# Human Trafficking and Migrant Smuggling Section

## 2017 Highlights at a glance

#### Who we are

**UNODC's Human Trafficking and Migrant Smuggling Section (HTMSS)** is a source of global expertise in responding to the trafficking in persons (TIP), smuggling of migrants (SOM) and related crimes.

99

25

4,000

74

1,906

107

799,487

1,200

HTMSS seeks to reduce the number of people trafficked and exploited, the harm associated with smuggling, and the number, strength, and reach of migrant smuggling and human trafficking networks by strengthening criminal justice systems to respond effectively to these global crimes.

#### What we do

HTMSS provides substantive guidance work to the intergovernmental bodies and processes related to TIP and SOM such as the Conference of the Parties to the United Nations Convention against Transnational Organized Crime (UNTOC) and its Working Groups on TIP and SOM and the ECOSOC/Commission Crime Prevention and Criminal Justice (CCPCJ), as well as the Security Council and the UN General Assembly.

HTMSS promotes multilateral cooperation, coordination and shared approaches between different organizations in order to effectively address TIP and SOM. HTMSS also builds a "community of practice" on TIP and

Technical assistance activities organized or contributed to at the national and regional level.

Countries provided with capacity building at the national level; 80 countries represented in capacity building activities at national and regional levels.

Practitioners, governmental officials and civil society representatives trained.

Standard-setting, technical assistance tools and publications developed or contributed to.

Media articles and interviews on trafficking in persons and the smuggling of migrants that referenced UNODC.

Cases in UNODC's online case law databases on trafficking in persons (101 jurisdictions) and smuggling of migrants (39 jurisdictions).

Web-stories published on the UNODC, HTMSS and GLO.ACT web pages.

Page views of the UNODC/HTMSS and GLO.ACT web pages.

Tweets on the GLO.ACT Twitter account, with over 1,800 likes.

SOM in which best practices and experiences are shared.

HTMSS delivers high quality, specialized technical assistance and support to capacity development to enable UN Member States to respond to TIP and SOM as well as to implement the UNTOC and its supplementing TIP and SOM Protocols and the United Nations Global Plan of Action to Combat Trafficking in Persons.

#### How we do it

HTMSS has a Global Programme against Trafficking in Persons, a Global Programme against the Smuggling of Migrants, and a Global Action to Prevent and Address TIP and SOM (GLO.ACT), which are the main vehicles for the delivery of technical assistance globally on both TIP and SOM. The provision of technical assistance entails evidence-based capacity building activities to strengthen national criminal justice systems to recognize, disrupt, investigate, and fairly prosecute these crimes. Within the framework of the Global Programmes, HTMSS also fosters intergovernmental and interagency cooperation, provides expert policy guidance and develops specialized technical tools and publications to support UN Member States in preventing and responding to TIP and SOM.



The Global Action to Prevent and Address Trafficking in Persons and the Smuggling of Migrants (GLO.ACT) is a joint initiative by the European Union and UNODC, implemented in partnership with the International Organization for Migration (IOM) and the United Nations Children' Fund (UNICEF). GLO.ACT works in thirteen

selected target countries across Africa, Asia, Eastern Europe and Latin America.

### 2030 Agenda for Sustainable Development

The Agenda and its 17 Sustainable Development Goals (SDGs), adopted by the General Assembly in 2015, contain multiple targets aiming to foster regular and safe migration, eradicate human trafficking and combat organized crime. HTMSS's mandate to act originates from the provisions of the UNTOC, and its TIP and SOM Protocols. HTMSS' work supports the achievement of SDGs, integrating a human rights and gender equality perspective to ensure that its programmes reach those most in need, in accordance with the 2030 Agenda. HTMSS's work contributes particularly to the achievement of the following targets:



5.2: Eliminate all forms of violence against all women and girls in public and private spheres, including trafficking and sexual, and other types of exploitation.



8.7: Take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour, including recruitment and use of child soldiers, and by 2025 end child labour in all its forms.



10.7: Facilitate orderly, safe, and responsible migration and mobility of people, including through implementation of planned and well-managed migration policies.



16.2: End abuse, exploitation, trafficking and all forms of violence and torture against children.

16.4: By 2030 significantly reduce illicit financial and arms flows, strengthen recovery and return of stolen assets, and combat all forms of organized crime.



