



General Assembly

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Ad Hoc Committee on the Elaboration of a Convention against Transnational Organized Crime

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Agenda item 4 (b)

Consideration of additional international legal instruments:

draft international legal instrument against trafficking in women and children

Proposals and contributions received from Governments on the draft United Nations Convention against Transnational Organized Crime

**Holy See: amendments to the revised draft Protocol to Prevent, Suppress
and Punish Trafficking in Persons, especially Women and Children,
supplementing the United Nations Convention against Transnational
Organized Crime**

Article 1

Purpose

Option 1

1. ...

2. ...

(a) ...

Additional subparagraph

(...) To address the root causes of trafficking, especially those relating to ex
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Option 2
...

*Article 3**Obligation to criminalize*

1. ...
2. ...
3. ...

Additional paragraph 4

4. States Parties shall also foster regional cooperation with non-States Parties in order to achieve greater uniformity in the definition, prevention and punishment of international trafficking in persons as well as in the protection of victims.

Additional paragraph 5

Option 1

5. States Parties shall consider facilitating the application of the principle of extraterritoriality in the legal pursuit of crimes relating to trafficking in persons.

Option 2

5. States Parties shall consider the introduction of provisions of extraterritorial judicial law in matters relating to trafficking in persons.

*Article 4**Assistance for and protection of victims of trafficking in persons*

1. ...
2. ...
 - (a) ...
 - (b) ...

Additional subparagraph

- (..) Legal aid and interpreters for victims of trafficking not able to pay as well as (financial) support for non-governmental organizations offering legal counselling to them;

- (c)

Additional subparagraphs

- (..) Emergency telephone lines and social assistance;
- (..) Assurance of temporary residence permits during the judicial process and during the entire period of their stay in the State concerned.

3. ...

Additional paragraph 4

4. Each State shall ensure the benefits provided for by the Convention to victims of crime, independently of their ability to furnish relevant elements to the judicial inquiry.

*Article 7**Victim rehabilitation*

1. ...
 - (a) ...
 - (b) ...

Additional subparagraph (c):

(c) Conversion of counterfeited proceeds and instruments of trafficking into educational and social programmes in favour of victims.

2. ...

Additional paragraphs 3-7

3. Each State Party shall endeavour to provide assistance to children removed from forced labour and to reintegrate them into social life, by ensuring to them free primary education and informal education and by supporting their families.

4. Each State Party shall strengthen the networking of local institutions, judicial and police forces, the private sector, non-governmental organizations and civil society with a view to better coordination of efforts against trafficking in persons.

5. Each State Party shall consider promoting training programmes for public and voluntary agents working for the rehabilitation of victims of trafficking.

6. States Parties shall endeavour to support the creation of relief and rehabilitation services.

7. Each State Party shall endeavour to develop, in cooperation with countries of origin or habitual residence of victims, programmes for the social reinsertion of victims in order to prepare them for return or to assist them once they have returned to their country of origin.

*Article 12**Prevention of trafficking in persons*

1. ...
2. ...
 - (a) ...

Additional subparagraphs

(...) Encourage the mass media to fight against the reification of women and children, the marginalization of women and the social stigmatization of victims of trafficking;

(...) Encourage educational efforts by families and by schools and other educational institutions concerning human rights and values linked to the fight against trafficking in persons;

(...) Implement development and employment strategies in economically and socially depressed areas, making use of the human resources of local communities;

- (b) ...

Additional subparagraphs

(...) Raise awareness of the social responsibility of the private sector and encourage its efforts against trafficking in persons;

(...) Support cooperation and cultural exchange with different ethnic communities and encourage the involvement of these communities in prevention and rehabilitation programmes against trafficking;

(d) ...

3. ...
