



## Economic and Social Council

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### Commission on Crime Prevention and Criminal Justice

Twelfth session  
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Agenda item 3

#### **Thematic discussion on trafficking in human beings, especially women and children**

#### **Bulgaria, Colombia, Germany, Greece and United States of America: draft resolution**

The Commission on Crime Prevention and Criminal Justice recommends to the Economic and Social Council the approval of the following draft resolution for adoption by the General Assembly:

#### **Strengthening international cooperation in combating trafficking in persons and protecting victims of such trafficking**

*The General Assembly,*

*Recalling* the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power,<sup>1</sup>

*Taking note* of guideline 8, “Special measures for the protection and support of child victims of trafficking”, contained in the report of the United Nations High Commissioner for Human Rights,<sup>2</sup>

*Recalling* the Convention on the Rights of the Child,<sup>3</sup> and noting the entry into force of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography,<sup>4</sup>

*Recalling also* International Labour Organization Convention 182 of 1999, concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, which prohibits forced or obligatory labour of all people under the age of eighteen,

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<sup>1</sup> Resolution 40/34, annex.

<sup>2</sup> E/2002/68/Add.1.

<sup>3</sup> Resolution 44/25, annex.

<sup>4</sup> Resolution 54/263, annex II.



*Recalling further* paragraphs 25 and 27 of the Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century,<sup>5</sup>

*Recalling* its resolution 55/25 of 15 November 2000, by which it adopted the United Nations Convention against Transnational Organized Crime<sup>6</sup> and in particular the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime,<sup>7</sup>

*Condemning* trafficking in persons as an abhorrent form of modern-day slavery and as an act that is contrary to universal human rights,

*Decrying* the treatment of human beings as commodities bartered, bought and sold by exploiters and traffickers,

*Deeply concerned* at the worldwide occurrence of trafficking in persons for the purpose of exploitation of all kinds by transnational organized criminal groups, many of which are also involved in multiple forms of illegal activity, including trafficking in firearms, money-laundering, drug trafficking and corruption,

*Profoundly alarmed* at the fact that trafficking in persons is a growing and profitable trade in most parts of the world and is aggravated by poverty and inadequate social and economic conditions,

*Expressing dismay* at the impunity of the criminal networks that prey on the vulnerabilities of their victims,

*Noting* the two phenomena of trafficking in persons, as set forth in the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, and of smuggling of migrants, as set forth in the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime,<sup>8</sup>

*Convinced* of the need for broad international cooperation among all Member States, employing a multidisciplinary and global approach, in order to combat and prevent trafficking,

*Convinced also* that civil society can play a role in reducing existing and future opportunities for victimization in the field of trafficking and in assisting Governments in promoting protective elements through comprehensive and non-stigmatizing social and economic assistance to victims, including in the areas of health, education, housing and employment,

*Welcoming* efforts of Member States to create awareness among civil society concerning the seriousness of the crime of trafficking and of its various forms, as well as the role of the public in preventing victimization and assisting victims of trafficking,

*Noting* the thematic discussion on trafficking in human beings, especially women and children, held by the Commission on Crime Prevention and Criminal Justice at its twelfth session,

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<sup>5</sup> Resolution 55/59, annex.

<sup>6</sup> Resolution 55/25, annex I.

<sup>7</sup> Resolution 55/25, annex II.

*Condemning and rejecting vigorously all forms of trafficking in persons,*

1. *Urges* Member States to employ a comprehensive approach to combating trafficking in persons, incorporating law enforcement efforts and, where appropriate, the confiscation and seizure of the proceeds of trafficking, protection of victims and preventive measures;

2. *Recognizes* that broad international cooperation between Member States and relevant international and non-governmental organizations is essential to counter effectively the threat of trafficking in persons;

3. *Urges* Member States to take measures to ratify, accede to and implement the United Nations Convention against Transnational Organized Crime,<sup>6</sup> the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (the "Trafficking in Persons Protocol"),<sup>7</sup> and the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography;<sup>4</sup>

4. *Also urges* Member States to consider adopting measures:

(a) To re-emphasize the importance of criminalization of trafficking in persons as set forth in article 5 of the Trafficking in Persons Protocol;

(b) To promote cooperation among law enforcement authorities in combating trafficking in persons;

(c) To abolish sexual slavery by prosecuting those who engage in sexual exploitation;

(d) To raise awareness, especially through training, among criminal justice officials and others as appropriate, of the obligation to respect the needs of victims of trafficking and of the crucial role of victims in detecting and prosecuting this crime by, inter alia:

(i) Investigation of all cases reported by victims, prevention of further victimization and in general treatment of victims with respect;

(ii) Treatment of victims and witnesses with sensitivity throughout criminal and judicial processes, in accordance with articles 24 and 25 of the United Nations Convention against Transnational Organized Crime and article 6, paragraph 2, of the Trafficking in Persons Protocol;

5. *Further urges* Member States to consider adopting measures:

(a) To provide assistance and protection to victims of trafficking in persons, including measures to permit victims of trafficking to remain in their territory temporarily or permanently, as appropriate;

(b) To adopt the legislative and other measures necessary to establish a wide range of assistance, including legal, psychological, medical and social assistance, to all victims of trafficking, provided that the existence of victimization is considered;

<sup>8</sup> Resolution 55/25, annex III.

(c) To provide for the humane treatment of women and children who are the victims of such trafficking, in accordance with article 6, paragraph 3, of the Trafficking in Persons Protocol;

(d) To assist in the re-integration of victims of trafficking into society;

6. *Invites* Member States to develop guidelines for the protection of victims of trafficking before, during and after criminal proceedings;

7. *Urges* Member States to ensure that measures taken against trafficking in persons, especially women and children, are consistent with internationally recognized principles of non-discrimination and that they respect the human rights and fundamental freedoms of victims;

8. *Encourages* Member States to set up mechanisms for coordination and collaboration between governmental and non-governmental organizations with a view to responding to the immediate needs of victims of trafficking;

9. *Invites* Member States to allocate appropriate resources for victim services, public awareness campaigns and law enforcement activities directed at eliminating trafficking and exploitation and to foster international cooperation, including bilateral technical assistance and capacity-building programmes, to improve the ability of Member States to take effective measures against trafficking in persons;

10. *Encourages* Member States to examine the role of the exploitation of the prostitution of others in encouraging trafficking in persons and to raise public awareness, inter alia, among men and boys, of how such exploitation degrades its victims, highlighting the risks of trafficking faced by women and children;

11. *Also encourages* Member States to adopt legislative and other measures to discourage the demand that leads to such exploitation, in accordance with article 9, paragraph 5, of the Trafficking in Persons Protocol;

12. *Further encourages* Member States to target the link between trafficking in persons for purposes of sexual and other forms of exploitation and further types of organized crime;

13. *Encourages* the Centre for International Crime Prevention of the United Nations Office on Drugs and Crime<sup>9</sup> of the Secretariat to continue its close cooperation and coordination with relevant international and regional organizations in this area;

14. *Encourages* Member States to make voluntary contributions to further strengthen and support the Centre and its Global Programme against Trafficking in Human Beings, in particular in the area of technical assistance activities;

15. *Requests* the Secretary-General to report to the Commission on Crime Prevention and Criminal Justice at its fourteenth session on the implementation of the present resolution.

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<sup>9</sup> Formerly known as the Office for Drug Control and Crime Prevention.