related human rights violations,</a></u></li> </ul> <p><b>Japan:</b> Bullet 1. <i>Add,</i> after “promote universal ratification” in line 1, “acceptance, approval or accession”. <i>Add,</i> after “and its Trafficking” in line 2, “in Persons”. (rationale) Article 16 of the Trafficking in Persons Protocol</p> <p>OP2(b). <i>Delete</i> “, including through mobilizing resource and expertise” (rationale) To be submitted if necessary.</p> <p>OP2(d).</p>
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	<p><i>Delete</i> whole paragraph. (rationale) To be submitted if necessary.</p> <p><b>Malaysia:</b> bullet 5: ...promote a <del>human rights-based-balanced</del> approach, <del>which recognizes the development, human rights and criminal justice perspectives</del> necessary to prevent trafficking in persons, protect its victims and prosecute its culprit,</p> <ol style="list-style-type: none"> <li>a) To launch the Plan of Action during the sixty-fourth session; <del>To examine in three years progress made in implementation of the Strategy;</del></li> <li>b) To encourage Member States, the United Nations and other international, regional and sub-regional organizations to support the implementation of the Plan of Action, including through mobilizing resources and expertise;</li> <li>c) To further encourage civil society including non-governmental organizations and the private sector to engage, as appropriate, on how to enhance efforts to implement the Plan of Action;</li> <li>d) To invite the Secretary-General <del>to report annually to the General Assembly on the implementation of the Plan of Action to contribute to future deliberations of the General Assembly on the review of the implementation of the Strategy;</del></li> </ol> <p><b>Singapore:</b> Recognising the need to develop a global plan of action against trafficking in persons that will ... reinforce the implementation of existing instruments against trafficking in persons <del>by State Parties</del></p> <p><b>Switzerland:</b> In OP 2, you probably mean in fact the relevant GA <del>Main</del> Committees (i.e. the 3.Com and 6.Com) when you speak of “its relevant Committees”. We note in OP 2 b that “to support the implementation of the Plan of Action, <i>including through mobilizing resources....</i>” implies that the financing of the GPoA through the UN general budget won’t suffice to implement the GPoA and thus voluntary contributions by States would be needed Include a reference to <del>existing best practices and lessons learnt</del> in PP.14.</p> <p><b>Thailand:</b> <i>Recognizing</i> the need to develop a global plan of action against trafficking in persons that <del>will foster cooperation and coordination among all relevant stakeholders including Member States, international...</del></p> <p>Decides <del>to</del> invite the Secretary-General to report annually to the General Assembly on the implementation of the Plan of Action</p>
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promote universal ratification of the UN Convention against Transnational Organized Crime and its Trafficking Protocol as well as other relevant international instruments that address trafficking in persons.¶  
reinforce the implementation of existing instruments against trafficking in persons.¶  
help Member States to reinforce their commitments to prevent and combat trafficking in persons¶  
promote comprehensive, coordinated and consistent responses, at the national, regional and international levels, to counter trafficking in persons.¶  
promote a human rights based approach necessary to prevent trafficking in persons, protect its victims and prosecute its culprits¶  
raise awareness within the UN system and also among States and other stakeholders such as the business sector, civil society and the international mass media and the public at large.¶

**Deleted:** , without prejudice to the continuation of the discussion at its relevant committees of all their agenda items related to trafficking in persons to undertake the following steps for the effective follow-up of the Plan of Action:¶  
To launch the Plan of Action during the sixty-fourth session;¶  
To encourage Member States, the United Nations and other international, regional and sub-regional organizations to support the implementation of the Plan of Action, including through mobilizing resources and expertise;¶  
To further encourage civil society including non-governmental organizations and the private sector to engage, as appropriate, on how to enhance efforts to implement the Plan of Action;¶

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	<p><b>UNICEF:</b> Recommend consideration for rewording under first and second bullet points: "... as well as other international <u>human rights standards and instruments that address trafficking in persons...</u>"; "... implementation of existing <u>human rights standards and instruments against trafficking in persons...</u>"</p> <p><b>USA:</b> Delete "Recognizing the need to develop a global plan of action against trafficking in persons that will" and replace with "Recognizing the need to promote universal ratification and implementation of the UN Convention against Transnational Organized Crime and its Trafficking Protocol, a global plan of action could,"</p> <ul style="list-style-type: none"> <li>• delete the first 2 bullets</li> <li>• 3rd bullet: delete "help" and replace with "encourage"</li> </ul> <p>OP 2 (b): Delete "to support the implementation of the Plan of Action, including through mobilizing resources and expertise." And replace with "to take appropriate steps for the further implementation of the Trafficking in Persons Protocol."</p> <p>OP 2 (c): Delete "on how to enhance efforts to implement the Plan of Action" and replace with "on how to enhance efforts to implement the Trafficking in Persons Protocol".</p> <p>OP 2 (d): Delete paragraph.</p>
<p><b>ANNEX: PLAN OF ACTION</b> We, the States Members of the United Nations, reaffirm our commitments and decide to translate our political will into intensified efforts and concrete actions to prevent and combat trafficking in persons, protect and assist victims of trafficking, prosecute crimes of trafficking in persons and to promote partnerships to strengthen coordination and cooperation against trafficking in persons by:</p>	<p><b>Facilitators' Proposal:</b> We, the States Members of the United Nations, reaffirm our commitments and decide to translate our political will into intensified efforts and concrete actions to prevent and combat trafficking in persons, protect and assist victims of trafficking, prosecute crimes of trafficking in persons and to promote partnerships to strengthen coordination and cooperation against trafficking in persons by:</p> <p><b>African Group:</b> Redraft as follows: <u>We, the States Members of the United Nations, determined to put the heinous crime of trafficking in persons, especially women and children, have resolved to translate our political will into concrete actions by adopting the following Plan of Action:</u></p> <p><b>Belarus:</b> ...partnerships <u>with all stakeholders</u> to strengthen coordination and cooperation against trafficking in persons <u>with the aim to put an end to this shameful crime</u> by:</p> <p><b>Colombia:</b> We, the States Members of the United Nations, reaffirm our commitment <u>to prevent and combat trafficking in persons, protect and assist victims of trafficking, prosecute the crime of trafficking in persons and resolve to</u></p> <p><b>Switzerland:</b> In the first line of the annexed GPoA,</p>

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	<p>we should not only reaffirm our political commitments to prevent and combat trafficking in persons but also our legal obligations to do so.</p> <p><b>Thailand:</b> We, the Members <u>States</u> of the United Nations, reaffirm our commitments <u>and political will</u> and decide to <u>support our</u> intensified efforts and concrete actions to prevent and combat trafficking in persons, protect and assist victims of trafficking <u>and</u> prosecute crimes of trafficking in persons <u>by strengthening the UN system in its anti-trafficking work and promoting</u> partnerships to strengthen coordination and cooperation against trafficking in persons. <u>In this regard, we undertake to do the following</u></p>	<p><b>Deleted:</b> States</p> <p><b>Deleted:</b> translate our political will into</p> <p><b>Deleted:</b> ,</p> <p><b>Deleted:</b> and to promote</p>
<p>1. Consistently, unequivocally and strongly condemning trafficking in persons, as it constitutes a serious threat to development, peace and security, and human rights;</p>	<p><b>Facilitators’ Proposal:</b> Consistently and strongly condemning trafficking in persons, as it constitutes a criminal activity violating human dignity and has negative effects on development, peace and security, and human rights;</p> <p><b>African Group:</b> <u>To universally condemn trafficking in all its forms and manifestations.</u></p> <p><b>Colombia:</b> Consistently, unequivocally and strongly condemn trafficking in persons, <u>[as it poses] OR [and its] negative effects on</u> development, peace and security, and human rights</p> <p>New Paragraph 1bis: <u>Recognize that trafficking in persons for the purpose of exploitation includes, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs as set forth in the Trafficking Protocol supplementing UNTOC.</u></p> <p><b>EU:</b> Consistently, <u>and</u> strongly condemning trafficking in persons, as it constitutes a <u>criminal activity and, has negative effects on</u> development, peace and security, and human rights;</p> <p><b>Holy See:</b> ...and human rights <u>and dignity</u></p> <p><b>Thailand:</b> delete</p> <p><b>Japan:</b> <i>Change</i> “development, peace and security, and human rights” to “development, peace and security, <u>human security</u> and human rights” (rationale) Trafficking in Persons is a threat to human security. There are projects funded through the United Nations Trust Fund for Human Security which aim at providing assistance to the victims of trafficking in persons.</p>	<p><b>Deleted:</b> ing</p> <p><b>Deleted:</b> ,</p> <p><b>Deleted:</b> constitutes a serious threat to</p> <p><b>Deleted:</b> unequivocally</p> <p><b>Deleted:</b> serious threat</p> <p><b>Deleted:</b> to</p>
<p>2. Ensuring that the promotion and protection of the human rights of trafficked persons are at the centre of all efforts to prevent and combat trafficking in persons.</p>	<p><b>Facilitators’ Proposal:</b> Ensuring that the human rights of trafficked persons are at the centre of all efforts to prevent and combat trafficking in persons and to protect, assist and</p>	

	<p>provide redress to victims.</p> <p><b>African Group:</b> <u>To promote a Human Rights-based approach to addressing trafficking;</u></p> <p><b>Canada:</b> Ensuring that the human rights of trafficked persons are at the centre of all efforts to prevent and combat trafficking in persons <u>and to protect, assist and provide redress to victims.</u></p> <p><b>China:</b> Ensuring that the <u>severe punishment to traffickers, decrease and elimination of trafficking in persons as a crime</u> are at the centre of all efforts to prevent and combat trafficking in persons.</p> <p><b>EU:</b> Switch order of paragraph 2 and 3 New paragraph 2: Taking urgent action to prevent trafficking in persons, protect its victims and prosecute its <u>offenders</u> and strengthen partnership...</p> <p><b>Holy See:</b> ...and human rights <u>and dignity</u></p> <p><b>Malaysia:</b> Ensuring that the promotion and protection of the human rights of trafficked persons, <u>preventing trafficking in persons through addressing its root causes and contributing factors, such as poverty, underdevelopment, and marginalisation, and strengthening the criminal justice response</u> are at the centre of all efforts to prevent and combat trafficking in persons</p> <p><b>Thailand:</b> delete</p>	<p><b>Deleted:</b> the</p> <p><b>Deleted:</b> promotion and protection of t</p> <p><b>Deleted:</b> promotion and protection of the human rights of trafficked persons</p> <p><b>Deleted:</b> culprits</p>
<p>3. Taking urgent action to prevent trafficking in persons, protect its victims and prosecute its culprits and strengthen partnership to these ends by promoting and attaining universal ratification and effective implementation of the United Nations Convention against Transnational Organized Crime and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children as well as other relevant international instruments, including ILO convention 29 and 182, Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery of 1956, the Convention on the Rights of the Child and its Optional Protocol on the sale of children, child prostitution and child pornography, and the Convention on the Elimination of All Forms of Discrimination against Women;</p>	<p><b>Facilitators’ Proposal:</b> Taking urgent action to prevent trafficking in persons, protect its victims and prosecute its offenders and strengthen partnership to these ends by promoting and attaining universal ratification and effective implementation of the United Nations Convention against Transnational Organized Crime and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children as well as other relevant international instruments, including ILO convention 29 and 182; Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery of 1956; the Convention on the Rights of the Child; its Optional Protocol on the sale of children, child prostitution and child pornography; its Optional Protocol on the involvement of children in armed conflict; and the Convention on the Elimination of All Forms of Discrimination against Women;</p> <p>New Paragraph 3bis And specifically to consider as a priority, for those countries that have not done so, ratifying by 2012 the United Nations Convention on Transnational Organized Crime and its Protocol to Prevent,</p>	

	<p>Suppress and Punish Trafficking in Persons, Especially Woman and Children.</p> <p><b>African Group:</b> <u>To take urgent action to prevent trafficking in persons, protect its victims and prosecute its culprits and strengthen partnership to these ends by promoting and attaining universal ratification and effective implementation of the United Nations Convention against Transnational Organized Crime and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children as well as other relevant international instruments, including ILO convention 29 and 182, Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery of 1956, the Convention on the rights of the Child and its Optional Protocol on the sale of children, child prostitution and child pornography, and the Convention on the Elimination of All forms of Discrimination against Women;</u></p> <ul style="list-style-type: none"> <li>a) <u>To address the root causes of trafficking, including poverty, insecurity, underdevelopment, conflict, discrimination and exclusion, violence against women, as well as an increased demand for sex trade and sex tourism.</u></li> <li>b) <u>To reiterate commitment to existing international, regional, sub-regional and national instruments and initiatives on trafficking;</u></li> <li>c) <u>To ensure effective coordination and coherence among the various instruments and actors;</u></li> <li>d) <u>To achieve the objectives of Prevention, Protection, Prosecution and Partnership in the fight against trafficking;</u></li> <li>e) <u>To address the demand-and-supply aspect of trafficking;</u></li> <li>f) <u>To address in particular the vulnerability of women and children;</u></li> <li>g) <u>To identify and promote the role of civil society, especially in awareness-raising and the provision of relevant services for victims.</u></li> <li>h) <u>To strengthen regional and international cooperation.</u></li> <li>i) <u>To assist member-states to share best practices and secure technical and other assistance for implementing the various instruments and initiatives on trafficking.</u></li> <li>j) <u>To establish a Trust Fund to compensate victims of trafficking;</u></li> <li>k) <u>To establish the primary responsibility of national governments to take local action to fight trafficking</u></li> </ul> <p><b>Canada:</b> Delete first two lines and begin OP3 with</p>
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	<p>... Ratifying and effectively implementing the United Nations Convention against Transnational Organized Crime and its Protocol to Prevent,...</p> <p><b>Colombia:</b> full stop after Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children.</p> <p><b>EU:</b> Switch order of paragraph 2 and 3</p> <p>Paragraph 3 bis  <a href="#">Taking prompt action, in the case of Member States that have not yet done so, to ratify or accede to the United Nations Convention against Transnational Organized Crime and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children and to fully implement all its provisions, notably the criminalization of human trafficking in all its forms as defined in article 3 of the said protocol.</a></p> <p><b>Indonesia:</b> Taking <a href="#">continuously</a> urgent action...</p> <p><b>IOM:</b> add International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families</p> <p><b>Japan:</b> <i>Add</i>, after “universal ratification”, “acceptance, approval or accession”.          (rationale) Article 16 of the Trafficking in Persons Protocol</p> <p><b>Malaysia:</b> <b>To split the paragraph into two as follows:</b>          Taking urgent action to prevent trafficking in persons, protect its victims and prosecute its culprits and strengthen partnership to these ends by promoting and attaining universal ratification and effective implementation of the United Nations Convention against Transnational Organized Crime and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children <del>as well as other relevant international instruments, including ILO convention 29 and 182, Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery of 1956, the Convention on the Rights of the Child and its Optional Protocol on the sale of children, child prostitution and child pornography, and the Convention on the Elimination of All Forms of Discrimination against Women;</del></p> <p>Promote universal ratification and implementation of other relevant international legal instruments related to trafficking in persons such as ILO convention 29 and 182, Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery of 1956, the Convention on the Rights of the Child and its Optional Protocol on the sale of children, child</p>
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	<p>prostitution and child pornography, and the Convention on the Elimination of All Forms of Discrimination against Women;</p> <p><del>Norway: Taking urgent action to prevent trafficking in persons, protect its victims and prosecute its culprits and strengthen partnership to these ends by</del> promoting and attaining, <b>as a matter of priority</b>, universal ratification and effective implementation of the United Nations Convention... (continues to the end unchanged)          [NOTE: The purpose of this change is to highlight the centrality of the legal framework to combat trafficking, while removing the repetition of prevention, protection and prosecution already outlined in the chapeau of the plan.]</p> <p><b>Singapore:</b> Taking urgent action to prevent trafficking in persons, protect its victims and prosecute its culprits and strengthen partnership to these ends by <del>promoting and attaining</del> <b>taking efforts to promote</b> universal ratification...</p> <p><b>Thailand:</b> delete</p> <p><b>UNICEF:</b> add Optional Protocol on the Involvement of Children in Armed Conflict (remove this reference) and International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families</p> <p><b>UNAIDS:</b> Taking urgent action to prevent trafficking in persons, protect <u>trafficked persons</u>, and prosecute <u>traffickers</u>, and strengthen partnership...</p> <p><b>USA:</b> After “promoting and..” add “consider, as a priority, signing and ratifying by 2012” delete “attaining universal ratification” and change “effective implementation” to “effectively implementing...” Delete the list of international documents and add “as applicable” after “international instruments.”</p>
<p>4. Recognizing the role of the Conference of the Parties to the Convention, established in accordance with Art. 32 of the UNTOC, to improve the capacity of States Parties to promote and review the implementation of the Convention, including the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children;</p>	<p><b>Facilitators’ Proposal:</b>          Recognizing that, in accordance with Art.32 of the United Nations Convention on Transnational Organized Crime, the Conference of Parties to the Convention is established to improve the capacity of States Parties to promote and review the implementation of the Convention, including the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children;</p> <p><b>African Group:</b> <del>Recognizing To Recognize</del> the role of the Conference of Parties to the Convention, established...</p> <p><b>Canada:</b> Recognizing the <u>primary</u> role of the</p>

