

Resolution 11/5

Implementation of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime

The Conference of the Parties to the United Nations Convention against Transnational Organized Crime,

Reaffirming the importance of the United Nations Convention against Transnational Organized Crime and the Protocols thereto¹ as the main international legal instruments available to the international community to prevent and fight all forms and manifestations of transnational organized crime and to protect the victims of such crimes,

Recalling the functions assigned to it in article 32 of the Organized Crime Convention, pursuant to which the Conference was 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, supplementing the Convention,

Bearing in mind that the Trafficking in Persons Protocol, which enjoys near-universal ratification, with 179 parties at present, includes the first internationally agreed definition of trafficking in persons and provides a comprehensive framework to prevent and combat trafficking in persons, protect and assist the victims and promote cooperation,

Reaffirming the recognition of States parties that “trafficking in persons” means 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 Trafficking in Persons Protocol,

Recalling its resolutions 5/2 of 22 October 2010 and 10/3 of 16 October 2020 and its decisions 2/3 of 20 October 2005 and 3/3 of 18 October 2006 on the implementation of the Trafficking in Persons Protocol,

Recalling also all previous General Assembly resolutions related to trafficking in persons, including resolution 76/7 of 22 November 2021, entitled “2021 Political Declaration on the Implementation of the United Nations Global Plan of Action to Combat Trafficking in Persons”, and resolution 76/186 of 16 December 2021, entitled “Measures to improve the coordination of efforts against trafficking in persons”,

Recalling further the adoption by the General Assembly of resolution 70/1 of 25 September 2015, containing the 2030 Agenda for Sustainable Development, including its goals and targets relevant to trafficking in persons,

¹ United Nations, *Treaty Series*, vols. 2225, 2237, 2241 and 2326, No. 39574.

Taking into account the importance of mainstreaming a gender perspective into crime prevention and criminal justice policies and programmes and into efforts to prevent and combat transnational organized crime,

Taking note of the reports on the eleventh and twelfth meetings of the Working Group on Trafficking in Persons, held in Vienna on 12 and 13 October 2021 and on 29 and 30 June 2022, respectively,

Recognizing the need to provide trauma-informed support to victims² of trafficking in persons, taking into account different factors such as gender, age, race, ethnicity, migration status, disability or social and economic inequalities,

Recognizing also the need for a victim-centred approach to ensure that victims are treated with respect and dignity and are not inappropriately penalized or adversely affected by laws, policies and other actions for acts that they commit as a direct consequence of their trafficking situation, and where appropriate and in accordance with domestic law, to provide victims with access to remedies if they are penalized or adversely affected,

Recognizing further the importance of promoting coordinated cross-border investigations and regional and international collaboration to strengthen the effectiveness of criminal justice responses to trafficking in persons and the sharing of good practices,

Welcoming the holding of the constructive dialogue held after the conclusion of the twelfth meeting of the Working Group on Trafficking in Persons on 1 July 2022, and taking note of the valuable inputs and suggestions made by different stakeholders on ways to improve the implementation of the Trafficking in Persons Protocol regarding appropriate criminal justice responses to victims who have been compelled to commit offences as a result of their being trafficked; best practices in joint investigations and specialized prosecutions; and matters pertaining to the Mechanism for the Review of the implementation of the Convention and the Protocols thereto,

Recognizing the role and mandates of the United Nations Office on Drugs and Crime in preventing and countering trafficking in persons, including in the light of the progress made towards the implementation of the Mechanism for the Review of the Implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto,

Welcoming the work of the United Nations Office on Drugs and Crime and its tireless efforts to promote the effective implementation of the Convention and the Protocol,

Noting with appreciation the United Nations Office on Drugs and Crime Global Programme against Trafficking in Persons, its development of tools, issue papers and training materials, the publication of the *Global Report on Trafficking in Persons* and its impact on improving global understanding of the nature and scope of, and trends related to, trafficking in persons, its coordination support to the Secretary-General, the Inter-Agency Coordination Group against Trafficking in Persons and the United Nations voluntary trust fund for victims of trafficking in persons, especially women and children, and its Blue Heart Campaign against Human

² Although the term “survivors” is not defined in the Trafficking in Persons Protocol, it is often used to acknowledge that victims of trafficking in persons can recover from the trauma that they have endured.

