



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

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Working Group on Trafficking in Persons

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Draft Report

Addendum

II. Recommendations (*continued*)

A. General recommendations

1. The Working Group recommended that the Conference of the Parties consider the following recommendations for adoption:

(a) Request UNODC, as resources permit, to provide requesting countries with technical assistance focused on providing comprehensive needs assessments regarding preventing and combatting trafficking in persons;

(b) Provide adequate resources to ensure the effectiveness of responses to trafficking in persons;

(c) Review and update domestic laws to ensure the provision of assistance and support to victims of trafficking in persons, including to non-national victims;

(d) Integrate trauma-informed, gender, and human rights-sensitive approaches to protection of trafficking victims that take into account the multifaceted effects of trafficking, and the specific vulnerabilities of women and children;

(e) Strengthen the capacity of front-line actors to identify victims of trafficking in persons;

(f) Ensure that victims' needs, including medical care, counselling and shelter, are properly addressed before law enforcement operations commence;

(g) Respect the right of all victims, particularly children and those who have been subject to physical and/or psychological trauma, to decline to participate in criminal justice proceedings;

(h) Train law enforcement services to recognize the importance of victim assistance and protection as critical aspects of a criminal justice response, regardless of whether an investigation and/or prosecution proceeds;

(i) Take measures to address the links between trafficking in persons and associated crimes, including terrorism.



B. Recommendations on international cooperation in cases of trafficking in persons: considering the needs and rights of victims

2. The Working Group recommended that the Conference of the Parties consider the following recommendations for adoption:

(a) Facilitate coordination of culturally and linguistically-appropriate protection services not only to victims of trafficking in persons but also to family members;

(b) Take measures to reunite victims of trafficking in persons with their immediate family members, where appropriate.

III. Summary of deliberations (*continued*)

3. Varamon Ramanghura, Judge at the Office of the President of the Supreme Court of Thailand, explained that Thailand encourages the use of videoconferencing for victim testimony in court, both within the country and from abroad, in accordance with the 2016 Human Trafficking Criminal Procedure Act. This law also allows the judiciary to directly contact and sign Memorandums of Understanding with the judiciary of other jurisdictions.

4. Maria Fernanda Rodriguez, Undersecretary at the Ministry of Justice and Human Rights in Argentina, outlined the comprehensive approach to trafficking in persons in Argentina, supported by a coordinating central authority and guided by a victim-centred approach ensuring for example the non-criminalisation of victims and the provision of victim protection non-conditional upon participation in criminal proceedings. The panellist outlined the need for a multi-disciplinary, coordinated national approach including stakeholders such as the Ministry of Justice, the Ministry for Social Development, and the Ministry for Labour. A mechanism for voluntary, safe return was described including the sharing of information and coordination between destination country and country of origin. She detailed two case examples whose specific challenges in international cooperation and how these were overcome by strengthened international cooperation, and by following a gender-responsive, flexible approach considering the individual needs of victims.

5. Following their presentations, the panellists exchanged additional information with the delegates in attendance in response to several questions and comments regarding specific measures of cooperation and good practices examples.

6. Some delegations mentioned the strong link between trafficking in persons and other organized crimes as well as terrorism.

7. Some speakers stressed the importance of a victim-centred approach in the work of Joint Investigation Teams, especially regarding victim protection, and shared best practice examples. They also discussed the different surveillance and investigation means that can be used in some jurisdictions. It was stressed that information-sharing should be done in a timely manner. Moreover, the importance of tackling illicit financial flows was reiterated.

8. A large number of delegations highlighted the key role of NGOs in safeguarding rights of victims before, during and after prosecutions, as well as upon return to their home countries. Speakers further exchanged experience of the different types of cooperation, from ad hoc and informal to legally mandated, formal cooperation. It was repeatedly highlighted that whatever the form, cooperation with civil society organizations is essential to ensure that the needs of victims are met.

9. The importance of a timely reaction by law enforcement officials was stated as part of a victim-centred approach, in which victims needs can be fulfilled in a prompt manner. In that regard, several speakers mentioned the relevance of capacity-strengthening of law enforcement officials, service providers and other stakeholders involved.

10. Some speakers discussed the use of seized assets for compensating the victims, and one State noted its establishment of a trust fund composed of assets seized in criminal procedures and awarded to victims of trafficking. This fund can also be used to support foreign victims who already returned to their countries.

11. It was repeated by several speakers that when victims are not willing to return to their country, or cannot do so safely, they should be offered options to remain in the country.

IV. Organization of the meeting

B. Statements (*continued*)

12. Under agenda items 2, statements were made by representatives of the following parties to the Trafficking in Persons Protocol: Australia, Belgium, Canada, China, Dominican Republic, Germany, Netherlands, Romania, Thailand, United Arab Emirates and Venezuela (Bolivarian Republic of).