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	<p>Conference of Parties to the Convention <a href="#">against Transnational Organized Crime</a>, established in accordance with Art. 32 of the UNTOC, to improve the capacity of States Parties to promote and review the implementation of the Convention, including the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children</p> <p><b>EU:</b> Recognizing <a href="#">and supporting</a> the role of the Conference of Parties, established in accordance with Art. 32 of the UNTOC, to improve the capacity of States Parties to promote and review the implementation of the Convention, <a href="#">and its additional protocols</a>.</p> <p><b>Japan:</b> <i>Change</i> “the Conference of Parties to the Convention” to “the Conference of <u>the</u> Parties to the Convention”.</p> <p><b>Thailand:</b> delete</p> <p><b>USA:</b> Delete “Recognizing the role of the Conference of Parties to the Convention established in accordance with Art.32 of the UNTOC” and replace with “Reaffirming that, in accordance with Art.32 of the UNTOC, the Conference of Parties to the Convention is established...”</p>	<p><b>Deleted:</b> to the Convention</p>	<p><b>Deleted:</b> including the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children</p>
<p>5. Supporting the establishment of a review mechanism to monitor the implementation of the United Nations Convention against Transnational Organized Crime and its Protocols;</p>	<p><b>African Group:</b> <del>Supporting</del> <a href="#">To support</a> the establishment of a review mechanism...</p> <p><b>Belarus:</b> Supporting the establishment of a review mechanism to monitor the implementation of the United Nations Convention against Transnational Organized Crime and its Protocols <a href="#">to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children</a></p> <p><b>Canada:</b> replace OP5 with... Encouraging the Conference of the Parties to the UNTOC Convention to continue its efforts in exploring options regarding an appropriate and effective mechanism to assist the Conference in the review of implementation of the Convention and Protocols thereto.</p> <p><b>China:</b> delete</p> <p><b>Colombia:</b> delete</p> <p><b>EU:</b> Supporting the establishment, <a href="#">through the UNTOC Conference of the Parties</a>, of an <a href="#">effective</a> review mechanism to monitor the implementation of the <a href="#">UNTOC and its additional protocols</a></p> <p><b>Indonesia:</b> merge with paragraph 4 as it contains the same idea. In paragraph 4, it is rightly so mentioned that the CoP of UNTOC plays an important role in reviewing the implementation of the UNTOC. This is echoed by the formulation of</p>	<p><b>Deleted:</b> United Nations Convention against Transnational Organized Crime and its Protocols</p>	

	<p>paragraph 5.</p> <p><b>Liechtenstein:</b> <del>Supporting Encouraging the Conference of States Parties the to establishment of</del> a review mechanism to monitor the implementation of the UNTOC and its Protocols;</p> <p><b>Thailand:</b> delete</p> <p><b>USA:</b> After “establishment” add “through the UNTOC Conference of Parties, of an effective pilot” after “Convention” add “and its additional protocols</p>
<p>6. Taking into account the recommendations of the Working Group on Trafficking in Persons established by the Conference of the Parties to the UN Convention against Transnational Organized Crime;</p>	<p><b>Facilitators’ Proposal:</b> Taking into account the activities and recommendations of the open-ended interim Working Group on Trafficking in Persons established by the Conference of the Parties to the UN Convention against Transnational Organized Crime;</p> <p><b>African Group:</b> <del>Taking-To take</del> into account...</p> <p><b>Canada:</b> Taking into account the <a href="#">activities and recommendations of the open-ended interim Working Group...</a></p> <p><b>Indonesia:</b> add: “<a href="#">Welcoming the progress made by various activities and working groups under the auspices of Conference of the State Parties of the UN Convention against TOC and further encouraging them to make progresses in the areas of technical assistance.</a>”</p> <p><b>Thailand:</b> delete</p>
<p>7. Supporting the Human Rights Council, and contributing to its work on the question of the promotion and protection of human rights for all in the fight against trafficking in persons;</p>	<p><b>Facilitators’ Proposal:</b> Supporting the Human Rights Council, and contributing to its work on the question of the promotion and protection of human rights for all in the fight against trafficking in persons;</p> <p><b>African Group:</b> <del>Taking-To take into account and support</del> the Human Rights Council...</p> <p><b>Thailand:</b> delete</p>
<p>8. Supporting the role of the Special Rapporteur on trafficking in persons, especially women and children, the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, the Special Rapporteur on violence against women, its causes and consequences, Special Rapporteur on the sale of children, child prostitution and child pornography, Special Representative to the Secretary-General on Violence Against Children and other relevant Special Rapporteurs and Representatives. The Special Rapporteurs should assist States by offering concrete advice, making country visits, liaising</p>	<p><b>Facilitators’ Proposal:</b> Supporting the role of the Special Rapporteur on trafficking in persons, especially women and children, the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, the Special Rapporteur on violence against women, its causes and consequences, Special Rapporteur on the sale of children, child prostitution and child pornography, Special Representative to the Secretary-General on Violence Against Children and other relevant Special Rapporteurs and Representatives. The mandate holders should assist States by offering concrete advice, making country visits, liaising with the</p>

<p>with the United Nations and regional organizations, and reporting on these issues;</p>	<p>United Nations and regional organizations, and reporting on these issues;</p> <p><b>African Group:</b> <del>Supporting-To support</del> the role of the Special Rapporteur...</p> <p><b>Canada:</b> Supporting the <u>efforts and specific mandates</u> of the Special Rapporteur</p> <p>delete last sentence “The Special Rapporteurs should...”</p> <p><b>China:</b> ...Special Representative to the Secretary-General on Violence Against Children and other relevant Special Rapporteurs and Representatives <u>while taking into account the code of conduct for special procedure mandate holders</u>. The Special Rapporteurs, <u>at the request or with the consent of States</u>, should assist States by offering...</p> <p><b>EU:</b> ...The <u>mandate holders</u> should assist States by offering concrete advice, making country visits, liaising with the United Nations and regional organizations, and reporting on these issues. <u>UN Member States are asked to accede to requests for visits by the mandate holders</u></p> <p><b>Indonesia:</b> Special Rapporteurs, <u>upon the request of Member-State</u>, should assist...”</p> <p><b>IOM:</b> add Special Rapp on the Human Rights of Migrants</p> <p><b>Norway:</b> Supporting <del>the role-of and cooperating with</del> the Special Rapporteur on trafficking in persons, especially...</p> <p>[This change would put the emphasis on actual cooperation with the SP and not just tacit support of the role.]</p> <p><b>Thailand:</b> delete</p> <p><b>UNICEF:</b> Recommend reference be made of the <u>UN Special Rapporteur on the Human Rights of Migrants</u></p> <p><b>USA:</b> Delete “The Special Rapporteurs should assist States by offering concrete advice, making country visits, liaising with the United Nations and regional organizations, and reporting on these issues. Add after “.....Representatives” “by acceding to their requests for country visits in order that they may assist States in offering recommendations for improving national responses.”</p>
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<p>9. Reaffirming the central role of the United Nations Office on Drugs and Crime (UNODC) in combating trafficking in persons and providing technical assistance to implement the United Nations Convention against Transnational Organized Crime and its Trafficking in Persons Protocol, by making use of existing capacity building tools, lessons learned and expertise available in international organizations, including inter alia, the International Framework for Action to Implement the Trafficking in Persons Protocol;</p>	<p><b>Facilitators’ Proposal:</b> Reaffirming the central role of the United Nations Office on Drugs and Crime (UNODC) in combating trafficking in persons and providing technical assistance to implement the United Nations Convention against Transnational Organized Crime and its Trafficking in Persons Protocol, by making use of existing capacity building tools, lessons learned and expertise available in international organizations, including inter alia, the International Framework for Action to Implement the Trafficking in Persons Protocol;</p> <p><b>African Group:</b> <del>Reaffirming</del> <u>To stress</u> the central role of the United Nations Office on Drugs and Crime (UNODC)...</p> <p><b>Canada:</b> recommend splitting as follows: <u>9(a)</u> Reaffirming the central role of the United Nations Office on Drugs and Crime (UNODC) <u>as mandated in UNGA resolution 55/25</u> in combating trafficking in persons and providing technical assistance to implement the United Nations Convention against Transnational Organized Crime and its Trafficking in Persons Protocol. <u>9(b)</u> Making use of existing capacity building tools, lessons learned and expertise available in international organizations, including inter alia, the International Framework for Action to Implement the Trafficking in Persons Protocol</p> <p><b>Malaysia:</b> To move up further in the text as point 7, after the points regarding the Conventions and the work of the COP. As the main United Nations agency to combat and coordinate action on TiP, this paragraph should be moved further up to reflect the important role of the UNODC.</p> <p><b>OHCHR:</b> <u>Paragraph 9bis</u> <u>Reaffirming the leading role of OHCHR on promoting a human rights-based approach to all aspects of combating human trafficking, as provided for in the Recommended Principles and Guidelines on Human Rights and Human Trafficking, and as recognized by the Human Rights Council.</u></p> <p><b>Thailand:</b> “Reaffirm the central role of the United Nations Office on Drugs and Crime (UNODC) in providing technical assistance to implement the United Nations Convention against Transnational Organized Crime and its Trafficking in Persons Protocol.”</p> <p><b>USA:</b> Place paragraph after OP 6</p>
<p>10. Also noting the important work of the United Nations High Commissioner for Refugees, the United Nations Children’s Fund (UNICEF), the International Labor Organization, and the International Organization for Migration (IOM)</p>	<p><b>Facilitators’ Proposal:</b> Also noting the important work of the United Nations High Commissioner for Human Rights, the United Nations Children’s Fund (UNICEF), the International Labor Organization, and the</p>

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<p>in the global fight against trafficking in persons;</p>	<p>International Organization for Migration (IOM) in the global fight against trafficking in persons;</p> <p>New Paragraph 10bis Strongly urging all responsible UN entities to coordinate their efforts to fight trafficking in persons effectively and protect the human rights of its victims, including via the Inter-Agency Coordination Group against Trafficking in Persons and UN.GIFT;</p> <p><b>African Group:</b> <del>Also noting To Recognize</del> the important work of the United Nations High Commissioner for Refugees...</p> <p><b>Belarus:</b> ...Refugees (<a href="#">UNHCR</a>), the United Nations Children's Fund (<a href="#">UNICEF</a>), the International Labor Organization (<a href="#">ILO</a>), and the International Organization for Migration (IOM) <u>as well as <a href="#">International Criminal Police (INTERPOL)</a> and <a href="#">UNESCO</a></u> in the global fight against trafficking in persons;</p> <p><b>Colombia:</b> delete. The organizations or entities mentioned in the document should be restricted to the ones participating in the Inter-Agency Coordination Group against Trafficking in Persons (ICAT), and for the sake of coherence any of them should be singularized in a separated paragraph.</p> <p><b>EU:</b> Also noting the important work of the United Nations High Commissioner for <a href="#">Human Rights</a>, the United Nations Children’s Fund...</p> <p>Paragraph 10bis <a href="#">Strongly urging all responsible UN entities to coordinate their efforts to fight trafficking in persons effectively and protect the human rights of its victims, including via the Inter-Agency Coordination Group against Trafficking in Persons and UN.GIFT;</a></p> <p>Paragraph 10ter (moved from paragraph 39) <a href="#">Commending the role of civil society organizations and non-governmental organizations in providing assistance and empowerment to victims of trafficking and helping them to seek redress as well as facilitating the care of and provision of appropriate services to victims, including meaningful engagement and coordination with law enforcement officials;</a></p> <p><b>IOM:</b> when analyzing the language of paragraph 9, the introductory language of paragraph 10 is very weak and we would appreciate if Member States could a) recognize (rather than note) the important work and b) the existing capacity building tools, etc. of paragraph 9 should be replicated in paragraph 10</p>
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	<p><b>Japan:</b> <i>Add</i>, after “United Nations Children’s Fund (UNICEF),” in line 2, “United Nations Educational, Scientific and Cultural Organization (UNESCO), Office of the High Commissioner for Human Rights (OHCHR),” . (rationale) To be submitted if necessary.</p> <p><b>Thailand:</b> replace with “<u>Note</u>, the important work of the United Nations High Commissioner for Refugees, the United Nations Children’s Fund (UNICEF), the International Labor Organization, and the International Organization for Migration (IOM) in the global fight against trafficking in persons”</p> <p><b>UNICEF:</b> Suggest adding reference to the <u>Office of the High Commissioner for Human Rights (OHCHR)</u></p>
<p>11. Making a commitment to address all forms of trafficking in persons that occur within and across national borders;</p>	<p><b>Facilitators’ Proposal:</b> Making a commitment to address all forms of trafficking in persons that occur within and across national borders, including as a result of conflict, instability or humanitarian emergencies;</p> <p><b>African Group:</b> <u>To make a commitment to address all forms of trafficking in persons that occur within and across national borders and in doing so to consider establishing direct channels of communication between the relevant and competent authorities, agencies and services, including special units and focal points and where appropriate, establish joint border patrols trained in the prevention of trafficking in human beings and strengthen the existing ones.</u></p> <p><u>11 bis</u> <u>To adopt appropriate strategies which take into account the specificity of all cases and further coordinate the actions at local, national, sub-regional, regional and international levels in an inclusive manner</u></p> <p><b>Belarus:</b> ...national borders, <u>including trafficking in human organs, tissue and cells</u></p> <p><b>Canada:</b> Making a commitment to <del>Addressing</del> all forms of trafficking in persons that occur within and across national borders</p> <p><b>EU:</b> Making a commitment to address all forms of trafficking in persons that occur within and across national borders, <u>including as a result of conflict, instability or humanitarian emergencies</u></p> <p><b>Indonesia:</b> Making a commitment to address all forms of trafficking in persons <del>that occur within and across national borders</del>. The explanation is as</p>

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	<p>follows: The last part of this paragraph brings confusion at the technical level as the definition of trafficking as stipulated by the UNTOC covers both within and across national border. The last paragraph is simply redundant. Moreover, the first part is also redundant because the urge to make commitment is already being covered by the chapeau of this draft</p> <p><b>Indonesia:</b> Paragraph 11 bis:  <u>Stressing that trafficking in persons are global problems in nature involving origin, transit and destination countries, which require comprehensive international cooperation in combating it.</u></p> <p><b>Indonesia:</b> Paragraph 11ter:  <u>Noting with grave concerns the links between trafficking in persons and other forms of transnational crime and are concerned that many of the trafficking activities were being orchestrated by criminal networks that were also involved in the illicit trafficking of narcotics, document fraud, money laundering, arms smuggling, terrorism and other transnational crimes.</u></p> <p><b>OHCHR:</b> Making a commitment to address all forms of trafficking in persons that occur within and across national borders <u>both in peace time and in the context of armed conflict;</u></p> <p><b>Thailand:</b> delete</p> <p><b>IOM:</b> We would suggest inserting a paragraph that specifically addresses the issue of internal trafficking and the need for states to demonstrate commitment to addressing the problem.</p>
<p><b>I. Preventing trafficking in persons</b></p> <p>12. Mainstreaming the issue of trafficking in persons into policies and programmes aimed at addressing economic development, human rights, rule of law, good governance, natural disaster and post-conflict reconstruction;</p>	<p><b>Facilitators’ Proposal:</b>  Mainstreaming the issue of trafficking in persons into policies and programmes aimed at addressing economic and social development, human rights, rule of law, good governance, education, natural disaster and post-conflict reconstruction;</p> <p><b>African Group:</b>  <b>I. <del>Preventing</del>Prevention of trafficking in persons</b>  <u>We resolve to undertake the following measures to prevent and combat trafficking in persons:</u></p> <p>12. <u>Mainstreaming To mainstream</u> the issue of trafficking in persons into policies ...</p> <p><b>Australia:</b> It would be misleading and unhelpful to suggest that all human rights policies and programmes would and should address the issue of people trafficking as they have a much broader function.</p> <p><b>Belarus:</b> ...good governance, <u>education</u>, natural disaster</p>

	<p><b>China:</b> Mainstreaming the issue of trafficking in persons, <a href="#">as appropriate</a>, into...</p> <p><b>EU:</b> ...at addressing economic <a href="#">and social</a> development...</p> <p><b>Thailand:</b> delete</p> <p><b>UNICEF:</b> Suggest considering <a href="#">“mainstreaming in migration managements and gender equality and empowerment work”</a> and adding <a href="#">“strengthening child protection systems”</a></p>
<p>13. Addressing the underlying root causes of trafficking in persons that make people vulnerable to exploitation, such as poverty, inequality, gender discrimination, and a culture of tolerance towards violence against women and children;</p>	<p><b>Facilitators’ Proposal:</b> Addressing the underlying root causes of trafficking in persons that make people vulnerable to exploitation by this serious crime, such as poverty, inequality, armed conflicts, gender discrimination, social exclusion and marginalization as well as a culture of tolerance towards violence against women, young people and children;</p> <p><b>African Group:</b> <del>Addressing To address</del> the underlying root causes of trafficking...</p> <p><b>Belarus:</b> ...poverty, <a href="#">lack of decent work</a>, inequality.... women and children <a href="#">as well as armed conflicts</a></p> <p><b>Canada:</b> vulnerable to exploitation, <a href="#">including</a> poverty, inequality, <a href="#">lack of opportunity</a>, <a href="#">social exclusion</a>...</p> <p><b>Colombia:</b> delete OR change to: “Address the social and economic factors that increase vulnerability to trafficking and create awareness of trafficking, its causes and consequences. “</p> <p><b>EU:</b> ...that make people vulnerable to exploitation <a href="#">by this serious crime</a>, such as poverty, inequality, gender discrimination, <a href="#">social exclusion and marginalization</a> and a culture of tolerance towards violence against women, <a href="#">young people</a> and children;</p> <p><b>Japan:</b> We would like to know if the list of root causes of trafficking in persons described in this paragraph is a direct quote of agreed language.</p> <p><b>Nicaragua:</b> Addressing the underlying root causes of trafficking in persons that make people vulnerable to exploitation, <a href="#">particularly the extreme poverty and hunger which are the greatest global threat that requires the collective commitment of the international community for its eradication</a>, as well as,...</p>