Trafficking, aimed at fostering greater public awareness of trafficking in persons,

Taking note of the agreed conclusions of the sixty-sixth session of the Commission on the Status of Women,³ on the theme “Achieving gender equality and the empowerment of all women and girls in the context of climate change, environmental and disaster risk reduction policies and programmes”, in which the Commission urged Governments, United Nations entities and other stakeholders to take specific actions against trafficking in persons, especially women,

Recalling the commitment contained in the 2021 Political Declaration on the Implementation of the United Nations Global Plan of Action to Combat Trafficking in Persons to intensify efforts to eliminate all forms of violence against all women and girls in public and private spheres, including trafficking in persons,

Bearing in mind that all States parties have an obligation, as set forth in the Protocol, to prevent, investigate and punish perpetrators of trafficking in persons and to protect and assist victims, and that not doing so violates and impairs or nullifies the enjoyment of the human rights and fundamental freedoms of the victims,

Noting the need for States parties to consider, where appropriate, enacting measures which require commercial entities to establish and report on due diligence measures to prevent trafficking in persons from occurring in their procurement practices and supply chains, and to also create incentives for the private sector to eliminate trafficking in persons in their supply chains,

Convinced of the importance of the implementation of article 30 of the Organized Crime Convention, in which the need for international cooperation and taking into account the adverse effects of organized crime on society in general and on sustainable development in particular, are highlighted,

Recognizing the fundamental role that effective international cooperation plays in the efforts to prevent and combat trafficking in persons, and to this end underlining the importance of addressing, tackling and effectively responding to international challenges and barriers that undermine the ability of States to cooperate and access the information and other resources necessary to counter this crime,

Recalling that the purpose of the Trafficking in Persons Protocol, as stated in article 2 thereof, is to prevent and combat trafficking in persons, paying particular attention to women and children,

Concerned by reports of the United Nations Office on Drugs and Crime that highlight the worsening risks resulting from the coronavirus disease (COVID-19) pandemic and the increase in the number of children who fall victim to trafficking in persons, and noting that this crime continues to affect mainly women and girls, who account for 65 per cent of identified victims globally, and that sexual exploitation remains the main exploitative purpose of trafficking detected in the world, followed by forced labour,

Taking note with appreciation of the issue papers published by the Office containing analyses of key concepts related to the definition of trafficking in persons provided in the Protocol, including abuse of a position of vulnerability, consent and exploitation, which have enhanced understanding among Member States and informed the recent revisions of

³ [E/2022/27](#), para. 1.

the *Model Legislative Provisions against Trafficking in Persons* and the *Legislative Guide for the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime*,

Considering the importance of adopting effective measures, policies and programmes to prevent and combat trafficking in persons, and especially to ensure the protection of those persons who are particularly vulnerable to trafficking,

Recognizing the need for trust to be built between criminal justice institutions and victims of trafficking in persons in order to improve efforts to hold accountable those responsible for the crime while providing trafficked persons and witnesses with effective and safe means of collaboration, as appropriate, during investigations and criminal proceedings,

Concerned about the negative impact that corruption can have on the effectiveness of the measures to prevent and combat transnational crime, including in relation to trafficking in persons,

Bearing in mind that some of the *modi operandi* employed by organized criminal groups engaged in trafficking in persons may also be employed for the commission of other serious crimes,

Concerned about the misuse and abuse of information and communications technologies by traffickers in persons, operating simultaneously and anonymously in different locations, to recruit, control and exploit victims, in particular women and children, and to transfer funds associated with the crime,

Recognizing the potential of the Internet and other information and communications technologies to prevent and combat trafficking in persons and to assist victims, stressing the need for increased law enforcement cooperation in this regard to address the new challenges generated by constantly evolving information and communications technologies, and expressing concern that perpetrators of trafficking in persons have misused the Internet and other information and communications technologies to facilitate trafficking in persons, including in the context of the COVID-19 pandemic, for the purposes of recruitment and exploitation, especially of women and children, and controlling victims,

Acknowledging the need to prevent trafficking in persons by pursuing a comprehensive and systematic approach through social, economic, health, education, justice and human rights policies in order to mitigate factors such as poverty, underdevelopment and a lack of equitable opportunities, which may make people more vulnerable to trafficking,

