



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

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Working Group on Trafficking in Persons Vienna, 10 and 11 September 2020

Annotated provisional agenda

Provisional agenda

1. Organizational matters:
 - (a) Opening of the meeting;
 - (b) Adoption of the agenda and organization of work.
2. Guidance on the issue of appropriate criminal justice responses to victims who have been compelled to commit offences as a result of their being trafficked.
3. Best practices in joint investigations and specialized prosecutions.
4. Other matters.
5. Adoption of the report.

Annotations

1. Organizational matters

(a) Opening of the meeting

The tenth meeting of the Working Group on Trafficking in Persons will be opened on Thursday, 10 September 2020, at 10 a.m.

(b) Adoption of the agenda and organization of work

In its resolution 7/1, entitled “Strengthening the implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto”, the Conference of the Parties to the United Nations Convention against Transnational Organized Crime decided, inter alia, that the Working Group on Trafficking in Persons would be a constant element of the Conference, forwarding its reports and recommendations to the Conference, and encouraged the Working Group to consider meeting on an annual basis, as needed, and to hold its meetings consecutively with other working groups of the Conference, in order to ensure the effective use of resources.

On 30 August 2019, the extended Bureau of the Conference of the Parties agreed, using the silence procedure, on the meeting plan for 2020, pursuant to which the tenth meeting of the Working Group on Trafficking in Persons is scheduled to be held in Vienna on 10 and 11 September 2020. Moreover, on 1 May 2020, the extended



Bureau agreed, using the silence procedure, on the substantive topics of the Working Group for that meeting.

The proposed organization of work (see annex) was prepared in accordance with Conference resolution 7/1 in order to enable the Working Group to perform its mandated functions within the time frame and according to the conference services available to it. The resources available to the Working Group will permit the holding of four plenary meetings over two days, with interpretation into the six official languages of the United Nations.

2. Guidance on the issue of appropriate criminal justice responses to victims who have been compelled to commit offences as a result of their being trafficked

Under agenda item 2, the Working Group may wish to discuss the ways in which the non-punishment principle can be implemented in national criminal justice systems to ensure just outcomes for victims of trafficking who have been compelled to commit offences as a result of their being trafficked. This discussion could be informed by an examination of the evolution of the principle at the international level and the ways in which the principle has already been implemented in national justice systems.

The Working Group may also wish to examine how the non-punishment principle may be implemented through laws and policies at each stage of the criminal justice system, from sentencing to post-conviction, bearing in mind the differences in national legal systems.

The Working Group may further wish to discuss some of the key issues associated with non-punishment, including victim identification, the precise parameters of such key concepts as “compelled to commit offences” or “crimes committed as a consequence” and the scope of the principle.

For its consideration of agenda item 2, the Working Group will have before it a background paper prepared by the Secretariat.

Documentation

Background paper prepared by the Secretariat on guidance on the issue of appropriate criminal justice responses to victims who have been compelled to commit offences as a result of their being trafficked (CTOC/COP/WG.4/2020/2)

3. Best practices in joint investigations and specialized prosecutions

While the topics of joint investigations and specialized prosecutions of cases of trafficking in persons have not been addressed as stand-alone thematic agenda items of the Working Group at previous meetings, discussions on specific aspects of the subject matter have occurred under broader agenda items in multiple meetings. Such discussions have thus been held in relation to improving the 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 and improving coordination with relevant bodies and entities combating trafficking in persons, as well as in relation to international cooperation on trafficking cases and related capacity-building. Accordingly, several recommendations have been adopted by the Working Group relating more generally to enhancing investigation, including on joint investigation teams, and prosecution.

For a more focused discussion under agenda item 3, the Working Group may wish to elaborate on the different modalities for joint investigations and specialized prosecutions and discuss practical challenges that may hamper their implementation.

Furthermore, the Working Group may wish to discuss existing promising practices at the national, regional and international levels, with a focus on cost-effective examples that are implementable even where resources are limited.

For its consideration of agenda item 3, the Working Group will have before it a background paper prepared by the Secretariat.

Documentation

Background paper prepared by the Secretariat on best practices in joint investigations and specialized prosecutions (CTOC/COP/WG.4/2020/3)

4. Other matters

As no issues to be raised under agenda item 4 have come to the attention of the Secretariat, no documentation is currently foreseen under this item.

5. Adoption of the report

The Working Group is expected to adopt a report on its meeting, the draft of which will be prepared by the Secretariat.

Annex

Proposed organization of work

<i>Date and time</i>	<i>Agenda item</i>	<i>Title or description</i>
Thursday, 10 September		
10 a.m.–1 p.m.	1 (a)	Opening of the meeting
	1 (b)	Adoption of the agenda and organization of work
	2	Guidance on the issue of appropriate criminal justice responses to victims who have been compelled to commit offences as a result of their being trafficked
3–6 p.m.	2	Guidance on the issue of appropriate criminal justice responses to victims who have been compelled to commit offences as a result of their being trafficked (<i>continued</i>)
	3	Best practices in joint investigations and specialized prosecutions
	Friday, 11 September	
10 a.m.–1 p.m.	3	Best practices in joint investigations and specialized prosecutions (<i>continued</i>)
3–6 p.m.	4	Other matters
	5	Adoption of the report