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	<p><b>Holy See:</b> ...gender discrimination, <a href="#">armed conflicts</a>, <a href="#">instability</a></p> <p><b>Thailand:</b> delete</p> <p><b>UNAIDS:</b> Addressing the underlying root causes of trafficking in persons that make people vulnerable to exploitation, such as poverty, inequality, gender <a href="#">and ethnic</a> discrimination, <a href="#">racism</a>, and a culture of tolerance towards violence against women and children;</p>
<p>14. Adopting or implementing comprehensive policies and programmes at the national and regional levels and other measures to prevent all forms of trafficking in persons that are in line with relevant policies and programmes on migration, education, employment and crime prevention;</p>	<p><b>Facilitators’ Proposal:</b> Adopting and implementing comprehensive policies and programmes at the national and regional levels and other measures to prevent all forms of trafficking in persons that are in line with relevant policies and programmes on migration, education, employment, empowerment of women, and crime prevention in accordance with international human rights standards;</p> <p><b>African Group:</b> <del>Adopting-To adopt and/or Implementing implement</del> comprehensive policies and programmes...</p> <p><b>Belarus:</b> 14.bis <a href="#">Encouraging developing by UNESCO and UNICEF together with other international organizations, state and private funds, respective non-governmental organizations educational programmes aimed at prevention of human trafficking and their dissemination among Member States;</a></p> <p><b>Cuba:</b> 14 bis: “Encouraging States Parties to take or strengthen measures, including through bilateral or multilateral cooperation, to alleviate the factors that make persons, especially women and children, vulnerable to trafficking, such as poverty, underdevelopment and lack of equal opportunity.” (A/RES/55/25)</p> <p><b>Cuba:</b> 14 ter: “Urging the developed countries to fulfill their Official Development Commitments in a timely and predictable manner as been agreed in the Major United Nations Conferences and Summits, in order to support the efforts of developing countries to fight the trafficking in persons.” (Based in paragraph 309 Final Document Sharm El-Sheikh)</p> <p><b>EU:</b> Adopting <a href="#">and</a> implementing comprehensive policies and programmes at the national and regional levels and other measures to prevent all forms of trafficking in persons that are in line with relevant policies and programmes on migration, education, employment <a href="#">combating all forms of discrimination</a> and crime prevention</p> <p><b>OHCHR:</b> <del>Adopting or implementing</del></p>

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	<p>comprehensive policies and programmes at the national and regional levels and other measures to prevent all forms of trafficking in persons that are in line with relevant policies and programmes on <a href="#">safe and gainful migration</a>, education, employment, <a href="#">empowerment of women and participation in decision-making</a>, and <a href="#">crime prevention and in accordance with international human rights standards</a></p> <p><b>Singapore:</b> Adopting or implementing <del>as</del> necessary comprehensive policies and programmes at the national and regional levels and other measures, <a href="#">in line with relevant domestic laws, policies and programmes on migration, education, employment and crime prevention</a>, to prevent all forms of trafficking in persons <del>that are in line with relevant policies and programmes on migration, education, employment and crime prevention;</del></p> <p><b>Thailand:</b> delete</p> <p><b>UNICEF:</b> Recommend adding: “ <a href="#">human rights and child rights, gender equality</a>” after “in line with relevant policies and programmes on migration...”</p>
<p>15. Conducting research and collection of disaggregated data by types of trafficking in persons, sex and age and data collection into the nature and extent of all forms of trafficking in persons, including root causes, trends of trafficking, information on traffickers, demand for exploitative services and labour and on the gaps and shortcomings in anti-trafficking policies and programmes;</p>	<p><b>Facilitators’ Proposal:</b> Conducting research and collection of disaggregated data by types of trafficking in persons, sex and age and data collection into the nature and extent of all forms of trafficking in persons, including root causes, trends of trafficking, information on traffickers, demand for exploitative services and labour and on the gaps and shortcomings in anti-trafficking policies and programmes;</p> <p><b>African group:</b> <del>Conducting</del> <a href="#">To conduct</a> research and collect disaggregated...</p> <p><b>15bis</b> <a href="#">To involve local communities, local authorities, non-governmental organizations, faith-based organizations, members of civil society and the business community/sector in awareness-raising campaigns and to educate them on the provisions of existing legal instruments on human trafficking.</a></p> <p><b>Belarus:</b> 15.bis <a href="#">Encouraging UNODC together with IOM and other relevant organizations to work out the universally acceptable concept definition of the “victim of trafficking” to be used as a guide by all law enforcement and other organizations and agencies in their actions towards the trafficking victims;</a></p> <p><b>Canada:</b> <del>...</del>trafficking in persons, <del>as well as</del> root causes, trends of trafficking, information on <del>perpetrators, the demand that fosters all forms of exploitation</del>, and on the <del>gaps, shortcomings</del> in anti-trafficking <del>laws, policies and programmes;</del></p>

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	<p><b>China:</b> Conducting research <del>and collection of disaggregated data by types of trafficking in persons, sex and age and data collection into the nature and extent of all forms of trafficking in persons,</del> including root causes, trends of trafficking, <del>information on traffickers, demand for exploitative services and labour and on</del> the gaps and shortcomings in anti-trafficking policies and programmes</p> <p><b>Colombia:</b> ...all forms of trafficking in persons, including <del>root causes conditions of vulnerability,</del> trends...</p> <p><b>EU:</b> Conducting research and collecting <del>data that should be suitably disaggregated to enable a proper analysis of the nature and extent of trafficking in a comparative fashion;</del></p> <p><b>Nicaragua:</b> and labour and on the gaps and shortcomings in anti-trafficking policies and programmes; <u>Giving priority to information provided by national official sources</u></p> <p><b>Singapore:</b> <u>Endeavouring to conduct</u> <del>Conducting</del> research and collection of disaggregated data by types of trafficking in persons, sex and age and data collection into the nature and extent of all forms of trafficking in persons, including root causes, trends of trafficking, information on traffickers, demand for exploitative services and labour and on the gaps and shortcomings in anti-trafficking policies and programme</p> <p><b>Japan:</b> <i>Delete</i> whole paragraph. (rationale) To be submitted if necessary.</p> <p><b>Thailand:</b> delete</p> <p><b>UNICEF:</b> suggest adding the following after: "...gaps and shortcomings in anti-trafficking policies and programmes, <u>and including participatory and applied research with men, women and children who have been identified as victims of trafficking or potential victims or are considered to be at risk of trafficking</u></p> <p><b>USA:</b> Delete "by types of trafficking in persons, sex and age and data collection into the nature and extent of all forms of trafficking in persons" and "including". After "data" add "with the aim of understanding"</p>
<p>16. Developing or strengthening processes for the identification of victims such as those developed by UNODC and IOM, including appropriate and non-discriminatory measures that help to identify trafficked victims among vulnerable populations;</p>	<p><b>Facilitators' Proposal:</b> Developing or strengthening processes for the identification of victims such as those developed by UNODC and other organizations, including appropriate and non-discriminatory measures that help to identify trafficked victims among vulnerable</p>

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	<p>populations;</p> <p><b>African Group:</b> <del>Developing or strengthening To develop and/or strengthen</del> processes for the identification of victims such as...</p> <p><b>Belarus:</b> ...nondiscriminatory measures, <u>criteria and methodology</u> that help...</p> <p><b>EU:</b> ...by UNODC <del>and other organisations,</del> including...</p> <p><b>Malaysia:</b> Developing or strengthening processes for the identification of victims <del>such as those developed by UNODC and IOM,</del> including appropriate and non-discriminatory measures that help to identify trafficked victims among vulnerable populations;</p> <p><b>Thailand:</b> delete</p> <p><b>UNAIDS:</b> Developing or strengthening processes for the identification of <u>trafficked persons,</u> such as those developed by UNODC and IOM, including appropriate and non-discriminatory measures that help to identify trafficked <u>persons</u> among vulnerable populations;</p> <p><b>UNICEF:</b> the aim here is most likely to be “to proactively identify potential victims among vulnerable populations without discriminatory measures”. Also suggest adding at the end of the of the paragraph “<u>particularly in mixed migration flows</u>”</p>	<p><b>Deleted:</b> and IOM</p> <p><b>Deleted:</b> victims</p> <p><b>Deleted:</b> victims</p>
<p>17. Promoting awareness-raising campaigns to discourage the demand that fosters exploitation and inform persons at risk of being trafficked and the general public through education and effective involvement of mass media and monitoring the effectiveness of such campaigns;</p>	<p><b>Facilitators’ Proposal:</b> Promoting awareness-raising campaigns to discourage the demand that fosters exploitation of persons, especially women and children, that leads to trafficking and inform persons at risk of being trafficked and the general public through education and effective involvement of mass media, non-governmental organizations and the private sector and monitoring the effectiveness of such campaigns;</p> <p>New Paragraph 17bis Stressing the role of education in raising awareness on the prevention of trafficking in persons and to promote education in particular human rights education, and human rights learning as a sustainable way to prevent trafficking in persons;</p> <p>New Paragraph 17ter Reinforcing mechanisms for the registration of births and the provision of identity documents;</p> <p><b>African Group:</b> <del>Promoting To carry out</del> awareness-raising campaigns to discourage the demand that fosters...</p> <p><b>17bis To stress the role of education in raising</b></p>	

	<p><u>awareness on the prevention of trafficking in persons and to promote education in particular human rights education, and human rights learning as a sustainable way to prevent trafficking in persons;</u></p> <p><b>17ter</b> <u>To reinforce mechanisms for the registration of births and the provision of identity documents,</u></p> <p><b>Belarus:</b> ...mass media, <u>non-governmental organizations and private sector,</u> and</p> <p>17.bis <u>Encouraging the United Nations to organize global campaign against trafficking in persons in international mass media with participation of international organizations, Member States, NGOs and business community;</u></p> <p><b>Canada:</b> Promoting awareness-raising campaigns to discourage the demand that fosters <u>all forms of exploitation, especially women and children, that leads to trafficking</u> and inform...</p> <p><b>Colombia:</b> delete OR change to : <u>Promote awareness raising campaigns aimed at the most vulnerable groups by providing potential victims of trafficking with sufficient information about the risks of human trafficking</u></p> <p>17bis: <u>Discourage the demand for services of trafficking persons for sexual exploitation, forced labour, slavery or other practices similar to slavery and servitude and, in this connection, promoting zero tolerance towards all forms of trafficking</u></p> <p><b>EU:</b> <u>Increasing prevention through the promotion of effective awareness-raising campaigns in countries of destination to discourage the demand that fosters exploitation and in country of origins to inform persons at risk of being trafficked and the general public. These campaigns should be conducted through education and effective involvement of mass media and should be monitored to assess their effectiveness;</u></p> <p><b>Holy See:</b> ...that fosters exploitation <u>and fuels trafficking</u></p> <p><b>Japan:</b> <i>Delete</i> “and monitoring the effectiveness of such campaigns”. (rationale) To be submitted if necessary.</p> <p><b>OHCHR:</b> Promoting awareness-raising campaigns to discourage the demand <u>as a root cause of trafficking, which fosters exploitation, including sexual exploitation,</u> and inform persons at risk of being trafficked and the general public through education and effective involvement of mass media and monitoring the effectiveness of such campaigns;</p>
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**Deleted:** Promoting awareness-raising campaigns to discourage the demand that fosters exploitation and inform persons at risk of being trafficked and the general public through education and effective involvement of mass media and monitoring the effectiveness of such campaigns;

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	<p><b>Singapore:</b> Promoting awareness-raising campaigns to discourage the demand that fosters exploitation of persons, especially women and children, that leads to trafficking and inform persons at risk of being trafficked and the general public through education and effective involvement of mass media and monitoring the effectiveness of such campaigns</p> <p><b>Thailand:</b> delete</p>
<p>18. Increasing prevention efforts in countries of destination and transit by focusing on the demand for trafficked and exploited migrant labour and forced labour, and the demand for the goods produced as a result of such labour;</p>	<p><b>Facilitators’ Proposal:</b> Increasing prevention efforts in countries of destination and transit by focusing on the demand for trafficked labour and the goods produced as a result of such labour;</p> <p><b>African Group:</b> <del>Increasing prevention efforts To develop prevention mechanisms</del> in countries of destination and...</p> <p><b>Australia:</b> Drafters should consider carefully the specifics of any measures that might in the future be contemplated as part of action under paragraphs 18 and 19. Any such measures would need to be fully consistent with international trade obligations.</p> <p><b>Belarus:</b> ...result of such labour <u>with the involvement into such efforts of private sector and civil society;</u></p> <p><b>Canada:</b> Increasing prevention efforts in countries of <u>origin</u>, destination and transit by focusing on the demand <u>that fosters all forms of trafficking including labour trafficking and</u> the demand for the goods...</p> <p><b>EU:</b> delete</p> <p><b>Holy See:</b> the phrase “<i>focusing on the demand for trafficked and exploited migrant and forced labour</i>” contains two different concepts (trafficking and exploitation of migrant labour) which need to be reconsidered, as the exploitative conditions of work do not automatically qualify as trafficking or forced labour</p> <p><b>Thailand:</b> delete</p> <p><b>UNICEF:</b> suggest adding at the end of the paragraph after “of such labour”; <u>strengthening the monitoring of labour standards and working conditions in sectors that are known to be prone to precarious work or labour exploitation, including in the informal sectors, and increasing the identification of sites of exploitation</u></p> <p><b>USA:</b> Add “source,” before “destination.” Change “...trafficked and exploited migrant labour and forced labour...” to “trafficked and exploited</p>

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	<p>labour” Delete “the goods produced as a result of such labour” and replace with “cheap labor, as well as addressing the demand for children and the exploitation of trafficking victims in the commercial sex trade”</p>
<p>19. Adopting specific measures to combat trafficking for labour exploitation and calling on producers and consumers of goods to abide by these measures;</p>	<p><b>African Group:</b> <del>Adopting</del> <u>To adopt</u> specific measures to combat trafficking...</p> <p><b>Australia:</b> Drafters should consider carefully the specifics of any measures that might in the future be contemplated as part of action under paragraphs 18 and 19. Any such measures would need to be fully consistent with international trade obligations.</p> <p><b>Canada:</b> delete and address outstanding issues with OP18 and section on prosecution</p> <p><b>Colombia:</b> delete</p> <p><b>EU:</b> Adopting specific measures to combat trafficking <u>within countries</u></p> <p><b>Japan:</b> <i>Delete</i> whole paragraph. (rationale) It is unclear what “specific measures” are in this paragraph. We therefore would suggest deleting this whole paragraph.</p> <p><b>Nicaragua:</b> <u>19 bis Adopting specific measures to eliminate the demand for trafficking in person for the purpose of sexual exploitation</u> (A/RES/64/178)PP15</p> <p><b>Holy See:</b> the phrase “<i>Adopting specific measures</i>” is vague and unclear. After §19 a new paragraph (§19 bis) could be added: <u>Adopting, where appropriate, and strengthening the existing laws against prostitution, child pornography and sexual exploitation</u></p> <p><b>Thailand:</b> delete</p> <p><b>Syria:</b> there is a need to adopt specific measures to combat trafficking for commercial exploitation, including the exploitation of the prostitution of others or other forms of sexual exploitation</p>
<p>20. Strengthening the capacity of law enforcement, immigration and other relevant officials in the prevention of trafficking in persons, taking into account the need to respect human rights and child-and gender-sensitive issues and encouraging cooperation with non-governmental organizations, other relevant organizations and other elements of civil society;</p>	<p><b>Facilitators’ Proposal:</b> Strengthening the capacity of law enforcement, immigration, education, social welfare, labour and other relevant officials in the prevention of trafficking in persons, taking into account the need to respect human rights and child-and gender-sensitive issues and encouraging cooperation with civil society, non-governmental organizations and other relevant organizations;</p> <p><b>African Group:</b> <del>Strengthening</del> <u>To strengthen</u> the capacity of law enforcement, immigration... other relevant organizations and other elements of civil</p>

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	<p>society, <u>in accordance with national law</u>;</p> <p><b>Belarus:</b> ...immigration, <u>education</u> and other relevant officials</p> <p><b>Canada:</b> ...taking into account the need to respect human rights and child-and gender-sensitive issues and encouraging cooperation with <u>civil society</u>, <u>including</u> non-governmental organizations, other relevant organizations;</p> <p><b>EU:</b> Strengthening <u>or continuing to strengthen</u> the capacity...</p> <p><b>Holy See:</b> ...human rights and <u>child-and best interest of the child and</u> gender-sensitive issues...with non-governmental organizations, <u>religious-based communities...</u></p> <p><b>Singapore:</b> Strengthening the capacity of law enforcement...and encouraging cooperation, <u>where appropriate</u>, with non-governmental organizations, other relevant organizations and other elements of civil society</p> <p><b>Thailand:</b> delete</p> <p><b>UNICEF:</b> Suggest adding "<u>social welfare, labour</u>" before "law enforcement, immigration and other relevant officials"</p>
<p>21. Encouraging the United Nations to work with Member States and relevant international, regional and sub-regional organizations to identify and share best practices to prevent trafficking in persons.</p>	<p><b>Facilitators' Proposal:</b> Encouraging the United Nations to intensify work with Member States and relevant international, regional and sub-regional organizations to identify and share best practices to prevent trafficking in persons;</p> <p><b>African Group:</b> <del>Encouraging-To encourage</del> the United Nations to work with Member...</p> <p><b>Canada:</b> delete or replace with "Working together and in conjunction with relevant international, regional and sub-regional organizations to identify and share best practices to prevent trafficking in persons."</p> <p><b>Cuba:</b> 21 bis: "Encouraging national efforts being made to prevent and combat this scourge and to work together in a collaborative manner and within a regional and international framework without imposing unilateral requirements or evaluations on States." (Based in paragraph 509 Final Document Sharm El-Sheikh)</p> <p><b>Indonesia:</b> Encouraging the United Nations to <u>intensify</u> work with</p> <p><b>Thailand:</b> delete</p>
<p><b>II. Protecting and assisting victims of trafficking</b></p>	<p><b>Facilitators' Proposal:</b></p>

