

## Strengthening the Criminal Justice Response to Trafficking in Persons in Uzbekistan Final Report

Project Fiche	
<b>Project/Sub-programme Number</b>	XAC/Z61
<b>Title</b>	Strengthening the Criminal Justice Response to Trafficking in Persons in Uzbekistan (TIP)
<b>Duration (years/months)</b>	July 2019 – July 2021 with no-cost extension until Dec.2021) (29 months in total)
<b>Starting Date</b>	July 2019
<b>Location(s) *</b>	Uzbekistan
<b>Responsible Office:</b>	UNODC Regional Office for Central Asia
<b>UNODC Regional / Country or Thematic Programme Outcome to which this programme/project directly contributes *</b>	UNODC Program for Central Asia 2015-2021 Sub-Program 2 “Criminal Justice, Crime Prevention and Integrity”
<b>Executing Agency</b>	UNODC
<b>Government Implementing Agency/Partners *</b>	Interdepartmental Commission on combating trafficking in persons, General Prosecutor’s Office and its Academy, Ministry of Interior and its Academy, Higher School of Justice, Ministry of Foreign Affairs, Parliament (Oliy Majlis) and other relevant stakeholders
<b>UNODC Overall Budget</b>	USD 345,000
<b>Donor(s)</b>	US State Department’s Bureau of International Narcotics and Law Enforcement Affairs (INL)

### 1. Introduction

The INL-funded project “Strengthening the criminal justice response to trafficking in persons in Uzbekistan” was implemented within the framework of Sub-Program 2 “Criminal Justice, Crime Prevention and Integrity” of the UNODC Program for Central Asia 2015-2021 (XAC/Z61).

The project aimed to assist Uzbek authorities to develop capacities of law enforcement to investigate and prosecute trafficking in persons. The project completed its work during the period from July 2019 to December 2021 (29 months). This included the initial implementation period of 2 years and a non-cost extension after the COVID-19 pandemic.

Key project results can be summarized as follows:

- Adoption of a new anti-human trafficking law with an updated definition of trafficking in persons, measures for prevention, revised procedures for prosecution as well as a clarified process of rehabilitation and rights of victims.
- Establishment of a national referral mechanism for victims of human trafficking and development of standard operating procedures for its further roll out.

- Development of a training concept for law enforcement and judicial bodies on trafficking in persons.
- Training of 593 TIP practitioners as a result of 17 capacity building events in 2020 and 2021 covering 7 regions.
- Outreach among 1 million people around the country with targeted social media messaging during the 2021 TIP awareness raising campaign.

During the project implementation period, the criminal justice response to trafficking in persons in Uzbekistan evolved as follows:

Number of cases of trafficking in persons recorded						
2016	2017	2018	2019	2020	2021	2022
412	390/609*	123*	66*	566*	162*	
Number of persons convicted of trafficking in persons						
	405*	230*	64*	100*	154*	
Number of victims of trafficking in persons detected (identified*)						
717/714*	501/440*	208*	95*	150*	175*	

Global Report on Trafficking in Persons 2020: Eastern Europe and Central Asia

\*U.S. 2020 and 2022 Trafficking in Persons Report: Uzbekistan

## 2. Activities implemented and results achieved

The project aimed to achieve the following outcome: capacity development of criminal justice practitioners on investigation and prosecution of TIP cases institutionalized.

Under this outcome, the project focused on 3 interrelated outputs:

- Methodological basis for training of law enforcement and other practitioners on investigation and prosecution of human trafficking improved.
- Training for law enforcement and other criminal justice practitioners on investigation and prosecution of human trafficking institutionalized.
- Coordination among law enforcement bodies, the judiciary, and other relevant stakeholders on implementation of anti-human trafficking laws and policies strengthened.

### TIP Training needs assessment

Under the first output, during the inception phase of the project in Q4 of 2019, UNODC conducted consultations with the Senate Speaker, Chair of the National Countertrafficking Commission and National Rapporteur on human trafficking, Ms. Tanzila Narbaeva, as well as with the Head of the Ministry of Interior's Department on countering human trafficking. This resulted in a joint work plan, together with other international partners, such as ILO and IOM, to implement anti-TIP activities in Uzbekistan. This work plan was endorsed by the National Rapporteur in Q1 of 2020.

UNODC followed this up with an expert mission to assess training needs of law enforcement and other criminal justice practitioners. Based on this mission, the project then developed a training concept to build capacity of law enforcement and other criminal justice practitioners on investigation and prosecution of human trafficking.

### TIP Training and capacity building of criminal justice practitioners

With the concept in hand, the project launched its training activities under the second output. Due to the COVID-19 related epidemiological situation, planned trainings on TIP investigation skills for police investigators and prosecution and adjudication for prosecutors and judges had to be initially postponed in 2020.

During the COVID-19 pandemic, the project facilitated an online coordination meeting for development partners on countering trafficking in persons in the wake of COVID-19. On this occasion, the project presented and disseminated UNODC's thematic Brief "Impact of the COVID-19 pandemic on trafficking in persons".