17.9: Enhance international support for implementing effective and targeted capacity building in developing countries to support national plans to implement all the Sustainable Development Goals, including through North-South, South-South and triangular cooperation.

Examples of HTMSS work include support to UN Member States in the development of national action plans addressing TIP and SOM, capacity building efforts to enhance the identification of and assistance to trafficking victims and the prosecution of traffickers, capacity building activities to prevent and combat TIP and SOM, as well as the development and dissemination of specialized technical tools for practitioners. One such example is the development of national action plans, which identify concrete actions to achieve strategic goals and specific objectives within a particular national strategy, thereby also contributing to the effective implementation of the TIP and SOM Protocols and related SDG targets.

Similarly, HTMSS has developed a wealth of practical tools and publications providing guidance to practitioners such as prosecutors, police officers, judges, immigration officials and other relevant authorities on how to detect, investigate, and prosecute TIP and SOM, as well as on how to provide protection and assistance to victims and vulnerable migrants. These tools allow for, and improve, implementation of the TIP and SOM Protocols, contributing to the achievement of SDG targets.



## Highlights of our intergovernmental work and policy contributions

HTMSS provides substantive support to the work of intergovernmental bodies and processes. In 2017, HTMSS contributed to the 26th session of the Commission on Crime Prevention and Criminal Justice (CCPCJ) and serviced the 7th Session of the Working Group on TIP and 4<sup>th</sup> session of the Working Group on SOM. It also contributed to the preparations for the Security Council meeting on "Trafficking in persons in conflict situations: forced labour, slavery and other similar practices". The Security Council meeting resulted in the adoption of Resolution 2388, which is the second resolution on trafficking in persons in conflict situations after Resolution 2331 (2016) and expressly acknowledges the work of UNODC. In addition, HTMSS has contributed to the development of the Global Compact for Safe, Orderly and Regular Migration (GCM), including its six informal thematic sessions on migrants' human rights, drivers of migration, international cooperation, contributions of migrants and labour mobility.

In particular, UNODC hosted, and HTMSS actively contributed to, the <u>Fifth High Level Thematic Session</u> on "Smuggling of migrants, trafficking in persons and contemporary forms of slavery, including appropriate identification, protection and assistance to migrants and trafficking victims," organized by UNODC, and participated on a panel as part of the Second Informal Interactive Multi-Stakeholder Hearing of the GCM. Moreover, HTMSS has provided written and oral contributions into the development of the Global Compact on Refugees (GCR), particularly thematic sessions 2 and 3 hosted by UNHCR.

#### **Reporting contributions**

In order to ensure that issues relating to TIP and SOM are addressed adequately in international initiatives, processes and standards, HTMSS provides inputs to Secretary-General and General Assembly reports. In 2017, some examples include reports on the following:

- Follow-up to and review of the commitments
   of the New York Declaration;
- Oceans and the Law of the Sea;
- Violence against Women Migrant Workers;
- Fourth report of the Secretary-General on the threat posed by ISIL (Da'esh) to
   international peace and security and the
   range of United Nations efforts in support of UN Member States in countering the threat;
- Annual report to the General Assembly on strengthening and coordinating United Nations rule of law activities;
- Development cooperation in middleincome countries;
  - Women and peace and security; and
  - Annual Report on the work of the Organization.

In addition, HTMSS prepared the <u>Report of the Secretary General S/2017/939 on trafficking in persons in armed conflict</u> pursuant to the Security Council Resolution 2331 (2016) and contributed to the General Assembly 'omnibus' crime report for the 72nd session of the General Assembly.



## Inter-agency cooperation work

HTMSS participates actively in initiatives to promote multilateral cooperation and shared approaches between different organizations working to address TIP and SOM, including the Inter-Agency Coordination Group Against Trafficking in Persons (ICAT) and the Global Migration Group (GMG).



**Inter-Agency Coordination Group against Trafficking in Persons (ICAT):** HTMSS continues to act as the mandated Coordinator of ICAT and has responsibility for its reporting obligations, as mandated by General Assembly Resolution 61/180 of March 2007. In 2017, UNODC participated in Working Group meetings, contributed to ICAT publications and to the

<u>ICAT written submission</u> for the Appraisal of the United Nations Global Plan of Action to Combat Trafficking in Persons (A/71/L.81).