1. *Urges* Member States that have not yet done so to, as a matter of priority, consider acceding to the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime;

2. *Welcomes* the holding of the meetings of the Working Group on Trafficking in Persons in Vienna on 12 and 13 October 2021 and 29 and 30 June 2022, and the recommendations adopted at those meetings, and encourages States to make the best possible use of those recommendations;

3. *Calls upon* States parties to identify and address specific forms of trafficking in persons and implement targeted crime prevention measures, in accordance with their respective international obligations and domestic law, by addressing the social, economic, cultural, political and other factors that make people vulnerable to trafficking in persons, including those in

vulnerable situations such as poverty, underdevelopment, irregular migration, statelessness, unemployment, inequality, gender inequality, sexual exploitation and gender-based violence, discrimination, including gender and racial discrimination, disability, social and financial exclusion, marginalization, corruption and persecution, as well as humanitarian emergencies, armed conflicts and natural disasters;

4. *Also calls upon* States parties, as appropriate, and in accordance with their respective international obligations and domestic law, and taking into account best practices or other successful measures for responding to emerging trends in trafficking in persons, to:

(a) Implement an analytical process to assess the root causes of trafficking in persons, utilizing a gender-sensitive, victim-centred and human rights-based approach, that helps to evaluate the influence of all factors, including socioeconomic inequalities, and the effectiveness and impact of policies, programmes and other initiatives aimed at preventing and combating organized crime, in order to subsequently adopt national policies and measures that can address those causes and respond more effectively in combating trafficking in persons;

(b) Assess the gender-related risks of trafficking in persons and integrate them into prevention and response measures, noting that such risks may also be compounded by other factors, such as discrimination on the basis of gender, age, race, ethnicity, migration status, disability or social and economic inequalities;

(c) Enhance their cooperation with civil society, non-governmental organizations, the private sector, academia, victims of trafficking in persons and other relevant organizations in order to encourage inclusive and participatory contributions to anti-trafficking programmes and policies at all stages;

(d) Enhance cooperation with local communities, victims and civil society organizations to help actively identify and report trafficking in persons, as well as to build trust between authorities and communities;

(e) Incorporate, where possible, rigorously and scientifically collected baseline and end-line data, which may include measurements of the prevalence of trafficking to determine whether anti-trafficking programmes are having the intended effects, and renew the invitation made to the United Nations Office on Drugs and Crime to support States parties in developing such measurements, as required and upon request;

5. *Encourages* States parties to create or strengthen preventive initiatives, as well as victim-centred support using a trauma-informed approach and protection, engagement and empowerment activities, with a view to contributing to the long-term social inclusion of victims in order to, *inter alia*, prevent them from being recruited again;

6. *Calls upon* States parties to the Protocol, pursuant to article 9 thereof, to adopt or strengthen legislative or other measures, such as educational, social or cultural measures, to discourage the demand that fosters all forms of exploitation of persons, especially women and children, and that leads to trafficking;

7. *Urges* States parties to discourage, in line with their domestic law, the demand that fosters trafficking in persons in global supply chains, the private sector procurement and government procurement and to address the risk of recruitment-related abuse and exploitation by, *inter alia*, developing and evaluating focused strategies, including consumer-based campaigns, working with the private sector, and, as appropriate,

strengthening domestic laws and enhancing bilateral, regional and multilateral cooperation;

8. *Calls upon* States parties to conduct effective criminal investigations of corruption related to trafficking in persons and, where appropriate, refer such cases for prosecution, bearing in mind the obligations of States parties set forth in article 8 of the Convention;

9. *Recognizes* the need to effectively address the challenges presented by the misuse and abuse of information and communications technologies by human traffickers, and urges States to provide technical assistance to developing countries, including financial and material assistance to support efforts to fight trafficking in persons, based on their needs and upon request, to accomplish the following actions below, and requests the United Nations Office on Drugs and Crime, and invites other relevant agencies of the United Nations system, also to assist requesting States in accomplishing the following actions below:

(a) Improve the capacity of national authorities to collect, disaggregate and analyse data and conduct in-depth analyses of emerging trends;