During this period, the project launched translation of the UNODC Case Digest on evidential issues in human trafficking cases in Uzbek language. The project also translated 9 TIP-related training modules from the UNODC Education for Justice series in Russian. Out of these 4 were also translated in Uzbek. In addition, the project developed an analytical paper on aspects of criminal procedure as they related to TIP cases for possible use in the training process.

In October 2020, 30 judges from Tashkent and regions received training on international standards on adjudication of human trafficking cases with a focus on evidential issues and victim sensitivity in the prosecution of TIP cases. The online training was organized in partnership with the Higher School of Judges.

During this period, the project also partnered with the National Human Rights Centre to implement a capacity development program for criminal justice practitioners. Senior officials from the Supreme Court (107), General Prosecutor's Office (46), and Ministry of Justice (18) enhanced their knowledge and understanding of victim-centered criminal justice responses to trafficking in persons.

In 2020, during the COVID-19 pandemic, the project prepared an analytical note on a possible trafficking case involving Uzbek victims in Sri Lanka. The note contained recommendations for the implementation of bilateral or regional dialogue with countries of transit and destination. Towards the end of 2020, 3 Uzbekistan prosecutors benefited from additional professional networking and direct partnerships opportunities with competent authorities of transit and destination countries (Central Asian countries, India, Thailand, Turkey, Armenia) thanks to a regional level webinar on international legal cooperation in transboundary TIP investigations and a trilateral consultation between Uzbekistan, India and Thailand) held in partnership with the UNODC Network of Prosecutors and Central Authorities from Source, Transit and Destination Countries in response to Transnational Organized Crime in Central Asia and Southern Caucasus (the CASC networking initiative).

In 2021, with COVID restrictions gradually being lifted, the project organized an initial round of regional TIP seminars. More than 100 criminal justice practitioners increased their knowledge and skills through participation in these seminars in four locations in May and June 2021 (Djizak, Nukus, Namangan, and Tashkent). This first round was completed with a dedicated roundtable discussion in Tashkent. Way forward recommendations on enhancing the capacities of local actors in countering trafficking in persons were subsequently developed, consulted with counterparts, and submitted to the National Commission on combatting trafficking in persons and forced labor.

In July 2021, the project facilitated another discussion on evidential issues in TIP cases during a roundtable with the High School of Judges which gathered 40 judges and other criminal justice practitioners.

In August 2021, 26 criminal justice practitioners (police, judges, prosecutors, representatives of training institutions (Police Academy, GPO Academy, Higher School of Judges) improved their knowledge and capacity to detect and investigate TIP crimes during a specialized seminar.

In November 2021, the project launched a second round of regional TIP seminars, which reached 68 TIP practitioners from territorial TIP commissions and law enforcement bodies in Bukhara, Andijan and Surkhondaryo. The participants enhanced their knowledge on collection of evidence, court practices, foreign experience in disclosing and investigating TIP crimes. They also engaged in a

practical simulation exercise on qualification of TIP and related crimes and identification of TIP victims and referral in line with the new national referral mechanism for victims of trafficking in persons in Uzbekistan.

### **TIP law and policy development, implementation and coordination**

Under output 3, in December 2019, the project partnered with OSCE to organize a national conference on countering trafficking in persons with a focus on legislative reform to support the development of the new Law to counter human trafficking. In conjunction with this conference, the project provided support to an interdepartmental working group tasked with preparing legislative provisions for victim identification and establishment of a national referral mechanism.

During the first half of 2020, the project completed a legal analysis of the draft TIP law and prepared a related report. The law was subsequently approved in the Parliament, introducing a new definition of trafficking in persons, measures for prevention, revised procedures for prosecution as well as a clarified process of rehabilitation and rights of victims.

Following adoption of the new TIP Law, during the second half of 2020, the project provided policy advice during the development of a Government Resolution on improvement of activities of the Republican Centre for rehabilitation of victims of human trafficking. The project reviewed the draft national referral mechanism for victims of human trafficking, which was adopted in early 2021. Later that year, the project provided expert support to develop standard operating procedures on victim identification and referral for law enforcement officials.

In 2020, the project completed a review of the provisions of the draft new Criminal Code related to trafficking in persons and assessed their compliance with international standards. In 2021, relevant recommendations were included in a joint UN Country Team paper on the draft Criminal Code, which the UN Resident Coordinator submitted to the authorities.

In early 2021, with COVID restrictions being relaxed, 30 members of the National TIP Commission, criminal justice practitioners and civil society representatives improved their knowledge and understanding of global and regional best practices and methodologies for data collection and reporting on trafficking in persons.

In July 2021, the project supported a 30-day TIP awareness raising campaign. The project facilitated a final event on the campaign to mark the World Day Against Trafficking in Persons. This event gathered 50 practitioners. Video messages produced as part of the Anti-TIP campaign reached 230,000 viewers and the overall coverage of such social media messaging was estimated at approximately 1 million people around the country.