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<p>22. Reaffirming that the promotion and protection of human rights for all and effective measures to respond to trafficking in persons are complementary and mutually reinforcing;</p>	<p>Reaffirming that the promotion and protection of human rights for all and effective measures to respond to trafficking in persons are complementary and mutually reinforcing;</p> <p><b>African Group:</b>  <u>Protecting and assisting Protection of and assistance to victims of trafficking</u>  <u>We resolve to undertake the following measures reaffirming that the promotion and protection of human rights and effective measures to respond to trafficking in persons are complementary and mutually reinforcing:</u></p> <p>Paragraph 22: delete</p> <p><b>Canada:</b> delete (repetitive with OP1 and 2)</p> <p><b>Thailand:</b> delete</p>
<p>23. Stressing the need to promote and protect the rights of victims of trafficking in persons and to (re-) integrate both victims and perpetrators in the community, in line with the Office of the High Commissioner for Human Rights Guidelines on Human Rights and Human Trafficking and the UNICEF Guidelines on the Protection of Child Victims of Trafficking;</p>	<p><b>Facilitators’ Proposal:</b>  Stressing the need to promote and protect the rights of victims of trafficking in persons and to (re-) integrate victims into the community, in line with the Office of the High Commissioner for Human Rights Recommended Principles and Guidelines on Human Rights and Human Trafficking and the UNICEF Guidelines on the Protection of Child Victims of Trafficking;</p> <p><b>African Group:</b> <del>Stressing-To stress</del> the need to promote and protect the rights of victims of trafficking in persons and to (re-) integrate victims in the community <del>taking into consideration the supportive role of the Office of the High Commissioner for Human Rights (OHCHR) and the United Nations Children’s Fund (UNICEF) in this regard;</del></p> <p><b>Colombia:</b> ... (re-)integrate victims in the community, in</p> <p><b>EU:</b> Stressing the need to promote and protect the rights of victims of trafficking in persons, <del>taking into account</del> the Office of the High Commissioner for Human Rights Guidelines on Human Rights and Human Trafficking and the UNICEF Guidelines on the Protection of Child Victims of Trafficking <del>and stressing also the need to reintegrate the victims in society;</del>  <u>23bis Stressing the need to fully implement the respective Articles referring to victim protection of UNTOC and its additional Protocols</u></p> <p><b>IOM:</b> add IOM’s Handbook on Direct Assistance for Victims of Trafficking is cited as one of the three concrete tools that provides detailed guidance on protection and assistance translating the Protocol’s provisions into a human rights based approach to implementation</p>

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	<p><b>OHCHR:</b> ... in line with the Office of the High Commissioner for Human Rights <a href="#">Recommended Principles and Guidelines on Human Rights...</a></p> <p><b>Thailand:</b> delete</p> <p><b>UNAIDS:</b> Stressing the need to promote and protect the rights of <a href="#">trafficked persons</a>, and to (re-) integrate both <a href="#">them</a> and perpetrators in the community;</p> <p><b>UNICEF:</b> Recommend reference to the <a href="#">UN Guidelines on Justice in Matters Affecting Child Victims and Witnesses of Crime</a></p> <p><b>USA:</b> Delete “both” and “and perpetrators.” The correct title of OHCHR’s document is “Recommended Principles and Guidelines on Human Rights and Human Trafficking.” Add at the end of paragraph “...and the WHO’s Ethical and Safety Recommendations for Interviewing Trafficked Women.”</p>
<p>24. Ensuring that national legislation recognizes trafficked persons as victims of crime regardless of nationality, gender, age or form of exploitation or similar features;</p>	<p><b>Facilitators’ Proposal:</b> Ensuring that national legislation recognizes trafficked persons as victims of crime and that such legislation effectively criminalizes all forms of trafficking, regardless of the type of exploitation or the characteristics of the victim;</p> <p><b>African Group:</b> <del>Ensuring-To ensure</del> that national legislation recognizes trafficked persons as victims of crime regardless of nationality, gender, age or form of exploitation or similar features, <del>while encouraging national legislation to criminalize trafficking in human beings;</del></p> <p><b>Canada:</b> replace with “Ensuring that national legislation effectively criminalizes all forms of trafficking, regardless of the type of exploitation of the characteristics of the victim”</p> <p><b>EU:</b> <del>Ensure</del> that trafficked persons <del>are recognised, first and foremost,</del> as...</p> <p><b>Japan:</b> We think that it is not appropriate for this Plan of Action to give guidance to the content of national legislation.</p> <p><b>OHCHR:</b> Ensuring that national legislation recognizes trafficked persons as victims of <del>a</del> crime regardless of nationality, <del>immigration status,</del> gender, age or form of exploitation or similar features</p> <p><b>Singapore:</b> Ensuring that <del>national legislation recognizes trafficked persons</del> <del>trafficked persons are treated</del> as victims of crime regardless of nationality, gender, age or form of exploitation or similar features</p> <p><b>Thailand:</b> delete</p>

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	<p><b>UNICEF:</b> Suggest adding “<a href="#">immigration status</a>” to the current list beginning with “nationality, gender, age or form of exploitation or similar features”; suggest further adding “... and irrespective of the collaboration of the victim of trafficking with law enforcement authorities, the outcome of a related trial and a conviction of the perpetrator under the anti-trafficking law”</p> <p><b>USA:</b> delete</p>
<p>25. Reviewing existing national services available to national and foreign victims of trafficking, and strengthening those services where needed as well as supporting the establishment or strengthening of national referral mechanisms;</p>	<p><b>Facilitators’ Proposal:</b> Reviewing existing national services available to victims of trafficking, according to Article 6 of the Protocol to Prevent, Suppress and Punish trafficking in persons and strengthening those services where needed as well as supporting the establishment or strengthening of national referral mechanisms;</p> <p><b>African Group:</b> <del>Reviewing</del><a href="#">To review</a> existing national services available to <del>national and foreign</del> victims of trafficking, and <del>to strengthening</del> those services, where needed as well as <del>supporting</del> the establishment or strengthening of national referral mechanisms;</p> <p><b>Canada:</b> ...of national referral mechanisms, <a href="#">as appropriate.</a></p> <p><b>EU:</b> Reviewing existing national services available to national and foreign victims of trafficking, <a href="#">according to Article 6 of the Protocol to Prevent, Suppress and Punish trafficking in persons</a> and strengthening those services where needed as well as supporting the establishment or strengthening of referral mechanisms</p> <p><b>Japan:</b> <i>Change</i> “services” to “measures”. We think that it is up to each State to decide whether or not they support the establishment or the strengthening of referral mechanisms. (rationale) To be submitted if necessary.</p> <p><b>OHCHR:</b> referral mechanisms <a href="#">as well as by creating the institution of a National Rapporteur on trafficking in persons;</a></p> <p><b>Thailand:</b> delete</p> <p><b>UNAIDS:</b> Reviewing existing national services available to national and foreign <del>trafficked persons</del>, and strengthening those services where needed as well as supporting the establishment or strengthening of national referral mechanisms</p> <p><b>UNICEF:</b> Needs clarification on what is meant by “national services”. It is unclear whether this means services that are provided by the state (i.e. government) or whether “national services” means all services including those implement by NGOs, civil society and international organizations. Also</p>

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<p>26. Strengthening the capacity of service providers and others likely to encounter and identify possible victims of trafficking, such as law enforcement personnel, border control officers, consular embassy officials, judges and prosecutors and peacekeepers, and ensuring the availability of needed resources to the relevant sectors and institutions, including those of civil society;</p>	<p>suggested replacing the word “foreign” with “<del>non-national</del>”</p> <p><b>Facilitators’ Proposal:</b> Strengthening the capacity of service providers and others likely to encounter and identify possible victims of trafficking, such as law enforcement personnel, border control officers, labor inspectors, consular embassy officials, judges and prosecutors and peacekeepers, and ensuring the availability of needed resources to the relevant sectors and institutions, including those of civil society;</p> <p><b>African Group:</b> <del>Strengthening</del> <b>To strengthen</b> the capacity of service providers...</p> <p><b>Canada:</b> ...consular embassy officials, <del>judges and prosecutors and</del> peacekeepers, and...</p> <p><b>EU:</b> Strengthening <del>or continuing to strengthen social protection mechanisms and</del> the capacity <del>and training</del> of service providers and others, <del>as stipulated by Art. 29 of UNTOC and Art. 10 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons;</del></p> <p><b>Japan:</b> <i>Change</i> “service providers and others” to “officials”. (rationale) To be submitted if necessary.</p> <p><b>Thailand:</b> delete</p> <p><b>UNAIDS:</b> Strengthening the capacity of service providers and others likely to encounter and identify possible <del>trafficked persons</del>, such as...</p> <p><b>UNICEF:</b> Again suggest adding “<del>social welfare and labour personnel and professionals in the health sector</del>” to the currently listed entities such as “law enforcement, border control offices, consular embassy officials, judges and prosecutors and peacekeeper”</p> <p><b>USA:</b> After “border control officers” add “labor inspectors”</p>
<p>27. Preventing secondary victimization in the context of investigations, in the judicial system and in victim assistance programmes, including by adopting appropriate measures to ensure that victims of trafficking are not penalized for engaging in illicit activities as a direct result of being trafficked or as a result of coercion;</p>	<p><b>Facilitators’ Proposal:</b> Preventing re-victimization in the context of investigations, in the judicial system and in victim assistance programmes, including by adopting appropriate measures to ensure that victims of trafficking are not penalized for engaging in illicit activities as a direct result of being trafficked or as a result of coercion;</p> <p><b>African Group:</b> <del>Preventing</del> <b>To prevent</b> secondary victimization...</p> <p><b>Canada:</b> replace with “Urges Governments to take all appropriate measures to ensure that victims of trafficking are not penalized for being trafficked and that they do not suffer from victimization as a result</p>

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	<p>of actions taken by government authorities, and encourages Governments to prevent, within their legal framework and in accordance with national policies, victims of trafficking in persons from being prosecuted for their illegal entry or residence.“</p> <p><b>EU:</b> Preventing <del>re-victimization, as stipulated by Art. 9 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons;</del></p> <p><b>Holy See:</b> §27, page 7: after the “<i>illicit activities</i>” include <del>or for being irregular migrants</del></p> <p><b>Japan:</b> <i>Add</i>, after “measures” in line 3, “within the limits of domestic law of each Member States”.  <i>Add</i>, after “victims of trafficking” in the same line, “in persons”.  <i>Add</i>, after “are not penalized” in the same line, “in appropriate cases”.          (rationale) To be submitted if necessary.</p> <p><b>Singapore:</b> delete</p> <p><b>Thailand:</b> delete</p> <p><b>UNAIDS:</b> Preventing secondary victimization in the context of investigations, in the judicial system and in assistance programmes <del>for trafficked persons,</del> including by adopting appropriate measures to ensure that <del>trafficked persons,</del> are not penalized...</p> <p><b>UNICEF:</b> Currently the paragraph only makes reference to one aspect of “means” used to trafficking people, namely coercion. Singling out one “means” places undue weight to the element and loses out the significance of others. Also suggest including also reference to the protection from sanctions under other than criminal law: “... ensure that victims of trafficking are not ‘<del>sanctioned or</del>’ penalised for ‘<del>illegal entry or stay</del>’ or engaging...”</p>	<p><b>Deleted:</b> secondary</p> <p><b>Deleted:</b> in the context of investigations, in the judicial system and in victim assistance programmes, including by adopting appropriate measures to ensure that victims of trafficking are not penalized for engaging in illicit activities as a direct result of being trafficked or as a result of coercion</p> <p><b>Deleted:</b> victim</p> <p><b>Deleted:</b> victims of trafficking</p>
<p>28. Protecting the privacy and identity of victims of trafficking in persons before, during and after criminal proceedings, including, inter alia, by making legal proceedings relating to such trafficking confidential;</p>	<p><b>Facilitators’ Proposal:</b>          Protecting the privacy, identity, and safety of victims of trafficking in persons and their families before, during and after criminal proceedings;</p> <p><b>African Group:</b> <del>Protecting</del> <b>To protect</b> the privacy and identity of victims...</p> <p><b>EU:</b> Protecting the privacy and identity <del>and promoting the safety of witnesses, victims of trafficking in persons and their families, in particular before,</del> during and after criminal proceedings, <del>as stipulated by Art. 24 and Art. 25 of UNTOC and Art.6 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons;</del></p> <p><b>Holy See:</b> It is unclear what is meant by “<i>making legal proceedings relating to such trafficking confidential</i>” and what such confidentiality will entail</p>	<p><b>Deleted:</b> of victims of trafficking in persons before,</p> <p><b>Deleted:</b> including, inter alia, by making legal proceedings relating to such trafficking confidential</p>

	<p><b>Singapore:</b> <del>In appropriate cases and to the extent possible under its domestic law,</del> <u>Protecting the privacy and identity of victims of trafficking in persons before, during and after criminal proceedings;</u> including, inter alia, by making legal proceedings relating to such trafficking confidential</p> <p><b>Thailand:</b> delete</p> <p><b>UNAIDS:</b> Protecting the privacy and identity of <del>trafficked</del> persons before...</p> <p><b>UNICEF:</b> Suggest adding explicit reference to data protection</p> <p><b>USA:</b> After “..proceedings” delete “including, inter alia, by making legal proceedings relating to such trafficking confidential.”</p>
<p>29. Protecting victims and witnesses from retaliation or intimidation, including by ensuring their physical safety;</p>	<p><b>Facilitators’ Proposal:</b> Protecting victims and witnesses from retaliation or intimidation, including by ensuring their physical safety;</p> <p><b>African Group:</b> <del>Protecting-To protect</del> victims and witnesses...</p> <p><b>EU:</b> delete</p> <p><b>Singapore:</b> <del>Protecting victims and witnesses from retaliation or intimidation, including by ensuring their physical safety- Endeavouring to provide for the physical safety of victims of trafficking in persons while they are within its territory</del></p> <p><b>Thailand:</b> delete</p> <p><b>UNAIDS:</b> Protecting <del>trafficked persons</del> and witnesses from retaliation or intimidation, including by ensuring their physical safety;</p> <p><b>UNICEF:</b> Suggest reference be made to <u>the special needs of child victims and witnesses of crime as per the ECOSOC Resolution of 2005/20 on Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime</u>. Also suggest adding reference to the “<u>safety of their family members when necessary</u>”</p> <p><b>USA:</b> Request revision as follows: “Protecting victims and witnesses from retaliation or intimidation, and <u>facilitating their cooperation with law enforcement</u>, including by ensuring their physical safety, and <u>devising alternatives to incarceration or criminal detention.</u>”</p>
<p>30. Providing assistance and services for the physical, psychological and social recovery of trafficked persons and their full rehabilitation in cooperation with non-governmental organizations, other relevant organizations and</p>	<p><b>Facilitators’ Proposal:</b> Providing assistance and services for the physical, psychological and social recovery of trafficked persons and their rehabilitation in cooperation with non-governmental organizations, relevant</p>

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<p>other elements of civil society;</p>	<p>organizations and sectors of civil society;</p> <p><b>African Group:</b> <del>Providing-To provide</del> assistance and services for the physical, psychological and social recovery of trafficked persons and their full rehabilitation in their communities in cooperation with <u>sub-regional, regional and international organizations as well as</u> non-governmental organizations, other relevant organizations and civil society;</p> <p><b>EU:</b> Providing assistance and services for the physical, psychological and social recovery of trafficked persons and their rehabilitation in cooperation with non-governmental organizations, other relevant organizations and other <u>actors</u> of civil society, <u>as stipulated by Article 6 of the UN Protocol on Prevent, Suppress and Punish Trafficking in persons</u></p> <p><b>Holy See:</b> §30, page 7: it is imprecise whether the activities of “<i>providing assistance and services</i>” will be primarily funded by the United Nations trust fund (cf. §36). Further, after “<i>non-governmental organizations</i>” include <u>religious-based communities</u></p> <p><b>Japan:</b> <i>Change</i> “and their full rehabilitation” to “and their rehabilitation”. (rationale) It is not always possible to achieve victims’ “full” rehabilitation.</p> <p><b>Singapore:</b> <u>Considering the implementation of measures to provide</u> for the physical, psychological and social recovery of victims of trafficking <u>trafficked persons and their full rehabilitation including, in appropriate cases, in cooperation with</u> non-governmental organizations, other relevant organizations and other elements of civil society</p> <p><b>Thailand:</b> delete</p>	<p><b>Deleted:</b> full</p> <p><b>Deleted:</b> elements</p> <p><b>Deleted:</b></p>
<p>31. Adopting legislative or other appropriate measures to allow foreign victims to legalize their immigration status or pursue permanent residency or citizenship, in appropriate cases;</p>	<p><b>African Group:</b> <del>Adopting legislative or other appropriate</del><u>To enact, where it does not already exist, and adopting</u> legislative <del>or other appropriate and all necessary</del> measures to allow foreign victims to...</p> <p><b>Canada:</b> Adopting legislative or other appropriate measures to allow foreign victims to <u>remain in the territory temporarily or permanently</u>, in appropriate cases;</p> <p><b>EU:</b> Adopting legislative or other appropriate measures <u>that may permit</u> victims <u>of trafficking in persons to remain in its territory, temporarily or permanently, in appropriate cases, as stipulated by Art. 7 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons</u>;</p> <p><b>IOM:</b> OP31bis “Making use of available technical assistance to member states in providing assistance for protection of victims of trafficking in persons,</p>	<p><b>Deleted:</b> legalize their immigration status or pursue permanent residency or citizenship</p> <p><b>Deleted:</b> to allow foreign</p> <p><b>Deleted:</b> to legalize their immigration status or pursue permanent residency or citizenship, in appropriate cases</p>

