REPORT OBJECTIVES

1. ASSESS IMPACT OF PALERMO PROTOCOL – Government responses – one decade later

2. IDENTIFY KNOWLEDGE GAPS – to support evidence-informed response

REPORT DOES NOT

• MEASURE SEVERITY OF THE PROBLEM
• RANK COUNTRIES
• ALLOW COUNTRY COMPARISONS
STRUCTURE OF PRESENTATION

• WHAT IS TRAFFICKING IN PERSONS?

• THE REPORT ITSELF – STRUCTURE AND METHODOLOGY

• KEY FINDINGS = 5
  • Global
  • East Asia and the Pacific
WHAT IS TRAFFICKING IN PERSONS?

**The Act**
- Recruitment
- Transportation
- Transfer
- Harbouring
- Receipt

**The Means**
- Threat, Use of Force, Coercion
- Abduction
- Fraud
- Deception
- Abuse of Power
- Abuse of Vulnerability
- Giving, receiving of payments

**The Purpose**
- Exploitation (including)
- Prostitution of others
- Sexual exploitation
- Forced labour
- Forced marriage
- Slavery
- Domestic servitude
- Organ removal
THE REPORT – Methodology

1. The role of UN.GIFT
   a) IOM, ILO, OHCHR, UNICEF, OSCE and UNODC.
   b) Three Ps – Four pillars.

2. How the Report was built
   b) Based on official data from Member States: 85% nat’l institutions; 7% UN.GIFT organizations; 8% NGOs – (% same for global and EAP)
   c) No obligation on Member States to provide information.
   d) Questionnaire disaggregated (M/F) but Member States info often not.
   e) Each Member State has received final country profile and regional assessment slides, national profiles. All members have received a draft.
THE REPORT – Countries Covered

155 countries and territories

Data collection
THE REPORT – Structure

1. Global overview

2. Regional assessments – 11

3. Country profiles – 155:
   a) Institutional / laws
   b) Criminal justice response
   c) Services provided to victims
   d) Trafficking markets
THE REPORT – Number of countries per topic

- Legislation on TiP: 155
- Data on investigations: 120
- Data on prosecutions: 141
- Data on convictions: 134
- Data on identified victims of TiP: 114
- Data on sheltered victims of TiP: 71

Source: UNODC/UN.GIFT
KEY FINDINGS
The fight against trafficking has just started
KEY REPORT FINDINGS:

1. The “push” of the Protocol: the number of countries implementing laws has doubled.

2. Convictions are increasing. But impunity is immense.

3. Sexual exploitation is the most commonly-identified form of human trafficking.

4. A disproportionate number of women are offenders.

5. Most offenders are citizens of the country where they were arrested.
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Finding 1: The “push” of the UN Protocol

“...in a remarkably short space of time, tremendous progress has been made in combating a crime that was only recently widely acknowledged...” (Report p.8)
Finding 1: The “push” of the UN Protocol

Percentage of countries that have introduced a specific offence on trafficking in persons into their legislation (N:155)

- 2003: 35% specific offence, 65% no specific offence
- 2006: 72% specific offence, 28% no specific offence
- Nov-08: 80% specific offence, 20% no specific offence

Doubling of countries with TIP legislation

Source: UNODC/UN.GIFT
SUMMARY: GLOBAL BASELINE ON LEGISLATION

- Before 2003, only 35% of the countries* had TIP legislation. 65% did not.
- As of November 2008, 80% of the countries* had TIP legislation and 20% did not.
- 54% of countries have established anti-TIP police units
Finding 1: The “push” of the UN Protocol

NATIONAL LAW: Trafficking as a specific offence (Nov 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.
Finding 1: The “push” of the UN Protocol

EAST ASIAN / PACIFIC NATIONAL LAWS:
 Trafficking a specific offence
(Status: Nov 2008)
Finding 1: The “push” of the UN Protocol

EAST ASIA AND THE PACIFIC

• 23 of the 27 countries in Asia / Pacific region have adopted specific laws on TIP

• Between 2005-2008, 8 East Asian and 2 Pacific countries introduced new anti-trafficking laws or modified old ones

• This makes most of the legislation in the region relatively recent – though focusing heavily on sexual exploitation.
KEY REPORT FINDINGS:

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Finding 2: Convictions increasing but impunity massive

- Globally, the number of convictions is increasing.
- But not in proportion to the growing awareness (and probably size) of the problem.
- Most convictions occur in a very few countries.
- To date, 2 out of 5 countries have never recorded a single conviction.
- Thus a large area of impunity remains.
Finding 2: Convictions increasing but impunity massive

Trends in the number of recorded convictions, % of countries (N:134)

- Stable or not clear trend, 71%
- Increasing trend, 21%
- Decreasing trend, 8%

Source: UNODC/UN.GIFT
<table>
<thead>
<tr>
<th>Category</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>One to ten convictions per year</td>
<td>17%</td>
</tr>
<tr>
<td>At least 10 convictions per year</td>
<td>29%</td>
</tr>
<tr>
<td>No convictions because no offence</td>
<td>22%</td>
</tr>
<tr>
<td>No convictions and offence in force</td>
<td>19%</td>
</tr>
<tr>
<td>Data not available</td>
<td>14%</td>
</tr>
<tr>
<td>No convictions and offence in force</td>
<td>19%</td>
</tr>
</tbody>
</table>

Source: UNODC/UN.GIFT

**Finding 2: Convictions increasing but impunity massive**

**IMPURITY**

Distribution of all countries according to the number of convictions recorded for the specific offence of trafficking in persons during the reporting period (N:155)
Finding 2: Convictions increasing but impunity massive

**VICTIMS DETECTED**

Total number of victims identified by State authorities in 71 selected countries

**TREND:**
The capacity to detect victims has increased (+27% victims detected globally)

Source: UNODC/UN.GIFT
Finding 2: Convictions increasing but impunity massive

SUMMARY: 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.

155 countries and territories covered by this report
Finding 2: Convictions increasing but impunity massive

**TRENDS: 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 were detected in the Pacific area.

- Trends indicate an increase in the number of trafficking cases in Cambodia, Indonesia, Mongolia, Timor-Leste, Thailand and Vietnam.

- Somewhat stable to decreasing trends elsewhere in region.

- Higher than average criminal proceedings in Mekong countries.
Finding 2: Convictions increasing but impunity massive

TRENDS: Mongolia

Persons investigated for the offence of “sale or acquisition of humans” in Mongolia (2003-2007)

Source: State Investigation Department, Mongolia
Finding 2: Convictions increasing but impunity massive

TRENDS: Japan

Persons arrested for trafficking in persons and related offences in Japan, by gender (2003-2006)

Source: National Police Agency
KEY REPORT FINDINGS:

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5. Most offenders are citizens of the country where they were arrested.
Finding 3: Sexual exploitation deemed most common

Profile of victims identified by State authorities

The profile of the victims: gender

Source: UNODC/UN.GIFT
Distribution of victims identified by State authorities according to the form of exploitation (N: 52 in 2006)

TRENDS

1. Sexual exploitation was the most commonly identified form of human trafficking.

2. TIP for forced labour (generally men/boys) is likely under-detected.

3. Reasons: (a) FL laws more recent (b) police perspective (c) less visible than, e.g., prostitution.
SUMMARY: Global baseline data on trafficking in persons patterns

- Victims of trafficking for sexual exploitation = 79%
- Victims of forced labour = 18%
- Female **victims** represented, globally, between 65 and 75% of all victims detected
- Child victims between 15 and 25%
- Male victims around 15%
Finding 3: Sexual exploitation deemed most common

TRENDS: East Asia and the Pacific

1. Women and girls trafficked for sexual exploitation were the primary victims (during 2003-2007 most countries only had legislation on TIP for sexual exploitation).

2. Trafficking in minors was a significant issue in South East Asia. During the reporting period child trafficking rose in all East Asia.
Finding 3: Sexual exploitation deemed most common

The profile of the victims – Child Trafficking
Percentage of minors in the total number of victims identified (2003-2007)

- Cambodia
- Lao PDR
- Philippines
- Thailand

Source: UNODC/UN.GIFT
Finding 3: Sexual exploitation deemed most common

PHILIPPINES

Victims of trafficking in persons reported by State authorities in The Philippines (2004-2007)

- All sexually exploited.
- An unknown number also subjected to labour exploitation.

