



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

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## Fourth session

Vienna, 8-17 October 2008

Agenda item 2 (d)

**Review of the implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto: expert consultation on 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**

### Group of 77 and China: revised draft resolution

#### Trafficking in human beings

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

*Recalling* the functions assigned to it in article 32 of the United Nations Convention against Transnational Organized Crime,<sup>1</sup>

*Recalling also* its decision 3/3 and General Assembly resolutions 61/144 of 19 December 2006 and 61/180 of 20 December 2006,

*Having considered* the reports of the Secretariat contained in documents CTOC/COP/2008/8, CTOC/COP/2008/9 and CTOC/COP/2008/11,

*Taking into account* the thematic debate held in the Assembly in June 2008,

*Welcoming* the results of the consultations of Government experts held during its fourth session,

*Recalling* the Organized Crime Convention 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>2</sup> and other relevant international instruments,

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<sup>1</sup> United Nations, *Treaty Series*, vol. 2225, No. 39574.

<sup>2</sup> *Ibid.*, vol. 2237, No. 39574.



*Underlining* the need to continue to work towards a comprehensive and coordinated approach to address the problem of trafficking in persons through the appropriate national, regional and international mechanisms,

*Acknowledging* that the Trafficking in Persons Protocol is the principal legally binding global instrument to combat trafficking in persons,

1. *Affirms* that a primary purpose of the Conference is to improve the capacity of States parties to combat trafficking in persons and that the Conference should spearhead international efforts in that regard;

2. *Urges* Member States that have not yet done so to consider ratifying or acceding to the United Nations Convention against Transnational Organized Crime<sup>3</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>4</sup>

3. *Calls upon* States parties to continue to strengthen their national legislations and policies for the implementation of the Trafficking in Persons Protocol;

4. *Encourages* Member States to continue to strengthen their national policies and their cooperation with the United Nations system to combat human trafficking;

5. *Invites* Member States to take measures to discourage the demand that fosters all forms of exploitation consistent with article 9, paragraph 5, of the Trafficking in Persons Protocol;

6. *Urges* States parties to take or strengthen measures, including through bilateral or multilateral cooperation, to improve the ability of law enforcement agencies to cooperate in investigations of trafficking in persons;

7. *Requests* States parties to develop, if necessary, tools to improve cooperation between law enforcement agencies, inter alia, in the areas of data collection and communications;

8. *Urges* the Secretariat to make available to States parties information on successful practices and measures in relation to victim support, witness protection and the facilitation of the participation of victims in the criminal justice system;

9. *Decides* to establish an open-ended interim working group, in accordance with article 32, paragraph 3, of the Organized Crime Convention, and rule 2, paragraph 2, of the rules of procedure for the Conference, to be chaired by a member of the Bureau, to advise and assist it in the implementation of its mandate with regard to the Trafficking in Persons Protocol;

10. *Decides also* that the working group shall perform the following functions:

(a) Facilitate implementation of the Trafficking in Persons Protocol through the exchange of experience and practices between experts and practitioners in this

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<sup>3</sup> Ibid., vol. 2225, No. 39574.

<sup>4</sup> Ibid., vol. 2237, No. 39574.

area, including by contributing to the identification of weaknesses, gaps and challenges;

(b) Make recommendations to the Conference on how States parties can better implement the provisions of the Trafficking in Persons Protocol;

(c) Provide guidance to the United Nations Office on Drugs and Crime on its activities relating to the implementation of the Trafficking in Persons Protocol;

(d) Make recommendations to the Conference on how it can better coordinate with the various international bodies combating trafficking in persons with respect to implementing, supporting and promoting the Trafficking in Persons Protocol;

11. *Decides further* that the working group shall meet during the fifth session of the Conference and shall hold at least one intersessional meeting before that session;

12. *Requests* the Secretariat to inform the working group on the activities of the United Nations Office on Drugs and Crime, including on its coordinating role for the Inter-Agency Cooperation Group against Trafficking in Persons, and with the secretariats of relevant international and regional organizations, to promote and support implementation of the Trafficking in Persons Protocol;

13. *Also requests* the Secretariat to assist the working group in the performance of its functions;

14. *Decides* that the chairman of the working group shall submit a report on the activities of the working group to the Conference;

15. *Decides* to review and take a decision on the effectiveness and future of the working group at its sixth session, in 2012.

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