	<p>including inter alia, by IOM”</p> <p><b>Japan:</b> <i>Change</i> whole paragraph to “Considering the adoption of legislative or other appropriate measures that permit victims of trafficking in persons to remain in its territory, temporarily or permanently, in appropriate cases”. (rationale) It should be agreeable to all delegations to quote Article 7 paragraph 1 of the Trafficking in Persons Protocol.</p> <p><b>Malaysia:</b> delete</p> <p><b>OHCHR:</b> ...permanent residency or citizenship, <a href="#">including access to the asylum process</a>, in appropriate cases...</p> <p><b>Singapore:</b> delete</p> <p><b>Thailand:</b> delete</p> <p><b>UNAIDS:</b> Adopting legislative or other appropriate measures to allow foreign <a href="#">trafficked persons</a> to legalize...</p> <p><b>UNICEF:</b> Ideally, paragraph 41 should come before paragraph 31 or else the two paragraphs can be combined. Recommend language <a href="#">to propose reflection and recovery period, possibilities for temporary residency, and possibilities that temporary residency is reckonable towards a long-term status – pathways to permanent residency and citizenship</a></p> <p><b>USA:</b> After “..citizenship” add “..or obtain temporary work permits,</p>
<p>32. Ensuring the commitment by countries of origin to accept their nationals back and facilitate access to care and services and ensuring that the return of a foreign suspected victim of trafficking in persons to a State of which that person is a citizen or permanent resident is voluntary and is conducted with due regard for the safety of that person;</p>	<p><b>African Group:</b> <a href="#">Ensuring To ensure</a> the commitment by countries of origin... and is conducted with due <a href="#">regard respect</a> for the safety of that person;</p> <p><b>Australia:</b> retains the right to remove unlawful non-citizens involuntarily, consistent with international obligations and Australian domestic law.</p> <p><b>Canada:</b> ...of which that person is a citizen or permanent resident is <a href="#">preferably</a> voluntary and...</p> <p><b>China:</b> Ensuring the commitment by countries of origin to accept their nationals back and facilitate access to care and services and ensuring <del>that</del> the return of a foreign suspected victim of trafficking in persons to a State of which that person is a citizen or permanent resident and <del>is voluntary and is conducted with due regard for</del> the safety of that person</p> <p><b>Cuba:</b> Ensuring the commitment by countries of origin to accept <a href="#">in accordance with national</a></p>

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	<p><u>legislation</u> their national back and facilitate access to care and services and ensuring that the return of a foreign suspected victim of trafficking in person to a State of which that person is a citizen or permanent resident is voluntary and is conducted with due regard for the safety of that person</p> <p><b>EU:</b> Ensuring the commitment by countries of origin to accept their nationals back and <u>ensuring that the return is conducted with due regard to safety and shall preferably be voluntary, as stipulated by Art. 8 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons</u>:</p> <p><b>Holy See:</b> after “safety” include <u>and dignity</u></p> <p><b>Japan:</b> <i>Change</i> “is voluntary” to “is preferably voluntary”. (rationale) It should be agreeable to all delegations to adhere to Article 8 paragraph 2 of the Trafficking in Persons Protocol.</p> <p><b>OHCHR:</b> ...of a foreign <u>suspected presumed</u> victim of trafficking in persons...</p> <p><b>Singapore:</b> permanent resident <u>is voluntary and</u> is conducted with due regard for the safety of that person</p> <p><b>Thailand:</b> delete</p> <p><b>UNAIDS:</b> ...facilitate access to care and services and ensuring that the return of a foreign suspected <u>trafficked</u> person...</p> <p><b>UNICEF:</b> Suggest inclusion of <u>family tracing and family assessment</u> as additional requisite to the currently identified requisites of voluntariness and due regard for safety for the return of trafficked victims. Further suggest inclusion of a sentence or a creation of a new paragraph along the lines of “<u>Individual case assessment is done for each individual person, including a best interests determination for children, taking the child’s own views into account, and that includes also family tracing and assessment, prior to a decision about stay or return being made</u>”</p> <p><b>USA:</b> delete</p>
<p>33. Adopting labour laws that provide legal rights and protections for workers at high risk for trafficking;</p>	<p><b>Facilitators’ Proposal:</b> Adopting labour laws that provide legal rights and protections for workers at high risk of being trafficked;</p> <p><b>African Group:</b> <u>Adopting To adopt</u> labour laws that provide legal rights and protections for workers at high risk of trafficking ...</p> <p><b>Belarus:</b> ... trafficking <u>and encouraging involvement of labour market institutions in the</u></p>

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	<p><a href="#">fight against human trafficking</a>;</p> <p><b>Canada:</b> clarify that protections would be afforded to all workers</p> <p><b>EU:</b> delete</p> <p><b>Japan:</b> We would like to seek clarification as to whether the purpose of this paragraph is to protect workers that are often subject to victimization by establishing labor laws that provides workers with rights and adequate protection.</p> <p><b>OHCHR:</b> Adopting labour laws that provide legal rights and protections for workers at high risk <a href="#">of being trafficked</a></p> <p><b>Singapore:</b> delete</p> <p><b>Thailand:</b> delete</p> <p><b>UNICEF:</b> Suggest moving the sentence to the prevention section and adding here a reference to the possibility of labour migrants and persons who have worked under exploitative conditions to seek and receive legal advice and assistance in claiming their rights without risking sanctions due to an undocumented immigration status and / or working situation</p>
<p>34. Providing specialized services to identified victims of trafficking in persons, including access to HIV prevention, treatment, care and support services;</p>	<p><b>Facilitators’ Proposal:</b> Providing specialized services to identified victims of trafficking in persons, in line with Article 6 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, including access to comprehensive health services, such as access to HIV prevention, treatment, care and support services, taking into account that human trafficking for the purposes of sexual exploitation has serious, immediate and long term implications for health, including sexual and reproductive health;</p> <p><b>African Group:</b> <del>Providing</del> <b>To provide</b> specialized services ...</p> <p><b>China:</b> Providing specialized services to identified victims of trafficking in persons, <del>such as</del> access to HIV prevention, treatment, care and support services</p> <p><b>EU:</b> Providing specialized services to identified victims of trafficking in persons, <a href="#">in line with Article 6 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children</a>, including <a href="#">access to comprehensive health services, including</a> access to HIV prevention, treatment, care and support services, <a href="#">taking into account that human trafficking for the purposes of sexual exploitation has serious, immediate and long term implications for health, including sexual and reproductive health</a>;</p>

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	<p><b>Japan:</b> <i>Delete</i> whole paragraph. (rationale) Reference is already made to the provision of assistance and services for physical recovery in paragraph 30 which is based on Article 6 paragraph 3 of the Trafficking in Persons Protocol. We also think that there is no reason to emphasize the provision of HIV / AIDS prevention, treatment, care and support services.</p> <p><b>Singapore:</b> Providing, <u>where appropriate</u>, specialized services to identified victims of trafficking in persons, <del>including access to HIV prevention, treatment, care and support service</del></p> <p><b>Thailand:</b> delete</p> <p><b>UNAIDS:</b> Providing <u>access to</u> specialized services, <u>which shall be voluntary, confidential and with informed consent</u>, to identified <del>trafficked</del> persons, including HIV prevention, treatment, care and support services,</p> <p><b>UNICEF:</b> Suggest inclusion of other services such as <u>“legal and psycho-social services and health”</u> services. Giving “access to HIV prevention ... services” as a sole example in this paragraph further reinforces the current misconception that trafficking occurs only for the end purpose of sexual exploitation. Also, given the gaps in formal victim identification process, it is suggested that “providing specialised services” be made not only to identified victims of trafficking but also <u>“suspected”</u> victims of trafficking <u>“on a confidential basis with informed consent”</u></p>
<p>35. Providing appropriate assistance and protection to children who are victims of trafficking or at risk of being trafficked, including for purposes such as illegal adoption or the removal of organs, including ensuring appropriate services and measures to guarantee the physical and psychological well-being of trafficked children as well as their education and reintegration in coordination with existing child protections systems;</p>	<p><b>Facilitators’ Proposal:</b> Providing appropriate assistance and protection in the best interest of the child to children who are victims of trafficking or at risk of being trafficked, including for purposes such as the removal of organs or adoption for the purpose of exploitation, including ensuring appropriate services and measures to guarantee the physical and psychological well-being of trafficked children as well as their education and reintegration in coordination with existing child protections systems;</p> <p><b>African Group:</b> <del>Providing</del> <u>To further provide</u> appropriate assistance and protection to...</p> <p><b>Canada:</b> replace with ”Ensuring that all actions undertaken in relation to child victims and children at risk should be guided by applicable human rights standards and in particular by the principles of protection and respect for children’s rights as set out in the UN CRC and in its Optional Protocol on the sale of children, child prostitution and child pornography. Child victims are entitled to special</p>

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	<p>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 the primary consideration.”</p> <p><b>Colombia:</b> Providing appropriate assistance and protection to children who are victims of trafficking or at risk of being trafficked, <del>including for purposes such as illegal adoption or the removal of organs,</del> including...</p> <p><b>EU:</b> Providing appropriate assistance and protection <u>in the best interest of the child</u> to children who are victims of trafficking, <u>as stipulated in Art. 6 para 4 of the Palermo Protocol</u>, including...</p> <p><b>OHCHR:</b> ...<del>including</del> <u>by</u> ensuring appropriate services...</p> <p><b>Thailand:</b> delete</p> <p><b>UNAIDS:</b> Providing appropriate assistance and protection to children who are <del>trafficked</del> <u>or</u> at risk of being trafficked...</p> <p><b>UNICEF:</b> Suggest change the currently cited end purposes of “illegal adoption” to either “<u>child marriage</u>” as an example or “<u>adoption for the purpose of exploitation</u>”. Referring only to “illegal adoption” does not send the right message as “illegal adoption” may not be for the end purposes of exploitation by the adopting parties as the illegality is mostly undertaken in processing papers for adoption. Referring to “illegal adoption” is like confusing the concepts of “smuggling” and “trafficking” where the former focuses on the illegality and the latter on exploitation</p> <p><b>USA:</b> After “..trafficking or” add “..to the best extent possible, those...”. Delete “including for purposes such as illegal adoption or the removal of organs.”</p>
<p>36. Urging the General Assembly to establish a United Nations trust fund for the rehabilitation and compensation of victims of the most serious forms of trafficking in persons, with a special focus on women and children, and requesting the Secretary-General to entrust UNODC with managing the trust fund;</p>	<p><b>African Group:</b> <u>Urging To urge</u> the General Assembly to establish a United Nations Trust...</p> <p><b>Australia:</b> it would be more appropriate for funding issues to be addressed in 5th Committee discussions or in other UN fora (such as the Conference of Parties to the UN Convention against Transnational Organised Crime (UNTOC) and the Commission on Crime Prevention and Criminal Justice). Funding needs to be handled in a manner consistent with the usual budgetary measures.</p> <p><b>EU:</b> delete</p> <p><b>Holy See:</b> Setting up a United Nations trust fund for victims is worthwhile.</p>

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	<p><b>IOM:</b> In addition to the managing agency however, we suggest the establishment of a Steering Committee, as is usually the practice. Given IOM's work and capacity on compensation and reparation of victims of other human rights violations, we would gladly volunteer to be part of such a Steering Committee</p> <p><b>Japan:</b> We think that the establishment of a trust fund for victims of trafficking in persons is questionable. There already exist trust funds for assisting victims of trafficking in persons such as the United Nations Voluntary Trust Fund on Contemporary Forms of Slavery and the United Nations Trust Fund for Human Security and duplication of funds must be avoided.</p> <p>With reference to A/RES/46/122 which established the abovementioned trust fund on contemporary forms of slavery, the description of the criteria for this new trust fund for the victims of trafficking in persons is not sufficient. Having said that, we think that this plan of action is not the right place to refer to the establishment of a trust fund.</p> <p>In any case "and compensation" in line 2 should be deleted.</p> <p><b>OHCHR:</b> ...trust fund for the...  <a href="#">[alternative: To consider reinforcing the existing Trust Fund for Victims of Contemporary Forms of Slavery, administered by OHCHR, which already provides a substantial portion of its funding to rehabilitation of victims of trafficking, including by altering the name of the Fund to better reflect its role in assisting the victims of trafficking through efforts at the UN level. Providing compensation to the victims of trafficking, including through confiscation of the assets of traffickers, should be properly addressed through the national judicial system of each Member State. Effective monitoring of the process for provision of compensation to the victims should be established on the national level in order to ensure fairness and accountability of such process in the service of the human rights of the victims.]</a></p> <p><b>Switzerland:</b> It seems odd to urge the GA to do so in an annex of the same GA resolution, especially if such a political request at international level is mentioned among many other measures of a more technical character to be implemented on the national level. In other words, shouldn't such an urgent request be mentioned in the draft resolution itself?</p> <p><b>Thailand:</b> delete</p> <p><b>UNAIDS:</b> Urging the General Assembly to establish</p>
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	<p>a United Nations trust fund for the rehabilitation and compensation of <u>persons who have experienced</u> the most...</p>	<p><b>Deleted:</b> victims of</p>
<p>37. Providing victims of trafficking the possibility of obtaining compensation from confiscated proceeds of crime, at the national level;</p>	<p><b>USA:</b> delete</p> <p><b>Facilitators’ Proposal:</b> delete</p> <p><b>African Group:</b> delete</p> <p><b>Canada:</b> Providing victims of trafficking the possibility of obtaining compensation <del>from confiscated proceeds of crime</del>, at the national level</p> <p><b>China:</b> <u>Endeavoring to provide</u> victims of trafficking the possibility of obtaining compensation <del>from confiscated proceeds of crime</del>, at the national level</p> <p><b>Colombia:</b> delete OR change to <u>Adopt measures that offer victims of trafficking in persons the possibility of obtaining compensation for damage suffered</u></p> <p><b>EU:</b> delete</p> <p><b>Japan:</b> <i>Delete</i> whole paragraph. (rationale) It is irrelevant to impose obligations as such on States.</p> <p><b>Singapore:</b> <u>Where appropriate and applicable,</u> <del>Providing victims of trafficking the possibility of obtaining compensation for damage suffered from confiscated proceeds of crime, at the national level’)</del></p> <p><b>Thailand:</b> delete</p> <p><b>UNAIDS:</b> Providing <u>trafficked persons</u> the possibility of obtaining compensation from confiscated proceeds of crime, at the national level;</p> <p><b>UNICEF:</b> Suggest adding reference to standard procedures of compensation for victims of crime to the extent that they exist at the national level: “... possibility of obtaining compensation <i>for victims of crime, including</i> from confiscated proceeds</p>	<p><b>Deleted:</b> victims of t</p> <p><b>Deleted:</b> ing</p>
<p>38. Adopting measures to assist victims in pursuing civil damages against their traffickers;</p>	<p><b>Facilitators’ Proposal:</b> Adopting measures to ensure that victims can seek compensation for the damage suffered as stipulated by Article 25 paragraph 2 of UNTOC and Article 6 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children;</p> <p><b>African Group:</b> <del>Adopting</del> <u>To adopt</u> measures to assist victims in pursuing civil damages against their traffickers;</p> <p><b>Belarus:</b> ...services, <u>including shelters for rehabilitation</u>, to victims, <u>as well as</u> meaningful</p>	<p><b>Deleted:</b> including</p>

	<p><b>EU:</b> Adopting measures to <del>ensure that</del> victims <del>can</del> <del>seek compensation for the damage suffered as stipulated by Art. 25 para 2 of UNTOC and Article 6 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons</del>.</p> <p><b>OHCHR:</b> Adopting measures to <del>effectively</del> assist victims in pursuing civil damages against their traffickers</p> <p><b>Thailand:</b> delete</p> <p><b>UNAIDS:</b> Adopting measures to assist <del>trafficked persons</del> in pursuing civil damages against their traffickers;</p>	<p><b>Deleted:</b> assist</p> <p><b>Deleted:</b></p> <p><b>Deleted:</b> in pursuing civil damages against their traffickers</p> <p><b>Deleted:</b> victims</p>
<p>39. Commending the role of civil society organizations in providing assistance and empowerment to victims of trafficking and helping them to seek redress as well as facilitating the care of and provision of appropriate services to victims, including meaningful engagement and coordination with law enforcement officials;</p>	<p><b>Facilitators’ Proposal:</b> Acknowledging the important role of civil society organizations in providing assistance and empowerment to victims of trafficking and helping them to seek redress as well as facilitating the care of and provision of appropriate services to victims, including meaningful engagement and coordination with law enforcement officials;</p> <p><b>African Group:</b> (PLEASE NOTE THAT PARAS. 39 - 41 were re-arranged thus: previous para 39 now 41, 40 moved to 39 and 41 moved to 40. This was to ensure that the issue of the role of the CSOs is not placed in the middle of actions by member states)</p> <p>New Paragraph 39: <del>Ensuring that domestic</del> <del>To ensure that national</del> legal or administrative systems include measures to provide information to victims regarding their rights, the relevant court and administrative proceedings and assistance to enable their views and concerns to be presented and considered at appropriate stages of such proceedings;</p> <p><b>Belarus:</b> ...facilitating the care of and provision of appropriate services, <del>including shelters for rehabilitation</del>, to victims, <del>as well as</del> meaningful engagement and coordination with law enforcement officials;</p> <p><b>Canada:</b> recommend moving to preamble</p> <p><b>EU:</b> moved to paragraph 10 ter</p> <p><b>OHCHR:</b> ...officials, <del>and to provide support to victims by providing financial assistance to service providers, as well as extend protection to ensure the safety of victims and service providers</del>;</p> <p><b>Singapore:</b> <del>Considering, where appropriate, the adoption of</del> <del>Adopting</del> measures to assist victims in pursuing civil damages against their traffickers</p> <p><b>Thailand:</b> delete</p>	<p><b>Deleted:</b> including</p>