Towards the end of the project, the project supported an international conference attended by 70 practitioners from Uzbekistan and the Central Asia region to exchange best practices on TIP investigation, referral and victim support, as well as international cooperation. The conference made recommendations to build a better regional network of law enforcement and other practitioners on TIP and facilitate such dialogue platforms on a recurring basis.

### **3. Lessons learned and follow up**

The creation in 2019 of a new National TIP and Forced Labor Commission led by the Chair of the Senate who is also the National TIP Rapporteur provided an entry point for the project to undertake capacity building work with law enforcement and other practitioners.

TIP-related work gained some momentum and increased relevance with the adoption of new legislation and a national referral mechanism for victims. At the same time, national counterparts acknowledge that effective implementation will require substantial support, investment in training and roll out of standard operating procedures, and sensitization of all relevant national institutions engaged in the NRM.

Working through the MOI in its capacity as secretary of the National Commission and the related TIP working group enabled the project to launch regional seminars for the territorial TIP and forced labor commissions, including its members from law enforcement and the judicial system.

In this context, the “Way Forward Recommendations” agreed with the authorities following the series of regional TIP seminars held under the project provide a comprehensive framework for follow up action. The project’s training needs assessment and related recommendations for the roll out of training on investigation and prosecution of TIP can be further used for structured capacity development on TIP. An Action Plan (“Roadmap”) between UNODC and Uzbek authorities for 2022 has also been developed.

Overall, it is recommended to continue the practice of training work in partnership with the National TIP and Forced Labor Commission. Engagement with the Police Academy, GPO Academy and High School of Judges should be further strengthened, including through training of trainers on TIP investigations, victim referral and support, as well as mutual legal assistance and international law enforcement cooperation.

Further international judicial cooperation with countries of destination can be promoted, including through the CASC network initiative with an increased focus on facilitation of mutual legal assistance on specific cases.

The practice of organizing concerted public awareness raising campaigns on trafficking in persons, based on partnerships with government, law enforcement and civil society, should be consolidated.

Based on UNODC’s positive experience with the Ministry of Public Education in institutionalizing educational programs in the regular school curriculum in Uzbekistan, such programs can be developed for primary, secondary and tertiary levels of education to teach school pupils and students about trafficking in persons and more broadly the importance of the rule of law, ethics and integrity as core elements in the fight against organized crime.

**Annex – Publications**

The following project publications are available on request.

1	Scoping report and recommendations for developing a standardized training concept for law enforcement in the Republic of Uzbekistan (English)
2	Legal analysis of the draft Law against Trafficking in Persons and selected provisions of the draft Criminal Code (Russian)
3	Comments on the draft Criminal Code (English/Russian)
4	Comments on the Government Resolution on improvement of activities of the Republican Centre for rehabilitation of victims of human trafficking (English/Russian)
5	Bukhara Declaration on strengthening partnerships in countering trafficking in persons (English/Russian)
6	Way forward recommendations on “Enhancing the Capacities of Local Actors in Countering Trafficking in Persons” (English/Russian)

7	Questions and areas for clarification in Uzbek criminal and criminal procedure legislation in relation to TIP cases (Russian)
8	International cooperation and mutual legal assistance to combat transnational organized crime, Sri Lanka – Uzbekistan trafficking in persons case (English)
10	Case Digest on Evidential Issues in Trafficking in Persons Cases (Uzbek)
11	Education for Justice Modules: 6 Defining the Concept of Trafficking in Persons (Russian/ Uzbek) 7 Prevention of Trafficking in Persons (Russian/Uzbek) 8 Human Rights-Based Approach to Trafficking in Persons (Russian/Uzbek) 9 Criminal Justice Responses to Trafficking in Persons (Russian) 10 The Role of Civil Society and the Private Sector in Countering Trafficking in Persons (Russian) 11 Smuggling of Migrants and Trafficking in Persons- Differences and Commonalities (Russian/Uzbek) 12 Children as Smuggled Migrants and Victims of Trafficking (Russian) 13 Gender Dimensions of Trafficking in Persons and Smuggling of Migrants (Russian) 14 Links between Cybercrime, Trafficking in Persons and Smuggling of Migrants (Russian)
12	PR materials on the project: 1. <a href="#"><u>UNODC develops training concept for law enforcement on investigation and prosecution of human trafficking in Uzbekistan</u></a> 2. <a href="#"><u>UNODC enhances the capacities of the Territorial Commission for Combating Trafficking in Persons and Forced Labour of the Xorazm Region</u></a> 3. <a href="#"><u>UNODC completed a series of Train of Trainer Seminars “Enhancing the Capacities of Local Actors in Combating Trafficking in Persons” in all regions of Uzbekistan</u></a> 4. <a href="#"><u>Uzbekistan Marks Results of “30 Days of Partnership” Campaign on World Day Against Human Trafficking</u></a> 5. <a href="#"><u>UNODC Executive Director Contributed to the Discussion on Combating Trafficking in Persons in Central Asia</u></a> 6. <a href="#"><u>High-level panel on “Effective identification of victims and investigation of crimes of trafficking in persons through development of international partnerships”</u></a>