To find out more here: <a href="http://icat.network/">http://icat.network/</a>



**Global Migration Group (GMG):** HTMSS continues to be an active member of the GMG and its working groups, especially the Working Group on Gender Equality and Human Rights, and recently provided

substantive input into the development of the "Principles and Guidelines, supported by practical guidance, on the human rights protection of migrants in vulnerable situations" (April 2018). In 2017, HTMSS participated in four GMG Working Group meetings, the GMG Annual Retreat and the GMG Principals' Meeting. To find out more, visit: <a href="http://www.globalmigrationgroup.org/">http://www.globalmigrationgroup.org/</a>



## Capacity building: effectively addressing TIP and SOM

Through its Global Programmes, HTMSS delivers technical assistance and supports capacity development to enable UN Member States to respond to TIP and SOM, including legislative assistance, strategic planning and policy development, improvement of criminal justice responses, and the protection of and support to victims of trafficking and smuggled migrants.

In 2017, HTMSS delivered, or substantively contributed to, almost 100 technical assistance activities at the national and regional level, which were attended by over 4,000 practitioners, governmental officials and civil society representatives. Technical assistance at the national level was delivered in 25 countries and 80 countries were represented at technical assistance activities at the national and regional level.



**Colombia:** UNODC, in the framework of GLO.ACT, organized the <u>Third Meeting of</u> the Ibero-American Network of

specialized Prosecutors against TIP and SOM. The meeting contributed to strengthening judicial research and cooperation and sharing good practices. It was attended by 20 public prosecutors, 3 crown prosecutors and several experts and investigators from 17 countries. The meeting led to the signature of a Declaration by the Network's prosecutors on the use of regional cooperation tools, including UNODC tools. It also achieved an updated and revised version of the "Protocol on interinstitutional cooperation to strengthen the investigation, attention and protection to victims of the crime of trafficking in persons, and the smuggling of migrants" adopted by the Ibero-American Association of Public Ministries (AIAMP).



**Regional - West Africa:**GLO.ACT and the UNODC Global
Programme to Assist Member
States to Strengthen Capacities

to Prevent and Combat Organized and Serious Crime (GPTOC) organized a workshop on the promotion of regional cooperation on TIP and SOM for members of the West African Network of Central Authorities and Prosecutors against Organised Crime (WACAP) in Vienna. The eight participating countries (Mali, Niger, Cote d'Ivoire, Burkina Faso, Ghana, Gambia, Nigeria and Senegal) called for training of law enforcement and prosecutors and emphasized the need to overcome challenges such as language and legal system differences, as well complex evidence collection transnational organized crime cases.



Trans - regional Mediterranean:

UNODC organized a

trans-regional workshop on migrant smuggling by sea in the Mediterranean with a focus on judicial cooperation in Malta. The workshop gathered 40 prosecutors and judges from Algeria, Egypt, Greece, Lebanon, Libya, Malta, Morocco, Tunisia, Turkey France, Italy, the USA, the European Commission, the European Union Naval Force (EUNAVFOR) Mediterranean Operation Sophia. The workshop's discussions were presented during a mock trial and it served to strengthen international judicial cooperation against SOM by sea affecting the Mediterranean.



**Regional – South Eastern Europe**: UNODC, in cooperation with France, held three Regional Expert Group Meetings (REGM)

on strengthening capacities to use special investigative techniques and disrupting illicit financial flows deriving from SOM in the SEE, held in Serbia, Montenegro and Croatia. The policy-maker gathered practitioners, prosecutors, law enforcement, government officials, private sector and international and regional organizations, as well as non-governmental organizations dealing with migration related issues. The meetings served to discuss and share experiences and present concrete cases of cooperation in investigation and prosecution of SOM, with a focus on special investigative financial techniques and cross-border investigations. The 3 REGMs led to the adoption of a set of final conclusions and recommendations and a model of protocol for cooperation in combating SOM.

The designations employed and the presentation of material on this map do not imply the expression of any opinion whatsoever on the part of the Secretariat of the United Nations concerning the legal status of any country, territory, city or area or of its authorities, or concerning the delimitation of its frontiers or boundaries. Dotted line represents approximately the Line of Control in Jammu and Kashmir agreed upon by India and Pakistan. The final status of Jammu and Kashmir has not yet been agreed upon by the parties. Final boundary between the Republic of the Sudan and the Republic of South Sudan has not yet been determined.