	<p><b>UNAIDS:</b> Commending the role of civil society organizations in providing assistance and empowerment to <u>trafficked persons</u> and helping them to seek...</p> <p><b>USA:</b> Delete “Commending” and replace with “Acknowledging the important...”. Delete sentence starting with “including” and replace with “and encouraging law enforcement agencies to explore ways to enhance meaningful engagement and coordination with civil society organizations</p>
<p>40. Ensuring that domestic legal or administrative systems include measures to provide information to victims regarding their rights, the relevant court and administrative proceedings and assistance to enable their views and concerns to be presented and considered at appropriate stages of such proceedings;</p>	<p><b>Facilitators’ Proposal:</b> Ensuring that domestic legal or administrative systems include measures to provide information to victims in a language they understand regarding their rights, the relevant court and administrative proceedings and assistance to enable their views and concerns to be presented and considered at appropriate stages of such proceedings;</p> <p><b>African Group:</b> New paragraph 40 <u>Providing suspected To provide victims of trafficking in persons with a recovery and reflection period in order for them to recover and escape the influence of traffickers and/or to take an informed decision on cooperating with the competent authorities, during which period it shall not be possible to enforce any order to expel the suspected victim from the State’s territory.</u></p> <p><b>EU:</b> ...appropriate stages of such proceedings <u>as stipulated by Art. 25 of UNTOC and Art. 6 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons</u></p> <p><b>Singapore:</b> Ensuring that domestic legal or administrative systems <del>include</del> <u>contains</u> measures to provide information to victims <u>of trafficking in persons, in appropriate cases regarding their rights, the information on</u> relevant court and administrative proceedings and assistance to enable their views and concerns to be presented and considered at appropriate stages of <u>such proceedings-criminal proceedings against offenders, in a manner not prejudicial to the rights of the defence</u></p> <p><b>Thailand:</b> delete</p> <p><b>UNAIDS:</b> Ensuring that domestic legal or administrative systems include measures to provide information to <u>trafficked persons</u> regarding their rights <u>and legal assistance in</u> relevant court and administrative</p> <p><b>USA:</b> After “victims” add “in a language they understand” Before “assistance” add “facilitate access to”</p>
<p>41. Providing suspected victims of trafficking in persons with a recovery and reflection period in</p>	<p><b>Facilitators’ Proposal:</b> Providing presumed victims of trafficking in persons</p>

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<p>order for them to recover and escape the influence of traffickers and/or to take an informed decision on cooperating with the competent authorities, during which period it shall not be possible to enforce any order to expel the suspected victim from the State’s territory;</p>	<p>with a reflection period in order for them to recover and escape the influence of traffickers and/or to take an informed decision on cooperating with the competent authorities, during which period it shall not be possible to enforce any order to expel the presumed victim from the State’s territory;</p> <p><b>African Group:</b> New Paragraph 41  <u>Commending To stress the importance of the role of civil society organizations and the private sector in providing assistance and empowerment to victims of trafficking and helping them to seek redress as well as facilitating the care of and provision of appropriate services to victims, including meaningful engagement and coordination with law enforcement officials</u></p> <p><b>China:</b> delete</p> <p><b>EU:</b> delete</p> <p><b>Indonesia:</b> Paragraph 41bis  <u>Noting cooperation should be based on an acknowledgment that each State had a sovereign right and legitimate interest to develop and implement its own laws to address trafficking in persons. Noting also that trans-organized criminal groups are continuously adapting and arming themselves with new technologies and methods of victimizing innocent people. Further noting that victims of trafficking require specific and sustained assistance to allow them to gain their livelihood free from the fear reach of traffickers. Furthermore, acknowledging that victims of trafficking should be provided unconditional access to assistance services, regardless of whether the person has reported to the police or given a statement in criminal proceedings, as soon as the competent authorities have an indication that she or he has been the subject to the crime of trafficking.</u></p> <p><u>a. Inviting States to review and enact strong national legislation criminalizing trafficking in persons, strong law enforcement mechanisms and cooperation in the effective prosecution of such activities in accordance with their domestic law.</u></p> <p><u>b. Further inviting States to consider in enhancing continuously its victim support programs to cater the sprawling needs of victims of trafficking, inter-alia, provision of shelter and other basic needs, health care, well-being, and livelihood.</u></p> <p><u>c. Inviting also States, where appropriate and in accordance with their national laws, to consider the possibility to set up national compensation fund from funder from confiscated proceed to assist victims of trafficking.</u></p> <p><u>d. Urging governments and other stakeholders</u></p>
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	<p><u>to facilitate the dignified and humane assistance to victims of trafficking.</u></p> <p><u>e. Requesting UNODC and its developmental partners to continue to implement victim support projects.</u></p> <p><u>f. Further requesting UNODC to conduct study on ways and means to increase participation of civil society and philanthropic organizations to provide meaningful and sustainable assistance to victims of trafficking.</u></p> <p><u>g. Urging UNODC in cooperation with relevant stakeholders to increase public awareness campaign on trafficking in persons namely victims of trafficking.</u></p> <p><u>h. Inviting civil society organizations in the field of providing assistance to victims of trafficking to increase its role in empowering trafficked persons and helping them to seek redress that would in turn complement the work of governments and international organization and contribute in combating trafficking in persons at the national, regional, and global levels.</u></p> <p><b>Malaysia:</b> delete</p> <p><b>OHCHR:</b> ...any order to expel the <del>suspected</del> <u>presumed</u> victim from the State’s territory.</p> <p><b>Singapore:</b> delete</p> <p><b>Thailand:</b> delete</p> <p><b>UNAIDS:</b> Providing suspected <del>trafficked</del> <u>persons</u> with a recovery and reflection period in order for them to recover and escape the influence of traffickers and/or to take an informed decision on cooperating with the competent authorities, during which period it shall not be possible to enforce any order to expel the suspected <u>trafficked person</u> from the State’s territory;</p> <p><b>USA:</b> Delete “with a recovery and reflection period in order for them to recover and escape the influence of traffickers and/or to take an informed decision on cooperating with the competent authorities, during which period it shall not be possible to enforce any order to expel the suspected victims from the State’s territory.” Replace with “..the opportunity to consult with non-governmental organization advisors to assist victims in decision-making regarding cooperation with law enforcement and their participation in judicial proceedings.”</p>
<p><b>III. Prosecuting crimes of trafficking in persons</b> 42. Ensuring the effective implementation of the United Nations Convention against</p>	<p><b>Facilitators’ Proposal:</b> Implementing all relevant legal instruments that criminalize trafficking in persons;</p>

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<p>Transnational Organized Crime by criminalizing trafficking in persons as defined by Article 3 of its supplementing Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children;</p>	<p><b>African Group: <u>Prosecuting Prosecution of crimes of trafficking in persons</u></b></p> <p><u>We resolve to undertake the following measures to maximize law enforcement measures in respect of the crime of trafficking in persons and with due regard to the need to deter the commission of such a crime:</u></p> <p><u>42. To ensuring the effective implementation of the United Nations Convention against Transnational Organized Crime by implement all relevant legal instruments eriminalizing—that criminalize trafficking in persons. as defined by Article 3 of its supplementing Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children</u></p> <p><b>Belarus:</b>... Prosecuting crimes of <u>transnational and non-transnational</u> trafficking</p> <p><b>Canada:</b> replace with “Criminalizing all forms of trafficking in persons in accordance with Article 3 of the Protocol to Prevent,…”</p> <p><b>Liechtenstein:</b> We do not see the need for extensive quotation, paraphrasing or reference to the implementation of the provisions of UNTOC and its Protocols (as for example in para 42, 43, 44, 45, 46, 47, 48). In general, to include a chapter on Prosecution does not seem to bring specific value added with regard to the provisions of the Palermo regime. It would clearly fall within the responsibility of the Conference of States Parties to assign the competence to assess national implementation (to which the chapter makes extensive reference). Any insecurity concerning this competence that might arise with the inclusion of a chapter on prosecution in the GPA should be avoided.</p> <p><b>Singapore:</b> Streamline paragraphs that duplicate existing provisions in the Palermo Protocols regarding the criminalization/prosecution of crimes of trafficking by deleting paragraphs 43, 44, 45, 46 and 42, and incorporate the substance of these paragraphs in amended paragraph 42</p> <ul style="list-style-type: none"> <li>• 42. Ensuring the effective implementation of <u>Member States’ obligations under</u> the United Nations Convention against Transnational Organised Crime, <u>where applicable</u>, by criminalizing trafficking in persons <u>in accordance with Article 5 as defined by Article 3</u> of its supplementing Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children</li> </ul> <p><b>Thailand:</b> delete</p>
<p>43. Prosecuting crimes of trafficking that encompass all forms of exploitation, including</p>	<p><b>Facilitators’ Proposal:</b> Prosecuting crimes of trafficking that encompass all</p>



<p>at a minimum the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs and all types of victims;</p>	<p>forms of exploitation, which shall include at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs and all types of victims as stipulated in the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children;</p> <p><b>African Group:</b> <del>Prosecuting To prosecute</del> crimes of trafficking that encompass all forms <del>and types of</del> exploitation, including <del>commercial and sexual</del> exploitation, <del>including at a minimum the exploitation of the prostitution of others or</del> other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs and <del>tissues all types of victims</del>;</p> <p><b>Belarus:</b> Prosecuting crimes of <del>transnational and non-transnational</del> trafficking that encompass...</p> <p><b>EU:</b> Prosecuting <del>all forms of human</del> trafficking <del>as stipulated by Article 3 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons</del>;</p> <p><b>Japan:</b> <i>Add</i>, after “all forms of exploitation,” in line 1, “within the limits of domestic law of each Member States.” <i>Delete</i> “and all types of victims” in line 4. (rationale) To be submitted if necessary.</p> <p><b>Singapore:</b> delete</p> <p><b>Thailand:</b> delete</p> <p><b>UNAIDS:</b> <del>replace with full Palermo definition: “The recruitment, transportation, transfer, harbouring or receipt of persons by means of threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power, or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at minimum, the exploitation of prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.”</del></p> <p><b>USA:</b> delete</p>
<p>44. Ensuring the existence of legislation or offence criminalizing trafficking in persons which specifies that the consent of the victim is irrelevant when any of the improper means mentioned in the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children have been utilized;</p>	<p><b>Facilitators’ Proposal:</b> Enacting and enforcing legislation and strengthening existing legislation that criminalizes trafficking in persons, especially that of women and children, as reflected in the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, the Convention on the Elimination of All Forms of Discrimination Against Woman and</p>

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	<p>the Convention on the Rights of the Child and its Optional Protocols;</p> <p><b>African Group:</b> <del>Ensuring the existence To enact and enforce legislations or offence and strengthen existing ones that criminalizing</del> trafficking in persons, <del>which specifies that especially women and children even where it has been with</del> the consent of the victim <del>is irrelevant when any of the improper means mentioned as reflected</del> in the Protocol to Prevent Suppress and Punish Trafficking in Persons, especially Women and Children <del>have been utilized</del>, <del>the Convention on the Elimination of All Forms of Discrimination Against Women and the Convention on the Rights of the Child and its Optional Protocols</del>,</p> <p><b>Canada:</b> delete (streamlined with OP42)</p> <p><b>China:</b> Ensuring that the consent of <del>a victim of trafficking in persons to the intended exploitation set forth in the Art. 3(a) of</del> the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children <del>shall be irrelevant where any of the means set forth in this Art. 3(a) of the Protocol</del> have been <del>used</del></p> <p><b>EU:</b> Ensuring the existence of legislation or offence criminalizing trafficking in persons <del>and guidelines</del> which specify that the consent of the victim <del>of the exploitation</del> is irrelevant when any of the improper means <del>referred to in Article 3 of</del> the Protocol...</p> <p><b>Japan:</b> <i>Change</i> whole paragraph to “Ensuring the existence of legislation or offence criminalizing trafficking in persons consistent with Article 3 (b) of the Trafficking in Persons Protocol which establishes that the consent of a victim of trafficking in persons to the intended exploitation set forth in subparagraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used”. (rationale) It should be agreeable to all delegations to quote Article 3 (b) of the Trafficking in Persons Protocol.</p> <p><b>Singapore:</b> delete</p> <p><b>Thailand:</b> delete</p> <p><b>USA:</b> delete</p>
<p>45. Adopting legislative and other measures necessary to establish as criminal offences:</p> <ol style="list-style-type: none"> <li>a. Attempting to commit an offence, as prescribed in the Protocol</li> <li>b. Participating as an accomplice in an offence, as prescribed in the Protocol</li> <li>c. Organizing or directing other persons to commit an offence, as prescribed in the Protocol</li> </ol>	<p><b>Facilitators’ Proposal:</b> Adopting legislative and other measures necessary to establish as criminal offences:</p> <ol style="list-style-type: none"> <li>a. Attempting to commit an offence</li> <li>b. Participating as an accomplice in an offence</li> <li>c. Organizing or directing other persons to commit an offence</li> </ol> <p>As stipulated by Article 5 of the Protocol on</p>

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	<p>Prevention, Suppression and Punishment of Trafficking in Persons;</p> <p><b>African Group:</b> <del>Adopting To adopt</del> legislative and other measures necessary to establish <u>trafficking in persons</u> as criminal offences...</p> <p><b>China:</b> Adopting legislative and other measures necessary to establish as criminal offences:</p> <ul style="list-style-type: none"> <li>a <del>Subject to the basic concepts of its legal system, attempting to commit an offence established in accordance with paragraph 1 of article 5 of the</del> the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children</li> <li>b Participating as an accomplice in an offence <del>established in accordance with paragraph 1 of article 5 of the</del> Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children</li> <li>c Organizing or directing other persons to commit an offence <del>established in accordance with paragraph 1 of article 5 of the</del> Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children</li> </ul> <p><b>EU:</b> Adopting legislative and other measures necessary to establish as criminal offences:</p> <ul style="list-style-type: none"> <li>d. Attempting to commit an offence,</li> <li>e. Participating as an accomplice in an offence,</li> <li>f. Organizing or directing other persons to commit an offence,</li> </ul> <p><u>As stipulated by Article 5 of the Protocol on Prevention, Suppression and Punishment of Trafficking in Persons.</u></p> <p><b>Singapore:</b> delete</p> <p><b>Thailand:</b> delete</p> <p><b>USA:</b> delete</p>	<p><b>Deleted:</b> A</p> <p><b>Deleted:</b> , as prescribed in</p> <p><b>Deleted:</b> , as prescribed in</p> <p><b>Deleted:</b> , as prescribed in</p> <p><b>Deleted:</b> , as prescribed in the Protocol</p> <p><b>Deleted:</b> , as prescribed in the Protocol</p> <p><b>Deleted:</b> , as prescribed in the Protocol</p>
<p>46. Ensuring the existence of legislation criminalizing trafficking in children which specifies there is no need to establish the means as set forth in the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, and the Convention on the Rights of the Child and its Optional Protocols;</p>	<p><b>Facilitators’ Proposal:</b> Ensuring the criminalization of trafficking in children without any requirement to establish the means as set forth in the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, and the Convention on the Rights of the Child and its Optional Protocols;</p> <p><b>African Group:</b> delete (idea moved to paragraph 44)</p> <p><b>Belarus:</b> 46.bis <u>Ensuring further the existence of legislation criminalizing trafficking in persons for the purpose of removal of organs and tissues for transplantation;</u></p>	

	<p><b>Canada:</b> delete (streamlined with OP42)</p> <p><b>China:</b> Ensuring <u>that the recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered trafficking in persons even if this does not involve any of the means set forth in Art. 3(a) of the</u> Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, and the Convention on the Rights of the Child and its Optional Protocols</p> <p><b>Colombia:</b> delete</p> <p><b>EU:</b> Ensuring the existence of legislation criminalizing trafficking in children <u>regardless of the means used to that purpose as stipulated by Article 3 of the</u> Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children;</p> <p><b>Japan:</b> <i>Change</i> whole paragraph to “Ensuring the existence of legislation criminalizing trafficking in children consistent with Article 3 (c) of the Trafficking in Persons Protocol which establishes that the recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered “trafficking in persons” even if this does not involve any of the means set forth in subparagraph (a) of this article”. (rationale) It should be agreeable to all delegations to quote Article 3 (c) of the Trafficking in Persons Protocol.</p> <p><b>Singapore:</b> delete</p> <p><b>Thailand:</b> delete</p> <p><b>UNICEF:</b> Suggest moving the paragraph up to follow after paragraph 44</p> <p><b>USA:</b> After “Ensuring the..” add “criminalization of” and delete “existence of legislation criminalizing” After “children” add “without any requirement..” and delete “which specifies there is no need..”</p>	<p><b>Deleted:</b> existence of legislation criminalizing trafficking in children which specifies there is no need to establish the means as set forth in</p> <p><b>Deleted:</b> which specifies there is no need to establish the means as set forth in the</p> <p><b>Deleted:</b> , and the Convention on the Rights of the Child and its Optional Protocols</p>
<p>47. Combating, dismantling and prosecuting organized criminal groups engaged in trafficking in persons;</p>	<p><b>Facilitators’ Proposal:</b> Combating and prosecuting organized criminal groups engaged in trafficking in persons;</p> <p><b>African Group:</b> <del>Combating, dismantling and prosecuting</del> <b>To combat, dismantle and prosecute</b> organized criminal groups engaged in trafficking in persons;</p> <p><b>Australia:</b> goal not achievable</p> <p><b>Canada:</b> replace with “Ensuring that participating in the activities of an organized criminal group is criminalized in accordance with Article 5 of</p>	

