



# Thirteenth United Nations Congress on Crime Prevention and Criminal Justice

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*Workshop 2:*

*Trafficking in persons and smuggling of migrants:  
Successes and challenges in criminalization,  
in mutual legal assistance and  
in effective protection and witnesses and trafficking victims*

**INTRODUCTORY STATEMENT BY ILIAS CHATZIS, HUMAN TRAFFICKING AND MIGRANT  
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Excellencies,

Distinguished delegates,

Ladies and Gentlemen,

Trafficking in persons and the smuggling of migrants are a serious threat to individuals as well as States in all parts of the world. Much has already been achieved in combating these crimes, but more needs to be done. Traffickers and smugglers, in order to make enormous profits, prey on vulnerable persons, exposing them to exploitation, abuse and mistreatment. Sadly, these horrible crimes do not appear to be in decline.

We have a strong international legal framework, consisting of the United Nations Transnational Organized Crime Convention and its associated Protocols against Trafficking in Persons and the Smuggling of Migrants, as well as other complementary instruments under human rights law, humanitarian law, refugees law, migration law or labour law.

However, as outlined in the background paper prepared for this Workshop contained in document number A/CONF.222/11, States continue to face various challenges in incorporating the provisions of these instruments into their national laws, as well as in prosecuting criminals, protecting trafficking victims, respecting the human rights of smuggled migrants, and establishing effective partnerships. In addition, States' efforts to detect these crimes are hampered by the clandestine nature of both trafficking and smuggling and the employment of new sophisticated means and *modi operandi* by the criminals.

There is a strong commitment among Member States to tackling trafficking in persons and the smuggling of migrants, as demonstrated by the high level of ratifications of the Transnational Organized Crime Convention and its Protocols. As of today, there are **185** States parties to the Convention, **166** States parties to the Trafficking in Persons Protocol and **141** Parties to the Smuggling of Migrants Protocol.

UNODC as the guardian of these instruments, continues to support Member States' efforts in fulfilling their legal obligations under the Convention and the Protocols and effectively responding to trafficking in persons and the smuggling of migrants. UNODC plays a multi-faceted role by providing normative and technical assistance, raising awareness, carrying out research, and promoting partnership and cooperation among the various stakeholders.

Let me briefly provide some concrete examples of UNODC's work:

To strengthen the criminal justice responses to trafficking in persons and the smuggling of migrants, UNODC provides tailor-made technical assistance to Member States ranging from strategic planning to legislative assistance and capacity-building. In the past two years alone, under UNODC's global projects over 1,800 practitioners in 83 countries were provided with specialized assistance and training. In addition, UNODC has a growing number of dedicated field-led programmes against both trafficking in persons and migrant smuggling in key countries and regions around the world.

In the most recent examples, UNODC delivered a series of training workshops to Algerian law enforcement personnel to build their capacity to detect and investigate trafficking in persons cases.

An interregional workshop on enhancing cooperation in matters related to irregular migration and smuggling of migrants from West Asia through South Eastern Europe was organized in Greece.

Several “train-the-trainers” workshops on trafficking in persons and the smuggling of migrants took place in Morocco, Panama and the Republic of Congo.

In addition to capacity building, UNODC also produces practical materials and tools for Member States.

Recognizing the lack of clarity in understanding some of the main concepts of the Trafficking in Persons Protocol, UNODC developed a series of issue papers to analyse States’ legislation, practice and jurisprudence. Following the 2012 launch of the first such issue paper on the Abuse of a Position of Vulnerability and the 2014 launch of the second paper on the concept of Consent, the third issue paper on the concept of Exploitation is being launched today at a dedicated ancillary event during the lunch break from 1 pm to 2.30 pm.

In addition, UNODC is launching an Assessment Toolkit on Trafficking in Persons for the Purpose of Organ Removal. The handbook not only provides a general overview of the situation as reported by States but it also offers an assessment matrix to assist concerned actors evaluate the extent of the problem. The launch will take place at an ancillary meeting tomorrow 15 April 2015 from 2pm – 3:30pm.

UNODC also continues to expand its online database of human trafficking cases, aiming to allow criminal justice practitioners to learn from experiences in other jurisdictions, with the ultimate purpose to increase the number of trafficking prosecutions and convictions. The database currently includes about 1,200 cases from over 90 jurisdictions. Drawing primarily on cases from the Database, UNODC is currently finalizing a Digest of Trafficking in Persons Cases focusing on evidentiary challenges related to the investigation and prosecution of human trafficking.

With regard to the smuggling of migrants, UNODC continues to develop tools and papers on various aspects of the crime, such as the recent Assessment Guide to the Criminal Justice Response to the Smuggling of Migrants and the issue paper on the links between smuggling of migrants and corruption.

In response to the growing number of smuggling incidents by sea, UNODC cooperates with concerned partner agencies to develop joint responses and to improve protection of smuggled migrants. In March this year, UNODC organized in Panama a regional meeting for Latin America and the Caribbean to raise awareness and build the capacity of front line officers and criminal justice practitioners in combatting smuggling of migrants by sea. An internal short-term and medium-term UNODC strategy has been developed to address the smuggling of migrants across the Mediterranean.

UNODC is a strong advocate for cooperation and coordination among all relevant anti-trafficking and anti-smuggling actors. It coordinates the work of the Inter-Agency Coordination Group against Trafficking in Persons (ICAT) and is an active member of the Global Migration Group (GMG). Both ICAT and the GMG bring together agencies of the United Nations and other international organizations to speak with one voice on burning issues relating respectively to trafficking in persons and to international migration.

It is important to underline that civil society and non-governmental organisations are key partners to UNODC. In this respect, over a period of 2 years, UNODC has cooperated with approximately 200 relevant NGOs.

To conclude, effective responses require continuous and systematic actions, based on, among others, gathering and evaluating evidence, sharing experience and knowledge, raising awareness, prosecuting perpetrators, addressing root causes, protecting the victims, respecting the human rights of smuggled migrants, and advancing cooperation.

It is hoped that this workshop will provide an opportunity to further the sharing of knowledge and experience in this regard.

Thank you very much for your attention.