**Niger:** GLO.ACT, together with UNODC's Global Programme on Violence against Children, in the framework of the Sahel

Programme, organized two workshops on child protection in Niger. The workshops were attended by 80 child protection professionals. These completed a training cycle for 120 law enforcement, social workers and judicial officials coming from all regions in the country. The training provided knowledge and tools to professionals on assistance, communication and protection measures for child victims of violence, recruitment and trafficking.



**Greece**: UNODC held two national anti-trafficking in persons' workshops which

gathered participants, from law enforcement and justice officers to civil and humanitarian actors. participants discussed the situation and needs of migrants and refugees in Greece, which exacerbate vulnerabilities and risk of falling victim to trafficking, as well as the development of **National** Referral Mechanism. The workshops led to the strengthening of coordination among different actors involved in the identification and investigation of TIP cases in the country.



**Pakistan:** GLO.ACT supported a Regional Conference on Trafficking in Persons and Smuggling of Migrants with 150

participants in Pakistan. This was a follow-up meeting to the UNODC 2016 regional conference on TIP and SOM. Participating countries included Afghanistan, Austria, Bahrain, Czech Republic, Greece, Hungary,

Indonesia, Iran, Iraq, Italy, Kuwait, Malaysia, Oman, Pakistan, Qatar, Russian Federation, Saudi Arabia, Spain, Thailand, Turkey, United States, Australia and the United Arab Emirates. The Conference served to improve information exchange in the region, increasing the knowledge of the external factors that contribute to TIP and SOM in Pakistan.



**Regional - Southern Africa:** UNODC organized the first specialized Regional Workshop focusing on document fraud

investigations in the context of smuggling of in South Africa. with <u>migrants</u> participation of immigration officials and criminal justice practitioners from countries of Southern Africa (Botswana, Lesotho, Malawi, Namibia, South Africa and Zimbabwe). The workshop served to support States in implementing the SOM Protocol and to enhance the participants' understanding of the concept of SOM, detecting fraudulent documents used for the purpose of this criminal activity and. subsequently. facilitating successful investigations dismantle organized networks benefiting from this crime.



Brazil: Under the framework of GLO.ACT, over 145 child protection professionals received specialist trafficking in persons and smuggling of

migrants training. The main objective of the capacity building workshop was to train local professionals belonging to the Child and Adolescent Protection Network on the Island of Marajó on the identification, prevention, assistance and support to child and adolescent victims of trafficking in persons and smuggling of migrants.

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## **Providing legislative assistance**

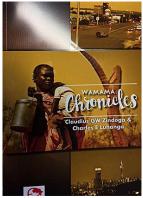
HTMSS assists UN Member States to bring national legal frameworks in line with international standards, particularly the UNTOC and its TIP and SOM Protocols, and other good practices.

**The Maldives:** HTMSS is providing legislative assistance to strengthen the Maldives' response to the smuggling of migrants. In July-August 2017, UNODC organized and conducted an assessment mission to gather information on the situation and to identify the technical assistance needs regarding SOM and other related crimes in the country. This assessment mission enabled UNODC to identify indicators, needs and weaknesses to be addressed in continued assistance, including the need to strengthen the legislation to counter SOM. Based on the assessment, in cooperation with the Maldives' Ministry of **Economic** Development, in December 2017 UNODC delivered a legislative drafting workshop



aimed at supporting the development of a new legal instrument to prevent and combat the smuggling of migrants. It concluded with a set of recommendations to lawmakers ahead of the draft's potential reading by the Maldives' parliament in 2018. Participants stressed the need for specialized training and capacity building for practitioners to ensure full implementation and functionality of the future law.

\*Picture on the left from the GLO.ACT <u>"100 Days</u> against TIP" campaign in Kyrgyz Republic.



Nepal: Under the framework of the GLO.ACT, UNODC delivered a briefing on the ratification and accession process for the TIP and SOM Protocols for government and

civil society representatives in Kathmandu in August 2017. The briefing was requested by the Government of Nepal, which has already ratified the UNTOC.

\*Picture above from the <u>Wamama Chronicles</u> featuring stories of victims of TIP and vulnerable migrants in South Africa.