(b) Strengthen the technological capacities of law enforcement and relevant national authorities to conduct, as necessary and in a proportionate, lawful and accountable manner, investigations in cyberspace, including on the dark web, and to seize related electronic evidence;

(c) Train and exchange experience in the use of international cooperation for mutual legal assistance, extradition and the confiscation, seizure and return of assets and proceeds of crime, including for the compensation of victims, and in conducting joint and parallel investigations and obtaining digital evidence and witness statements, bearing in mind article 6, paragraph 1, of the Protocol on the protection of the privacy and identity of victims of trafficking in persons;

(d) Increase cooperation to identify and share information on the misuse of the Internet and information and communications technologies to facilitate trafficking in persons and the recruitment, control and exploitation of victims, especially women and children, and to transfer funds associated with this crime;

10. *Calls upon* States to intensify international cooperation, including for capacity-building, exchange of best practices and know-how and technical assistance, especially for developing countries, aimed at strengthening their ability to prevent and combat all forms of trafficking in persons and address the special needs of victims, including supporting their development programmes and strengthening their criminal justice systems;

11. *Also calls upon* States to enhance international cooperation and build bilateral, subregional, regional and international cooperation mechanisms and initiatives, in particular in the areas of capacity-building, the exchange of best practices and expertise, and technical assistance, to prevent all forms of trafficking and address the needs of victims, including by supporting development programmes and strengthening criminal justice systems;

12. *Invites* States to strengthen multidisciplinary cooperation and coordination among competent authorities at the national, regional and international levels in preventing and combating trafficking in persons;

13. *Urges* States to strengthen South-South, North-South and triangular cooperation and approaches that address transnational trafficking in persons along its routes to promote coordinated cross-border cooperation

and foster international and regional collaboration, using existing, or establishing when required, networks of competent authorities in order to enhance the effectiveness of criminal justice responses to trafficking in persons and improve the exchange of good practices, experiences and challenges;

14. *Invites* States to improve the collection and analysis of data, including gender-disaggregated data, on trafficking in persons, in accordance with national legislation and relevant United Nations international standards, in order to improve evidence-based responses to the gaps and challenges in implementing international obligations and realizing international commitments on trafficking in persons, and invites the United Nations Office on Drugs and Crime and other relevant agencies of the United Nations system to support States in this regard, as needed and upon request;

15. *Urges* States to make full use of the experience and tools of the International Criminal Police Organization (INTERPOL) in combating trafficking in persons;

16. *Requests* the United Nations Office on Drugs and Crime, in consultation with States and subject to the availability of extrabudgetary resources, to conduct a study on the effects of prevention and awareness-raising campaigns to address trafficking in persons, which would also identify best practices, lessons learned, promising prevention measures and successful awareness-raising campaigns in this regard and benefit from data voluntarily provided by States;

17. *Also requests* the United Nations Office on Drugs and Crime, in consultation with States and subject to the availability of extrabudgetary resources, to conduct a study and analysis of the *modi operandi* employed by organized criminal groups in trafficking in persons in order to provide guidance to States parties, in particular with regard to the identification of better prevention practices, noting that those *modi operandi* can potentially be employed for the commission of transnational organized crime and other relevant serious crimes;

18. *Reiterates* its invitation to the United Nations Office on Drugs and Crime and other relevant agencies of the United Nations system to continue to strengthen their activities related to the implementation of the relevant international instruments and the United Nations Global Plan of Action to Combat Trafficking in Persons with a view to promoting further progress in the elimination of trafficking in persons, and invites States parties and other international and bilateral donors to make voluntary contributions to the Office to that end, in accordance with the policies, rules and procedures of the United Nations;

19. *Calls upon* the United Nations Office on Drugs and Crime to continue to fulfil its mandate to support all States parties in the implementation of the Trafficking in Persons Protocol, including through the provision of tailored, accessible and effective technical assistance, upon request;

20. *Requests* the United Nations Office on Drugs and Crime, as manager of the United Nations voluntary trust fund for victims of trafficking in persons, especially women and children, to continue to encourage States and other relevant actors to contribute to the trust fund;

21. *Invites* States parties and other donors to provide extrabudgetary resources for these purposes, in accordance with the rules and procedures of the United Nations.

