UNODC Toolkit for mainstreaming Human Rights and Gender Equality into criminal justice interventions to address trafficking in persons and smuggling of migrants

7 December 2022
Challenges

“(…)I have mostly noticed difficulties to ensure human rights mainstreaming when working with actors of the criminal justice chain on prevention and persecution of migration related crimes (TIP/SOM) while ensuring human rights protection of all migrants”

“Need to include it since the planning and not as an additional element after all is in place”

“Difficulties mainstreaming gender equality due to lack of gender-sensitive data and lack of capacities with state counterparts to provide gender sensitive information.”

“Mainstreaming human rights can sometimes be difficult when working with national authorities and counterparts as they are not exactly aware of human rights”

“overcome practices within national institutions”

“Lack of available expertise on the topic within the team. Do we understand what exactly mainstreaming gender equality means and how to integrate it in our work?”
Overcoming those challenges

- To provide **guidance** to staff and counterparts on:
  - Key human rights and gender sensitive issues relating to the responding to TIP and SOM;
  - How to **assess** the human rights implications of different project activities;
  - How to **identify and mitigate the risks** that project activities may pose to human rights, and;
  - Human rights and gender **indicators** to be used in designing, monitoring and evaluating activities.
Part 1. Key considerations including unintended consequences

TOOLS TO UNDERSTAND HUMAN RIGHTS AND GENDER EQUALITY CONSIDERATIONS WHEN PREVENTING AND ADDRESSING TRAFFICKING IN PERSONS AND SMUGGLING OF MIGRANTS

Part 1 of the Toolkit aims to strengthen understanding of human rights and gender equality issues in criminal justice responses to trafficking in persons and smuggling of migrants.

TOOLS TO ANALYSE THE HUMAN RIGHTS AND GENDER EQUALITY SITUATION IN THE PROGRAMME / ACTIVITY LOCATION

Part 2 is comprised of six situational analysis tools for users to fill out to help them to better understand the human rights and gender equality situation in the country they are working in, to inform programme and activity design and development.

Part 2. Understand and map barriers to design tailored response

TOOLS TO MAINSTREAM HUMAN RIGHTS AND GENDER EQUALITY IN PROGRAMMING

Part 3 is comprised of checklists, risk assessment, mitigation tables, and templates for documenting lessons learnt. These tools are

TOOLS FOR MONITORING, EVALUATION AND LEARNING IN HUMAN RIGHTS AND GENDER EQUALITY

Part 4 of the Toolkit is offered to support the monitoring and evaluation of human rights and gender equality streaming in criminal
Toolkit in practice

Primary target users
UNODC and partners supporting States to fulfill their obligations

Publically available
For others to adapt into their work

Feedback welcome
So we can learn from experience and improve future versions

Planed regionalization and translation
Usage so far

- We use the Toolkit to mainstream HR and gender across ALL the activities as per the country and regional workplans
- It's an integral part of our Monitoring, Evaluation and Learning Approach
- Included in the ToRs for consultants
- Included in ALL of our team training sessions
- Training sessions to other colleagues addressing TIP and SOM

2. What change do you expect this intervention to bring?

Max. 150 words

Please refer to your country/regional reviewable Theory of Change available here and briefly summarize how the steps you are proposing with this intervention will bring the necessary change as per the expected results.

1. Are there any changes in the entry points?
2. Any new risks being faced?
3. Are the assumptions still relevant?

3. How are you mainstreaming Human Rights and Gender Equality into this intervention?

Tools—please select which Tools are you using of the UNODC Toolkit for mainstreaming HR and Gender Equality into criminal justice interventions to address TIP and SOM. Several tools can be used.

a. Part 1: Tools to Understand
   - 1.1 Legislation
   - 1.2 Prevention
   - 1.3 Identification and referral
   - 1.4 Protection and assistance
   - 1.5 Return and reintegration
   - 1.6 Investigation
   - 1.7 Criminal justice and other data
   - 1.8 Prosecution and defence
   - 1.9 Sentencing

b. Part 2: Tools to Analyse
   - 2.1 General country profile
   - 2.2 International legal context
   - 2.3 National legal context
   - 2.4 Institutional context and capacity
   - 2.5 Determining whether UNODC can support non-UN security forces
   - 2.6 Practical barriers faced by specific rights-holders

b. Part 3: Tools to Mainstream
   - 3.1 Planning and design checklist
   - 3.2 Strategy and policy risk assessment and mitigation
   - 3.3 Legislative assistance risk assessment and mitigation
   - 3.4 Regional and trans-regional cooperation risk assessment and mitigation
   - 3.5 Protection and assistance risk assessment and mitigation
   - 3.6 Advocacy table
(External) feedback so far

✓ European Union Results Oriented Monitoring (ROM):

• The intervention is designed with a clear rights-based approach, with appropriate focus on the mainstreaming of rights-based principles and gender-sensitivity in normative frameworks and policies and in the response to TIP and SOM.

• GLO.ACT has very good management, monitoring and learning processes in place, which incorporate rights-based principles and gender sensitivity across its implementation experience.

✓ The Toolkit has so far been used and referenced in 2 recent publications:

• “Toolkit for Integrating Migration into Security Interventions” IOM and UNODC, 2022.

JOIN US AND FOLLOW OUR PROGRESS


Twitter: @glo_act