**Morocco:** In partnership with the Ministry of State in charge of Human Rights and the Ministry of Foreign Affairs responsible for Moroccans living abroad and Migration Affairs, GLO.ACT organized a workshop on the institutional framework provided by the Law 27-14 and its associated institutional framework in the fight against human trafficking and the protection of its victims. The workshop provided an update on the implementation of the Moroccan legislation and brought together key governmental and civil society stakeholders, to develop recommendations aimed at fostering a coordinated and victim cantered institutional response.

#### **Education for Justice (E4J)**



The Education for Justice (E4J) initiative forms part of UNODC's Global Program for the Implementation of the Doha Declaration with a view to integrating crime prevention and criminal justice into the wider United Nations agenda to address social and economic challenges and to promote

the rule of law at the national and international levels, and public participation. The E4J initiative seeks to enhance teaching on UNODC mandate areas at primary, secondary and tertiary educational levels. HTMSS is leading the initiatives to support the teaching of TIP and SOM at the tertiary level. To this end, HTMSS is developing 14 teaching modules for tertiary level institutions on SOM and TIP. The modules include introductory modules to the concepts of TIP and SOM, prevention, prosecution and protection of trafficking victims and smuggled migrants, as well as cross-cutting issues such as cybercrime.

#### New resources and tools



The <u>Case Digest on</u>
"Evidential Issues in
Trafficking in Persons
Cases", a tool for
practitioners on key issues
that arise in human
trafficking cases based on

135 cases from 31 jurisdictions and inspired by best practices from all over the world. It is also available in <u>French</u>.

An Issue Paper on <u>The concept of 'Financial or Other Material Benefit'</u> in the <u>Smuggling of Migrants Protocol</u>, developed through the consultation of over 100 experts in 13

countries. It examines legislation and case law among a broadly representative group of States and constitutes a resource for criminal justice practitioners and others involved in the implementation of the SOM Protocol.

#### **Joint ICAT Issue Briefs on:**

- <u>Trafficking in Persons in</u> <u>Humanitarian Crises</u>;
- Trafficking in Persons and Refugee Status;
- <u>Gender dimensions of Human</u> <u>Trafficking</u>.

#### **Know their stories**



These are the stories at the core of UNODC work on TIP and SOM:

"I lived in the same district as Mr. B, who was well aware that I struggled to feed my family. Mr. B approached me

and told me I could donate a kidney for 1200 Euros. He also promised me two 'bigah' land in Chitwan. He said that extracting one kidney would not make a difference to my health. I believed him and in June 2010 we made a long

journey to a neighbouring country. We went directly to a hospital where I was admitted and kept for 15 days undergoing medical check-ups. On the final day of my stay they removed my one of my kidneys and I was immediately sent back to Nepal. I had no idea that having a kidney extracted in such a manner was serious crime. After my return my health quickly deteriorated. I could not work and I was physically as well as mentally weak. Everything Mr. B had promised me was not provided apart from a very small sum of money. In April 2014, I came into contact

with the Forum for Protection of People's Rights (PPR) and was provided with counselling and treatment support by PPR Nepal. In June 2014 the district court ruled that Mr. B should be imprisoned for three years."

"My name is Cristina. I am 15 and I come from Romania. I lived there, and then went to England. I stayed with my little sisters and brother. I minded them; I was always at home with them. And then one day, my mother married me off. A friend of hers came to us house and said he wanted to marry me. I heard this, and cried, and did all kinds of things not to marry him. She said: "it's my decision, you just live by it." My husband was 18. I was only 13 and couldn't do anything.

He was mean. He didn't know how to act with a girl of 13 or 14. He acted as if I were a woman of 20 or 30. Then I went to Romania where they made me passport and stuff. After that I went to Spain. I stole and he stayed home. I never wanted to steal but I had to or he would hit me. He saw that stealing wasn't working in Spain, so we came to Belgium. I thought what I was going was wrong and I wanted to stop. I got myself arrested voluntarily. If I hadn't done that, I wouldn't be here. They put me in a centre and I started to live a normal life. When I think about it all my heart breaks."

\*More stories from the <u>"Hear their Voices. Act to</u> **Protect"** campaign are available here.