	<p>UNTOC and taking steps to investigate, dismantle, and prosecute organized criminal groups engaged in trafficking in persons.”</p> <p><b>Colombia:</b> delete OR change to:  <a href="#">Criminalize, combat, prosecute and dismantle organized crime groups engaged in trafficking in persons in accordance with UNTOC.</a></p> <p><b>EU:</b> Combating and prosecuting organized criminal groups engaged in trafficking in persons</p> <p><b>Thailand:</b> delete</p>	<p><b>Deleted:</b> , dismantling</p>
<p>48. Ensuring liability of all categories of offenders, including the liability of legal persons;</p>	<p><b>Facilitators’ Proposal:</b>                  Ensuring liability of all categories of offenders, including the liability of legal persons;</p> <p><b>African Group:</b> <del>Ensuring To ensure</del> liability of all categories of offenders, including the liability of legal persons</p> <p><b>Australia:</b> goal not achievable</p> <p><b>China:</b> Ensuring liability of all categories of offenders, (delete “including liability of legal persons”)</p> <p><b>EU:</b> Ensuring liability of all categories of offenders, including the liability of legal persons, <a href="#">as stipulated by Article 10 of UNTOC</a></p> <p><b>OHCHR:</b> Ensuring liability of all categories of offenders, including <a href="#">public and private actors and including</a> the liability of legal persons</p> <p><b>Thailand:</b> delete</p>	
<p>49. Enhancing efforts to investigate alleged cases of trafficking, to prosecute perpetrators and to publicize convicted cases with full respect to human rights;</p>	<p><b>Facilitators’ Proposal:</b>                  Enhancing efforts to investigate alleged cases of trafficking, strengthening means to combat trafficking, including through more systematic use of freezing assets for the purpose of eventual confiscation, according to the provisions of Article 12 of UNTOC, and prosecuting perpetrators, ensuring that penalties are proportionate to the gravity of the crime and to publicize convicted cases with full respect for human rights;</p> <p><b>African Group:</b> <del>Enhancing To enhance</del> efforts to investigate alleged cases of trafficking...</p> <p><b>EU:</b> Enhancing efforts to investigate alleged cases of trafficking, <a href="#">strengthening means to combat trafficking, including through more systematic use of freezing assets for the purpose of eventual confiscation, according to the provisions of Article 12 of UNTOC, and prosecuting perpetrators, ensuring that the penalties are proportionate to the gravity of the crime</a> ;</p> <p><b>Thailand:</b> delete</p>	<p><b>Deleted:</b> to</p> <p><b>Deleted:</b> e</p> <p><b>Deleted:</b> and to publicize convicted cases with full respect to human rights</p>

	<p><b>USA:</b> After “with full respect to human rights” add “of victims”</p>
<p>50. Ensuring that penalties and sanctions for trafficking crimes are appropriate and proportionate to the gravity of the crime;</p>	<p><b>Facilitators’ Proposal:</b> [merged with paragraph 49]</p> <p><b>African Group:</b> <del>Ensuring To ensure</del> that penalties and sanctions for trafficking crimes...</p> <p><b>EU:</b> delete</p> <p><b>Japan:</b> We think that it is not appropriate for this Plan of Action to give guidance to the content of national legislation.</p> <p>It is also the discretion of the judicial branch to decide the appropriate and proportionate penalties on a case by case basis.</p> <p><b>Thailand:</b> delete</p>
<p>51. Making use of available technical assistance provided to strengthen the criminal justice response to trafficking in persons, including inter alia, by UNODC;</p>	<p><b>Facilitators’ Proposal:</b> Making use of available technical assistance provided to strengthen the criminal justice response to trafficking in persons, including inter alia, by UNODC;</p> <p><b>African Group:</b> <del>Making To make</del> use of available technical assistance provided to...</p> <p><b>Thailand:</b> delete</p>
<p>52. Promoting the more systematic use of freezing and confiscating assets of traffickers as an effective means to fight organized crime;</p>	<p><b>Facilitators’ Proposal:</b> Promoting the more systematic use of freezing and confiscating assets of traffickers as an effective means to fighting this criminal activity;</p> <p><b>African Group:</b> <del>Promoting the more systematic use of freezing and confiscating of To freeze and confiscate the</del> assets of traffickers as an effective means to fight organized crime, <del>in accordance with national laws;</del></p> <p><b>Canada:</b> Promoting the more systematic use of freezing and confiscating assets of traffickers as an effective means <del>to fighting this criminal activity</del></p> <p><b>Colombia:</b> redraft in accordance with UNTOC provisions on confiscation and seizure</p> <p><b>EU:</b> delete</p> <p><b>Holy See:</b> §52, page 9, could be stronger in its formulation, so that all assets and profits obtained by trafficking in persons will be confiscated. This should be expressed in line with §§37-38 on page 7</p> <p><b>Japan:</b> We think that it is up to each State to decide how to make use of the freezing and confiscating of assets established in national laws.</p>

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	<p><b>Thailand:</b> delete</p> <p><b>USA:</b> Delete “fight organized crime” and replace with “remove any financial benefits from traffickers and provide restitution to victims.”</p>
<p>53. Vigorously investigating, prosecuting, and punishing corrupt public officials who engage in or facilitate the trafficking of persons, recognizing that trafficking would likely not occur at current levels without official complicity, and promoting a zero tolerance policy against corrupt officials;</p>	<p><b>Facilitators’ Proposal:</b> In line with the United Nations Convention against Corruption, and United Nations Convention on Transnational Organized Crime, investigating, prosecuting, and punishing corrupt public officials who engage in or facilitate the trafficking of persons, and promoting a zero tolerance policy against corrupt officials;</p> <p><b>African Group:</b> <del>Vigorously investigating, prosecuting and punishing corrupt</del> <u>To investigate, prosecute and strongly punish</u> public officials <del>who engaged in or facilitate</del> <u>accused of engaging in or facilitating</u> the trafficking of persons, recognizing that trafficking would likely not occur at current levels without official complicity, and promoting a zero tolerance policy against <u>such</u> officials;</p> <p><b>Canada:</b> replace with “Examining the linkages between corruption and human trafficking and taking legislative, programming and policy action to specifically respond to the linkages between these two issues.”</p> <p><b>China:</b> Vigorously investigating, prosecuting, and punishing corrupt public officials who engage in or facilitate the trafficking of persons. <del>recognizing that trafficking would likely not occur at current levels without official complicity,</del> and promoting a zero tolerance policy against corrupt officials</p> <p><b>Colombia:</b> redraft in accordance with UNTOC: <u>Ensure that national legislation and anti-corruption policies provide measures to investigate, prosecute and punish public officials who engage in or facilitate trafficking in persons.</u></p> <p><b>EU:</b> <u>In line with the United Nations Convention against Corruption, and UNTOC,</u> vigorously investigating, prosecuting, and punishing corrupt public officials who engage in or facilitate the trafficking of persons, <u>and promoting a zero tolerance policy against corrupt officials,</u> recognizing that trafficking would likely not occur at current levels without official complicity;</p> <p><b>Thailand:</b> delete</p>
<p>54. Strengthening coordination and cooperation among States in combating crimes that might be connected with trafficking in persons, including money laundering, corruption, smuggling of migrants and all forms of organized crime;</p>	<p><b>Facilitators’ Proposal:</b> Strengthening coordination and cooperation among States in combating crimes that might be connected with trafficking in persons, including money laundering, corruption, smuggling of migrants and all forms of organized crime;</p>

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	<p><b>African Group:</b> <u>Strengthening To strengthen coordination and cooperation among States and within the framework of activities undertaken in sub-regional, regional and international organizations</u> in combating crimes that might be connected with trafficking in persons, including money laundering, corruption, smuggling of migrants and all forms of organized crime, <u>including through the exchange of information and best practices;</u> (MOVE Para TO PARTNERSHIP SECTION)</p> <p><b>EU:</b> delete</p> <p><b>Thailand:</b> delete</p>
<p>55. Encouraging law enforcement, immigration or other relevant authorities of States to cooperate with one another by exchanging information, in accordance with domestic law, including cooperation among states of origin, transit and destination in order to enable joint investigations, prosecutions, and the detection of trafficking chains;</p>	<p><b>Facilitators’ Proposal:</b> Encouraging law enforcement, immigration or other relevant authorities of States to cooperate with one another by exchanging information with full respect for data protection laws and standards, in accordance with domestic law, including cooperation among states of origin, transit and destination in order to enable joint investigations, prosecutions, and the detection of trafficking networks;</p> <p><b>African Group:</b> <u>Eneouraging To encourage law enforcement, immigration or other...</u></p> <p><b>EU:</b> delete</p> <p><b>Thailand:</b> delete</p> <p><b>UNICEF:</b> Recommend inserting following “by exchanging information” “<u>with full respect for data protection laws and standards</u>”</p>
<p><b>IV. Strengthening partnerships against trafficking in persons</b></p> <p>56. Taking advantage of the networks provided by relevant international, regional and sub-regional organizations to share best practices in capacity-building for responding to trafficking in persons, and to facilitate their contributions to the international community’s efforts in this area;</p>	<p><b>Facilitators’ Proposal:</b> Encouraging effective cooperation and coordination of efforts at the national, regional and international level, especially among countries of origin, transit and destination and taking advantage of the networks provided by relevant organizations to share best practices in capacity-building for responding to and combating trafficking in persons, while stressing the importance of regional approaches to facilitate mutual legal assistance and the exchange of information with full respect for data protection laws and standards including operational information, programs and good practices in supplementing the United Nations Convention on Transnational Organized Crime and the work done by the Conference of the Parties to that Convention;</p> <p><b>African Group: IV. Strengthening partnerships against trafficking in persons</b> <u>We recognize that capacity-building is an essential component in combating trafficking in persons and we resolve to undertake the following measures to</u></p>



	<p><u>develop State capacity to prevent and combat trafficking in persons and enhance coordination and coherence within United Nations system in this regard:</u></p> <p>56. <del>Taking To take</del> advantage of the networks provided by relevant...</p> <p><b>EU:</b> <u>Encouraging effective cooperation and coordination of efforts at the national, regional and international level, especially among countries of origin, transit and destination and taking advantage of the networks provided by relevant organizations to share best practices in capacity-building for responding to and combating trafficking in persons, while stressing the importance of regional approaches to facilitate mutual legal assistance and the exchange of information including operational information, programs and good practices in supplementing the UNTOC and the work done by the Conference of the Parties to that Convention;</u></p> <p><b>Thailand:</b> “Take advantage of the networks provided by relevant international, regional and sub-regional organizations to share best practices in capacity-building for responding to trafficking in persons, and to facilitate their contributions to the international community’s efforts in this area”</p>	<p><b>Deleted:</b> Taking advantage of the networks provided by relevant international, regional and sub-regional organizations to share best practices in capacity-building for responding to trafficking in persons, and to facilitate their contributions to the international community’s efforts in this area</p> <p><b>Deleted:</b> ing</p>
<p>57. Encouraging effective cooperation and coordination of efforts at the national, regional and international level by developing bilateral, regional and international cooperation agreements, especially among countries of origin, transit and destination;</p>	<p><b>Facilitators’ Proposal:</b> [merged with paragraph 56]</p> <p><b>African group:</b> <del>Encouraging To encourage</del> effective cooperation and coordination of...</p> <p><b>EU:</b> delete</p> <p><b>USA:</b> Delete “bilateral, regional and international cooperation” and replace with “cooperative”.</p> <p><b>Thailand:</b> “Encourage effective cooperation and coordination of efforts at the <u>bilateral, regional, sub-regional</u> and international level by developing bilateral, regional, <u>sub-regional</u> and international cooperation agreements, especially among countries of origin, transit and destination”</p>	<p><b>Deleted:</b> ing</p> <p><b>Deleted:</b> national</p>
<p>58. Stressing the importance of regional approaches to facilitate mutual legal assistance and the exchange of information including operational information, programs and good practices;</p>	<p><b>Facilitators’ Proposal:</b> [merged with paragraph 56]</p> <p><b>African Group:</b> <del>Stressing To stress</del> the importance of regional approaches to facilitate...</p> <p><b>Canada:</b> suggest merging with OP59</p> <p><b>EU:</b> <u>Strengthening coordination and cooperation among States in combating crimes that might be connected with trafficking in persons, including all forms of organized crime;</u></p>	<p><b>Deleted:</b> Stressing the importance of regional approaches to facilitate mutual legal assistance and the exchange of information including operational information, programs and good practices</p>

	<p><b>Thailand:</b> delete</p> <p><b>Japan:</b> We would like to seek clarification as to what “regional approaches to facilitate mutual legal assistance” is in detail.</p> <p><b>UNICEF:</b> Recommend inclusion of “data protection” in this paragraph in line with paragraph 55</p> <p><b>USA:</b> At the end of the paragraph add “in supplementing the United Nations Convention against Transnational Organized Crime and the work done by the Conference of the Parties to that Convention.”</p>
<p>59. Concluding and implementing mutual legal assistance and extradition agreements to ensure the apprehension and prosecution of perpetrators of human trafficking, in accordance with the relevant provisions of national and international law;</p>	<p><b>Facilitators’ Proposal:</b> Concluding and implementing mutual legal assistance and extradition agreements to ensure the apprehension and prosecution of perpetrators of trafficking in persons, in accordance with the relevant provisions of national and international law;</p> <p><b>African Group:</b> <del>Concluding and implementing To promote</del> mutual legal assistance and the exchange of information including operational information, programs and good practices, <del>including through regional approaches;</del></p> <p><b>Canada:</b> suggest merging with OP 58</p> <p><b>EU:</b> <del><a href="#">Encouraging Member States that are party to the United Nations Convention against Transnational Organized Crime to enhance international cooperation in extradition and mutual legal assistance, including confiscation, in accordance with the Convention, taking into account the extended scope of cooperation available under its article 16, on extradition, and article 18, on mutual legal assistance, and the internal legal requirements of States parties for the application of the Convention;</a></del></p> <p>New paragraph 59bis <del><a href="#">Encouraging law enforcement, immigration, judicial authorities or other relevant authorities of States to cooperate with one another by exchanging information, in accordance with domestic law, including cooperation among states of origin, transit and destination in order to enable joint investigations, prosecutions, and the detection of trafficking chains.</a></del></p> <p><b>Japan:</b> Add, after “extradition agreements” in line 1, “, where appropriate,”. Change “human trafficking” to “trafficking in persons” (rationale) To be submitted if necessary.</p>

**Deleted:** Concluding and implementing mutual legal assistance and extradition agreements to ensure the apprehension and prosecution of perpetrators of human trafficking, in accordance with the relevant provisions of national and international law

	<p><b>Singapore:</b> <del>Considering, where appropriate, the need to conclude</del>ing and <del>implementing</del>-mutual legal assistance and extradition agreements to ensure the apprehension and prosecution of perpetrators of human trafficking, in accordance with the relevant provisions of national and <del>Member States' obligations under</del> international law</p> <p><b>Thailand:</b> <del>“Study additional and more effective ways to ensure the prosecution of perpetrators of human trafficking, in accordance with the relevant provisions of national and international law, including by concluding and implementing mutual legal assistance and extradition agreements”</del></p> <p><b>USA:</b> Rephrase as follows: “Facilitating mutual legal assistance and extradition to ensure the apprehension and prosecution of perpetrators of human trafficking.”</p>
<p>60. Promoting cooperation between governmental institutions and non-governmental organizations, and other elements of civil society in establishing prevention, protection and prosecution policies and programmes;</p>	<p><b>Facilitators’ Proposal:</b> Promoting cooperation among governments, civil society, and the private sector in order to strengthen prevention, protection and prosecution policies and programmes;</p> <p><b>African Group:</b> <del>Promoting To promote cooperation between among governmental institution governments, and non-governmental organizations, and other elements of civil society and the private sector in establishing in order to strengthen</del> prevention, protection and prosecution policies and programmes;</p> <p><b>Colombia:</b> redraft: the role of NGOs in prosecution programmes should be explained</p> <p><b>EU:</b> ...governmental organizations, and other <del>actors</del> of civil society...</p> <p><b>IOM:</b> OP60bis “Promoting cooperation between governments in regions through established Regional Consultative Processes on Migration.”</p> <p><b>Holy See:</b> §60, page 9: after “<i>non-governmental organizations</i>” include <b>religious-based communities</b></p> <p><b>Japan:</b> Delete whole paragraph. (rationale) The aim of this paragraph could be reflected by amending paragraph 62.</p> <p><b>OHCHR:</b> Paragraph 60bis <u>Providing an ongoing forum for the victims and survivors of trafficking, under the leadership of the High Commissioner for Human Rights, to contribute comments and recommendations in the development and implementation of the Plan, so their voices are heard;</u></p>

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	<p><b>Singapore:</b> Promoting cooperation, <a href="#">where appropriate</a>, between governmental institutions and non-governmental organizations and other elements of civil society in establishing prevention, protection and prosecution policies and programmes</p> <p><b>Thailand:</b> delete</p> <p><b>UNICEF:</b> Recommend the inclusion of “<a href="#">National Referral Mechanism</a>” as it provides practical coordination on the effective return and repatriation side of trafficking interventions</p>
<p>61. Strengthening formal and informal cooperation between law enforcement agencies regionally and internationally;</p>	<p><b>Facilitators’ Proposal:</b> Strengthening cooperation between law enforcement agencies regionally and internationally;</p> <p><b>African Group:</b> <del>Strengthening</del> <a href="#">To strengthen</a> formal and informal cooperation between law enforcement <del>agencies- authorities</del> regionally and internationally, <a href="#">in the prevention, investigation and prosecution of perpetrators and protection of and assistance to victims of trafficking in persons;</a></p> <p><b>EU:</b> Strengthening <del>formal and informal</del> cooperation between law enforcement agencies regionally and internationally</p> <p><b>Thailand:</b> “Strengthen <del>formal and informal</del> cooperation, <a href="#">as appropriate</a>, between <a href="#">border control and law enforcement agencies bilaterally</a>, regionally, <a href="#">sub-regionally</a> and internationally”</p> <p><b>USA:</b> Delete “formal and informal</p>
<p>62. Endeavoring to coordinate all stakeholders involved in the fight against trafficking in persons at the national level, including government institutions, non-governmental organizations, the private sector and workers and employers organizations;</p>	<p><b>Facilitators’ Proposal:</b> Endeavoring to coordinate with all stakeholders involved in the fight against trafficking in persons at the national level, including government institutions, non-governmental organizations, the private sector, including the media, and workers and employers organizations;</p> <p><b>African Group:</b> delete</p> <p><b>Canada:</b> Endeavoring to coordinate <a href="#">and work together with</a> all stakeholders...</p> <p><b>EU:</b> Endeavoring to coordinate <a href="#">with</a> all stakeholders involved in the fight against trafficking in persons at the national level, including government institutions, non-governmental organizations, the private sector, <a href="#">including the media</a>, and workers and employers organizations</p> <p><b>Japan:</b> <i>Add</i>, after “Endeavoring to coordinate” in line 1, “and to enhance cooperation among”.</p> <p><b>Thailand:</b> delete</p> <p><b>UNICEF:</b> Recommend the inclusion of “<a href="#">National</a></p>