Source: Department of Social Welfare and Development - Philippines
KEY REPORT FINDINGS:

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Finding 4: Offenders – female numbers disproportionate

Ratio of females convicted for trafficking in persons and for all offences in selected countries

### Countries
- **Netherlands**: 18% (TIP), 12% (All crimes)
- **Germany**: 21% (TIP), 18% (All crimes)
- **Slovakia**: 22% (TIP), 13% (All crimes)
- **Romania**: 23% (TIP), 9% (All crimes)
- **Portugal**: 23% (TIP), 8% (All crimes)
- **Hungary**: 26% (TIP), 14% (All crimes)
- **Czech Republic**: 28% (TIP), 13% (All crimes)
- **Cyprus**: 30% (TIP), 9% (All crimes)
- **France**: 32% (TIP), 10% (All crimes)
- **Latvia**: 53% (TIP), 9% (All crimes)
Finding 4: Offenders – female numbers disproportionate

**SUMMARY: Global baseline data on trafficking in persons patterns**

- Females more commonly appear as offenders in human trafficking statistics than for other forms of crime.

- One possible conclusion: need to analyse the trafficking roles of those prosecuted – as well as those who escape prosecution (not only end-exploiters, but also those in the higher echelons parts of trafficking hierarchies).

- “Very significant” in East Asia / Pacific” (Report p. 46)
KEY REPORT FINDINGS:

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5. Most offenders are citizens of the country where they were arrested.
Finding 5: Most offenders = citizens where arrested

Offender profile: Nationality

• Generally offenders were citizens of the countries where they were arrested.

• This suggests that local criminal networks acquire the victims and sell them to criminal networks based in destination countries.

(Report p 10)
Finding 5: Most offenders = citizens where arrested

Long distance from EAST ASIA: Countries where East Asian victims were detected outside East Asia and the Pacific (2005-2007)

“…Most remarkably, victims from East Asia were detected in more than 20 countries in regions throughout the world…” (Report p.11)

Source: UNODC/UN.GIFT
Finding 5: Most offenders = citizens where arrested

East Asian countries major source for trans-regional trafficking

- Thais (as well as Vietnamese and other nationals of the Mekong sub-region) were identified as victims within the region and in other regions (Southern Africa, Europe and the Middle East).

- Chinese, Filipinos and other East Asian victims were detected in more than four other regions (Europe, the Middle East, the Americas, in parts of the African continent and Asia).

THAI VICTIMS TRAFFICKED ABROAD as identified by State authorities by area of repatriation (2005-2007)

Source: Bureau of Anti-Trafficking in Women and Children
WHAT NEXT?
WHAT NEXT? => ANALYSIS

1. The findings open up new questions / issues
   a) Still unknown: “How big is the human trafficking problem globally?”
   b) Why so many women among offenders?
   c) Why do so many CJ systems not use TIP laws to prosecute?
   d) Reliability of the data – need for constant improvement
   e) “Good guys” versus “bad guys” – report offers no ranking – intention is not to compare countries – all countries can improve performance

2. A knowledge crisis remains – We’re still fighting the problem “blindfolded”
   a) Need for standard definitions as per The 2000 Protocol
WHAT NEXT? => ACTION

1. Having laws is not enough

2. Need for more convictions (Note: risk of inaccurate targeting – go beyond quantitative measures)

3. Need for greater focus on forced labour

4. What do we \textbf{do} about it? => UNODC’s efforts

\begin{itemize}
  \item \textbf{ASEAN Charter}
  \item \textbf{COMMIT Process}
  \item \textbf{BALI Process}
\end{itemize}

\textbf{CRIMINAL JUSTICE RESPONSE:}

“To date, 2 out of 5 countries have never recorded a single conviction.”
UNODC’s EFFORTS IN REGION

HUMAN TRAFFICKING => focus on criminal justice countermeasures

1. LAWS to meet international standards
2. Comparative DATA to inform EVIDENCE-BASED responses
3. INFORMED and CAPABLE frontline law enforcement officers, prosecutors and judges
4. VICTIM SUPPORT: Systems for quickly identifying and assisting victims
5. IMPROVED COOPERATION between criminal justice agencies within and across borders
6. CORPORATES: Corporate sector organizations adopt codes of conduct
7. Top-level POLITICAL engagement and commitment
Thank you

www.unodc.org/thailand