#### What lies ahead?



### Intergovernmental and policy work:

UNODC/HTMSS will continue to provide specialized support to UN bodies relating to the implementation of the UNTOC and its supplementing TIP and SOM Protocols, as well as the implementation of the General Assembly's Global Plan of Action and Security Council's Resolutions. In 2018, HTMSS will support the:

- 8th session of the Working Group on Trafficking in Persons (2-3 July);
- 5th session of the Working Group on the Smuggling of Migrants (4-5 July);
- Security Council Meeting on Trafficking in Persons (Q4);
- 2018 World Day Against Trafficking in Persons (30 July);
- Intergovernmental Conference to adopt a Global Compact on Safe, Orderly and Regular Migration (10 11 December, Morocco).

## Inter-agency cooperation:

HTMSS will continue to work towards inter-agency cooperation, facilitating dialogue and promoting international standards and good practices. In 2018, HTMSS will:

- Convene the <u>first ICAT Principals'</u>
   <u>Meeting</u>, continue carrying out ICAT's coordination functions, attend Working Group meetings, and further develop substantive ICAT outputs; and
- Support Global Migration Group (GMG) Principals' Meetings, attend Working Group Meetings, and



contribute to a review of the structure of the UN system in terms of how it addresses migration.

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#### **Capacity building and legislative assistance:**

HTMSS will continue to support UN Member States in building their capacity to adequately respond to TIP and SOM. HTMSS technical assistance will continue to have a global reach. Some planned examples for 2018 include:

- Training for judges and criminal justice practitioners on TIP in Algeria, Botswana, Brazil, Cabo Verde, Colombia, Jordan, Rwanda and Suriname;
- Training on investigating and prosecuting SOM in Egypt, Morocco, Niger and Peru;
- National train the trainers (TOT), case-based methodology training, workshops for the development of SOM curriculum in FYROM and Serbia;
- Training on the identification and investigation of TIP for labour inspectors in South Africa and investigators in Pakistan;
- Legislative assistance to revise the draft TIP law in the Comoros and in Mali;
- Awareness raising workshop on TIP for government television and radio programme production teams in Lao PDR;
- Nation-wide awareness raising campaign on TIP and SOM in Pakistan;
- Seminar on sheltering women in situations of TIP in Brazil;
- Inter-regional workshop on strengthening capacities for effective national referral mechanisms and cross-border criminal justice cooperation in combating trafficking in persons to be held in Moldova;
- International seminar on the findings and recommendations of the study on the best interests of the child in the legislation on migration, international good practices, standards on child migration and prevention of child abduction, in partnership with UNICEF, to be held in Belarus.



#### **New Tools**

The finalization of the following tools is planned for 2018:

- Handbook on International Legal Cooperation in Trafficking in Persons Cases;
- Issue Paper on "The International Legal Definition of Trafficking in Persons: Consolidation of research findings and reflection on issues raised";
- Issue Paper providing guidance on the issue of trafficking in persons and migrant smuggling for or with an aspect of marriage;
- Recommendations from the workshop "When Smuggling Goes Wrong" held with the Migration Policy Centre of the European University Institute in Florence, Italy; and
- Report on "Women in Migrant Smuggling".

#### **Management**

In 2016-2017, HTMSS commissioned the first In-Depth Independent Mid-Term Cluster Evaluation of the Global Programme against TIP and Global Programme against SOM. In line with the Evaluation's recommendations, and after careful consideration of the pros and cons, HTMSS initiated the merging of the two Global Programmes. The new Global Programme will address both TIP and SOM will be based on a new strategy and a theory of change (TOC) built on a clear, articulated human rights based approach and gender mainstreaming. Its new design, based on SMART\* indicators, will strengthen monitoring and overall results measurement.

\*Specific, Measurable, Achievable, Relevant and Time-bound



# Human Trafficking and Migrant Smuggling Section

#### **GLOSSARY\***

Commission on Crime Prevention and Criminal Justice (CCPCJ) The Commission on Crime Prevention and Criminal Justice (CCPCJ) was established by the Economic and Social Council (ECOSOC) resolution 1992/1, upon request of General Assembly (GA) resolution 46/152, as one of its functional commissions. The Commission acts as the principal policymaking body of the United Nations in the field of crime prevention and criminal justice. ECOSOC provided for the CCPCJ's mandates and priorities in resolution 1992/22, which include improving international action to combat national and transnational crime and the efficiency and fairness of criminal justice administration systems. The CCPCJ also offers Member States a forum for exchanging expertise, experience and information in order to develop national and international strategies, and to identify priorities for combating crime.