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	<p><u>Referral Mechanism</u>” as it provides practical coordination on the effective return and repatriation side of trafficking interventions</p>
<p>63. Intensifying international cooperation to combat trafficking, consistent with the work of the open-ended working group on trafficking in persons and on international cooperation established by the Conference of the Parties to United Nations Convention against Transnational Organized Crime;</p>	<p><b>Facilitators’ Proposal:</b> Intensifying international and regional cooperation to combat trafficking in persons as well as technical assistance for countries of destination and transit aimed at strengthening their ability to prevent trafficked labour and the goods produced as a result of such labour;</p> <p><b>African Group:</b> redraft as follows: <u>To intensify international and regional cooperation as well as technical assistance for countries of destination and transit aimed at strengthening their ability to prevent trafficked and exploited migrant labour and forced labour as well as the demand for the goods produced as a result of such labour;</u></p> <p><b>Colombia:</b> delete OR change to: <u>To intensify international cooperation in accordance with decisions 4/2 “Implementation of the provisions on international cooperation of the UNTOC” and decision 4/4 “Trafficking in Human Beings” adopted by the Conference of the Parties to UNTOC at its fourth session, held in Vienna from 8 to 17 October 2008</u></p> <p><b>Thailand:</b> delete</p>
<p>64. Promoting exchange of information and experiences between the Conference of the Parties of United Nations Convention against Transnational Organized Crime and United Nations human rights treaty bodies and mechanisms;</p>	<p><b>Facilitators’ Proposal:</b> Promoting exchange of information and experiences between the Conference of the Parties of United Nations Convention against Transnational Organized Crime and United Nations human rights treaty bodies and mechanisms;</p> <p><b>African Group:</b> <del>Promoting</del> <u>To promote</u> exchange of information and experiences between...</p> <p><b>Canada:</b> replace with “Strengthening and supporting ICAT to improve coordination and cooperation amongst relevant UN bodies and other international organizations”</p> <p><b>Colombia:</b> delete</p> <p><b>Thailand:</b> Promote, exchange of information and experiences between the Conference of the Parties of United Nations Convention against Transnational Organized Crime and United Nations human rights treaty bodies and mechanisms (<u>seek further clarification</u>);</p>
<p>65. Encouraging UNODC and other international organizations to continue to assist States, upon request, to strengthen policy making, legislative arrangements and law enforcement practices, public awareness campaigns and capacity building; and to disseminate best practices in assisting victims</p>	<p><b>Facilitators’ Proposal:</b> Encouraging UNODC, other UN Agencies, Funds and Programs as well as other international organizations to continue to assist Member States, upon request, to strengthen policy making, legislative arrangements, border-control and law enforcement cooperation, public awareness</p>

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<p>of trafficking;</p>	<p>campaigns and capacity building; and to disseminate best practices in assisting victims of trafficking;</p> <p><b>African Group:</b> <del>Encouraging To encourage</del> UNODC and other international...</p> <p><b>Belarus:</b> assisting victims of trafficking <del>by elaborating respective guidelines and through special-purpose training courses;</del></p> <p><b>EU:</b> <del>Encouraging UNODC, UN Agencies, Funds and Programs and other international organizations to continue to assist States, upon request, to strengthen policy making, legislative arrangements and law enforcement practices, public awareness campaigns and capacity building; and to disseminate best practices in assisting victims of trafficking and to continue to improve the coherence and efficiency of technical assistance delivery in the field of trafficking in persons in coordination with the efforts of the Working Group on Technical Assistance established by the Conference of the Parties to the UNTOC;</del></p> <p><b>OHCHR:</b> ...UNODC, <del>OHCHR</del> and other international... victims of trafficking; <del>and to promote and implement a human rights-based approach to combating trafficking;</del></p> <p><b>UNICEF:</b> Suggest adding “... <del>and encouraging national Governments to seek such assistance”</del>”</p> <p><b>Thailand:</b> “Encourage <del>UNODC</del> and other international organizations to continue to assist <del>Member</del> States, upon request, to strengthen policy making, legislative arrangements and <del>border-control and law enforcement cooperation,</del> public awareness campaigns and capacity building; and to disseminate best practices in assisting victims of trafficking”</p> <p><b>USA:</b> Add “to coordinate with OHCHR, other UN agencies” after “UNODC”</p>
<p>66. Further encouraging UNODC as well as other United Nations Agencies, Funds and Programmes to continue to improve the coherence and efficiency of technical assistance delivery in the field of trafficking in persons in coordination with the efforts of the Working Group on Technical Assistance established by the Conference of the Parties to the United Nations Convention against Transnational Organized Crime;</p>	<p><b>Facilitators’ Proposal:</b> Further encouraging United Nations Agencies, Funds and Programmes to continue to improve the coherence and efficiency of technical assistance delivery in the field of trafficking in persons in coordination with the efforts of the Working Group on Technical Assistance established by the Conference of the Parties to the United Nations Convention against Transnational Organized Crime;</p> <p><b>African Group:</b> Further <del>encouraging to encourage</del> UNODC as well as other United...</p> <p><b>Australia:</b> There is a heavy emphasis on the role of the UNODC in the current draft; however, it will be very important that a range of UN agencies are engaged on people trafficking issues. As UNODC does not have the mandate to cover everything</p>

**Deleted:** Encouraging UNODC and other international organizations to continue to assist States, upon request, to strengthen policy making, legislative arrangements and law enforcement practices, public awareness campaigns and capacity building; and to disseminate best practices in assisting victims of trafficking

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	<p>mentioned in the Global Plan, other agencies, particularly those with responsibilities for human rights, including labour rights issues, need to be involved too. Consultation would need to be undertaken with other UN bodies about any role they might play in implementation of the Global Plan.</p> <p><b>Colombia:</b> delete</p> <p><b>EU:</b> delete</p> <p><b>IOM:</b> Further encouraging UNODC as well as other <u>relevant international organizations</u> to continue...</p> <p><b>Thailand:</b> Further encourage UNODC as well as other United Nations Agencies, Funds and Programmes to continue to improve the coherence and efficiency of technical assistance delivery in the field of trafficking in persons.</p>	<p><b>Deleted:</b> United Nations Agencies, Funds and Programmes</p> <p><b>Deleted:</b> ing</p> <p><b>Deleted:</b> ,</p>
<p>67. Requesting the Secretary-General as a matter of priority to strengthen the capacity of UNODC to collect information and periodically report on trafficking in persons patterns and flows at the national, regional and international levels, as well as share best practices and lessons learned from regional initiatives and mechanisms;</p>	<p><b>African Group:</b> <del>Requesting</del> <b>To request</b> the Secretary-General as a matter of priority to strengthen the capacity of UNODC to collect information and periodically report on trafficking in persons patterns and flows at the national, regional and international levels, as well as share best practices <del>and lessons learned from regional initiatives and mechanisms;</del></p> <p><b>Australia:</b> Onerous reporting diverts resources from frontline activities devised to combat trafficking, particularly in countries of origin. In developing countries with limited resources and a high number of trafficking cases, this diversion of resources seems particularly counterproductive. The draft could propose streamlining current reporting processes on trafficking in persons, including higher level co-operation between UN bodies and fora to further encourage information sharing and enhance cooperation.</p> <p><b>EU:</b> Requesting UNODC to <u>continue collecting</u> information...</p> <p><b>Thailand:</b> Request the Secretary-General as a matter of priority to strengthen the capacity of UNODC to collect <u>accurate, verifiable and reliable</u> information and periodically report on trafficking in persons patterns and flows at the national, regional and international levels, <u>in particular on</u> share best practices and lessons learned from <u>bilateral, regional, sub-regional and cross-regional</u> initiatives and mechanisms</p> <p><b>UNICEF:</b> Recommend consideration of an additional paragraph, to consider the creation of <u>National Rapporteurs on Trafficking</u> as this would assist with data collection and analysis at the national level which is critical to getting it right at the global level</p>	<p><b>Deleted:</b> the Secretary-General as a matter of priority to strengthen the capacity of</p> <p><b>Deleted:</b> ing</p> <p><b>Deleted:</b> as well as</p>

	<p><b>USA:</b> Rephrase as follows: “Requesting the UNODC to continue to monitor implementation of the Protocol, including through periodically reporting on trafficking in persons patterns and flows at the national, regional and international levels, as well as share best practices and lessons learned from the Conference of the Parties, regional initiatives and mechanisms.”</p>
<p>68. Promoting coordination and cooperation across the United Nations, especially amongst the existing various entities focusing on trafficking in persons, including via the Inter-Agency Coordination Group against Trafficking in Persons and UN.GIFT;</p>	<p><b>Facilitators’ Proposal:</b> Promoting coordination and cooperation across the United Nations, especially amongst existing entities focusing on trafficking in persons, including via the Inter-Agency Coordination Group against Trafficking in Persons;</p> <p><b>African Group:</b> <del>Promoting</del> <u>To promote</u> coordination and cooperation <del>across within</del> the United Nations...</p> <p><b>Belarus:</b> ...especially amongst the existing various entities <u>as well as Special Rapporteurs and Representatives focusing on trafficking in persons,</u></p> <p><b>Canada:</b> suggest deleting UN.GIFT as it is not a separate entity but a brand that is used by UNODC and others to promote anti-trafficking work.</p> <p><b>Colombia:</b> delete and draft a para on ICAT as follows: <u>Support the Inter-Agency Coordination Group against Trafficking in Persons (ICAT) aim of improving coordination and cooperation between UN agencies and other international organizations to facilitate a holistic approach to preventing and combating trafficking in persons including protection of and support for victims of trafficking.</u></p> <p><b>EU:</b> delete</p> <p><b>Japan:</b> We would like to seek clarification on what role UN. GIFT will play in accordance with this paragraph.</p> <p><b>Thailand:</b> replace with “Promote coordination and cooperation across the United Nations, especially amongst the existing various entities focusing on trafficking in persons, including via the Inter-Agency Coordination Group against Trafficking in Persons and UN.GIFT; <u>and</u>”</p> <p><b>IOM:</b> coordination and cooperation across the <u>relevant international organizations,</u> especially amongst the existing...</p>
<p>69. Urging the Secretary-General to expedite the strengthening of the United Nations Inter-Agency Coordination Group against Trafficking in Persons under the coordination of UNODC, in order to ensure overall coordination and coherence in the United</p>	<p><b>Facilitators’ Proposal:</b> Urging the Secretary-General to expedite the strengthening of the United Nations Inter-Agency Coordination Group against Trafficking in Persons under the coordination of UNODC, in order to ensure overall coordination and coherence in the</p>

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<p>Nations system's efforts to respond to trafficking in persons;</p>	<p>United Nations system's efforts to respond to trafficking in persons;</p> <p><b>African Group:</b> <del>Urging To urge</del> the Secretary-General to expedite the strengthening of...</p> <p><b>OHCHR:</b> ...coordination of UNODC, <del>and with rotating chairpersonship among its member entities,</del> in order to ensure overall coordination and coherence in the United Nations system's efforts to respond to trafficking in persons, <del>and that all approaches to combating trafficking, including the human rights-based approach, are considered and applied through efforts which foster their complementarity;</del></p> <p><b>Thailand:</b> replace with “Urge the Secretary-General to expedite the strengthening of the United Nations Inter-Agency Coordination Group against Trafficking in Persons under the coordination of UNODC, in order to ensure overall coordination and coherence in the United Nations system's efforts to respond to trafficking in persons (<del>seek further clarification</del>)”</p>
<p>70. Encouraging Member States to consider making voluntary contributions to United Nations anti-human trafficking work, and to explore additional sources of funding in this regard, including reaching out to the private sector for contributions;</p>	<p><b>Facilitators' Proposal:</b> Encouraging Member States to consider making voluntary contributions to United Nations anti-human trafficking work, and to explore additional sources of funding in this regard, including reaching out to the private sector for contributions;</p> <p><b>African Group:</b> <del>Eneouraging To encourage</del> Member States to consider making voluntary...</p> <p><b>IOM:</b> Encouraging Member States to consider making voluntary contributions to <del>relevant international organizations'</del> anti-human trafficking</p> <p><b>Japan:</b> <i>Delete</i> whole paragraph. (rationale) We think that a plan of action is not the appropriate place to call for financial contributions.</p> <p><b>UNICEF:</b> Suggest adding “... making voluntary contributions to United Nations <del>human rights, child rights and</del> anti-trafficking work...”</p>
	<p><b>African Group:</b> add new section <b><u>Implementation of the Global Action Plan</u></b> <del>Adopts the present Plan of action and its annex as the UN Global Plan on Trafficking in Persons; and</del></p> <p><del>71. Decides, without prejudice to the continuation of the discussion within the UN System of the agenda items related to trafficking in persons, to undertake the following steps for the effective follow-up of the Plan of Action:</del></p> <p><del>(a) To launch the Plan of Action at a high-level segment of its sixty-fifth session;</del></p>

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	<p><u>(b) To examine in three years progress made in the implementation of the Plan of Action;</u></p> <p><u>(c) To invite the Secretary-General to contribute to the future deliberations of the General Assembly on the review of the implementation and updating of the Plan of Action;</u></p> <p><u>(d) To encourage Member States, the United Nations and other appropriate international, regional and subregional organizations to support the implementation of the Plan of Action, including through mobilizing resources and expertise;</u></p> <p><u>(e) To further encourage non-governmental organizations and civil society to engage, as appropriate, on how to enhance efforts to implement the Plan of Action.</u></p>
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## Permanent Mission of Colombia to the United Nations

### Consultations on a United Nations Global Plan of Action on Preventing trafficking in persons, prosecuting traffickers and protecting and assisting victims of trafficking

#### Comments of Colombia

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Colombia wants to reiterate that the core purpose of a Plan of Action on trafficking in persons should be to promote and facilitate the universal ratification of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime. Colombia deems the Protocol as the minimum acceptable standard to combat the crime on a balanced and comprehensive approach recognizing the responsibility of countries of origin, destination and transit through mutual cooperation. As a consequence, any intended draft of a plan should observe the structure and content of the Protocol which establish measures to prevent the crime of trafficking, to protect and assist the victims, and to prosecute traffickers.

The plan should be a political instrument in nature aiming to reiterate and reinforce the political will to combat trafficking in persons and to raise international awareness to the crime. While promoting the implementation of the Protocol, it should avoid duplication of efforts and the creation of new entities and mechanisms for coordination, review or monitoring.

Moreover, this political instrument should:

- Promote universal ratification and effective implementation of the Protocol;
- Encourage the adoption of a comprehensive, balanced and human rights based international approach that emphasizes protection and assistance to the victims;
- Advocate for the development and updating of national legislation in accordance to the Protocol;
- Raise national and international awareness on the crime and victims;



### Permanent Mission of Colombia to the United Nations

- Urge for the coordination of efforts and the strengthening of synergies between competent entities of the UN system;
- Promote international cooperation and mutual legal assistance;

With regard to the issues on which progress could be made, Colombia believes that the recommendations adopted by the *Working Group on Trafficking in Persons established by the Conference of the Parties to the United Nations Convention against Transnational Organized Crime* (the Palermo Convention) and the *International Framework for Action to Implement Trafficking Protocol* released on January 27, 2010, provide valuable, practical and innovative elements to advance in the fight against this crime while remaining true to the Protocol. Colombia would favor for the inclusion of the following topics:

- With regards to the adoption of adequate legislation, particularly on criminalization, the Protocol should be interpreted and implemented in conjunction with the United Nations Convention against Transnational Organized Crime;
- In terms of prevention and awareness raising, the inclusion of trafficking in persons in public education curricula and the implementation of educational and awareness campaigns on a permanent basis;
- With respect to training, the importance of educating the judiciary, police, immigration and social workers on the identification and timely assistance to victims of trafficking;
- With regard to trafficking for labor exploitation, the calling for governments, producers and consumers to adopt specific measures to combat it;
- In terms of victims protection, the need to adopt measures for proper identification, prevention of re-victimization and criminalization of the victims;
- On international cooperation, to stress the importance of regional approaches to facilitate mutual legal assistance and the exchange of information, including operational information.
- On data collection, research and analysis, the need to assist countries on data collection and research on figures, trends and patterns of trafficking in persons aimed at enabling them to portray the true extent of this crime.



### **Permanent Mission of Colombia to the United Nations**

Colombia suggests that the draft emphasizes the political elements which are familiar to the Assembly while limiting detailed and technical mandates already covered and defined by the Protocol. Furthermore, Colombia advises that at some point of the consultations Member States should be given the opportunity to exchange points of view and to start a dialogue with international experts which will facilitate the draft content to be reasserted.

To conclude, Colombia is convinced that the adoption of a global and political in nature document would bring together Member States on the fight against the scourge of trafficking in persons under the Protocol provisions, and on ensuring that the resources and efforts of specialized entities focus on its universal ratification and effective implementation. To this extent, Colombia advocates for an open and constructive consultations process that avoids controversial issues which will keep us from reaching our common purpose to defeat this ominous crime.



THE PRESIDENT  
OF THE  
GENERAL ASSEMBLY

21 December 2009

Excellency,

Member States will recall that by resolution on the “further steps to improve the coordination of efforts against trafficking in persons” adopted on 18 December 2009, the General Assembly decided to continue the intergovernmental work and stressed the need for consultations to be held in an open and transparent manner

In this respect, I have the honour to inform you that His Excellency Mr. José Filipe Moraes Cabral Permanent Representative of Portugal and His Excellency Mr. Pedro Monteiro Lima, Permanent Representative of Cape Verde to the United Nations have agreed to serve as Co-Facilitators, to lead the consultations among Member States. I would like to thank both Ambassadors for accepting this important task.

I would like to ask all Member States to extend to the Co-Facilitators their fullest cooperation and support.

Please accept, Excellency, the assurances of my highest consideration.

Ali Abdussalam Treki

All Permanent Representatives and  
Permanent Observers to the United Nations