Conference of the Parties (to the UNTOC)

Pursuant to article 32 of the <u>United Nations Convention against Transnational Organized Crime</u>, a Conference of the Parties to the Convention was established to improve the capacity of States Parties to combat transnational organized crime and to promote and review the implementation of this Convention.

The Conference of the Parties established five Working Groups to focus on specific areas of its work, including the **Working Group on Trafficking in Persons** and the **Working Group on the Smuggling of Migrants**.

Normative work

UNODC assists States in the ratification and implementation of the relevant international treaties, the development of domestic legislation on drugs, crime and terrorism, and the provision of secretariat and substantive services to the treaty-based and governing bodies.

Prevention, Prosecution, Protection and Partnerships (TIP) The UNTOC (Article 31) and TIP Protocol (Article 9) requires States to adopt a comprehensive prevention strategy. This includes measures such as social and economic initiatives, research and media campaigns targeting potential victims. Policies, programmes and other measures taken should include cooperation with non-governmental organizations and other relevant organizations. States should take or strengthen measures, including bilateral or multilateral cooperation, to alleviate the factors (such as lack of equal opportunity and poverty) that make people, especially women and children, vulnerable to trafficking.

The TIP Protocol (Article 5) requires States parties to criminalize trafficking in their national legislation, irrespective of whether it is transnational in nature or involves an organized criminal group.

UNTOC (Article 25) requires a State party to "take appropriate measures within its means to provide assistance and protection to victims of offences covered, in particular in cases of threat of retaliation or intimidation". The TIP Protocol (Article 6) supplements the provisions of the UNTOC and requires that measures are taken to protect the privacy and identity of victims, including by making legal proceedings confidential, to the extent that this is possible under domestic law. The TIP Protocol requires States parties of origin and of destination to consider implementing measures to provide for the physical, psychological and social recovery of trafficked victims. Governments should, in cooperation with non- governmental organizations, provide the following types of support: (a) medical; (b) psychological; (c) language and translation; (d) rehabilitation, skill training and education; and (e) shelter.

In terms of partnerships, the UNTOC provides a framework for international cooperation in combating organized crime in general and trafficking in persons specifically.

#### Prevention, Prosecution, Protection and Partnership (SOM)

The UNTOC (Article 31) and SOM Protocol (Article 15) require States Parties shall cooperate in the field of public information for the purpose of preventing potential migrants from falling victim to organized criminal groups and promote or strengthen, as appropriate, development programmes and cooperation at the national, regional and international levels, in order to combat the root socioeconomic causes of the smuggling of migrants, such as poverty and underdevelopment.

In addition to criminalizing smuggling per se, the SOM Protocol (Article 6) also requires States parties to criminalize additional conduct often associated with smuggling. They are required to criminalize the "producing" and the "procuring, providing or possessing" of a "fraudulent travel or identity document". States parties must also criminalize the offence of "enabling illegal residence".

The SOM Protocol (Article 16) requires State Parties to take appropriate measures to afford migrants appropriate protection against violence that may be inflicted upon them, whether by individuals or groups, because of being object of SOM.

In terms of partnerships, the UNTOC provides a framework for international cooperation in combating organized crime in general and the smuggling of migrants specifically.

#### **Technical assistance**

UNODC provides technical assistance tailored to individual needs of beneficiary countries. The process begins by conducting technical needs assessments on which to design intervention strategies, taking into account considerations such as existing strategies of national authorities, operational procedures, legal system, human and technical resources, existing approaches to interagency and regional cooperation as well as cultural and political contexts. Based on its findings, UNODC works in partnership with the beneficiary government to design and implement projects to strengthen [or build] capacity.

\*For more information on UNODC terminology, please visit the website www.unodc.org and consult the HTMSS Publications.



**UNODC HTMSS** @UNODC\_HTMSS · 9. Mai Who is HTMSS?

We are @UNODC's Human Trafficking & Migrant Smuggling section.
We are a source of global expertise in responding to #TIP #SOM
We seek to reduce the no of people #trafficked #exploited
We seek to reduce the harm associated with #smuggling
Follow us to find out more!



Follow us on Twitter:

@UNODC\_HTMSS @glo\_act

Visit our Website: <a href="http://www.unodc.org/unodc/en/human-trafficking">http://www.unodc.org/unodc/en/human-trafficking</a>