



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

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Agenda item 2 (b) and (d)

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

France:* draft resolution

Implementation of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, and the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime

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,¹

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

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

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

* On behalf of the States Members of the United Nations that are members of the European Union.

¹ United Nations, *Treaty Series*, vol. 2225, No. 39574.



1. *Urges* all States that have not yet done so to become parties to the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime,² and the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime;³

2. *Welcomes* the fact that the majority of the States parties that had provided information on national implementation to the Secretariat have adopted legislative and institutional frameworks to ensure the implementation of the Trafficking in Persons Protocol and the Migrants Protocol;

3. *Urges* States parties to use the information and the experience accumulated under the two reporting cycles to promote the discussion of an effective and reliable mechanism to review the implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto;⁴

4. *Urges* those States that have not yet done so to fulfil the obligations established in Conference decision 3/3;

5. *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;

6. *Reminds* States parties of their obligations under article 8 of the Trafficking in Persons Protocol and under article 18 of the Migrants Protocol;

7. *Urges* the Secretariat to make available to States parties information on successful practices and measures, with the aim of improving both the support provided to victims and the cooperation of victims with law enforcement agencies;

8. *Takes note with appreciation* of the information-gathering tool developed by the United Nations Office on Drugs and Crime;

9. With regard to the report of the Secretariat on work done by the United Nations Office on Drugs and Crime to promote 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 the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime,⁵ *welcomes*:

(a) The action taken by the Secretariat to intensify cooperation with the International Labour Organization, the International Criminal Police Organization (INTERPOL), the International Centre for Migration Policy Development and the Organization for Security and Cooperation in Europe, aimed at devising practical guidelines for identifying victims of human trafficking perpetrated for the purpose of labour exploitation;

² Ibid., vol. 2237, No. 39574.

³ Ibid., vol. 2241, No. 39574.

⁴ Ibid., vols. 2225, 2237, 2241 and 2326, No. 39574.

⁵ CTOC/COP/2008/8.

(b) The efforts undertaken by the Secretariat to develop a training manual on the protection of victims of human trafficking, the investigation of trafficking offences and the prosecution of traffickers, such manual to contain current best practices in the investigation of cases of trafficking in persons, information on protection and assistance measures for victims of trafficking and best practices in the repatriation of victims;

(c) The steps being taken to develop a model law on the smuggling of migrants in order to assist States in drafting national legislation or amending existing legislation in compliance with the Migrants Protocol, and hopes that the difficulties arising from the lack of regular and extrabudgetary resources in this area of the work of the Office can be overcome;

(d) The efforts undertaken to provide guidance and information on best practices in the areas of training and capacity-building and of awareness-raising strategies to combat trafficking in persons and the smuggling of migrants, and requests its secretariat to keep the States parties informed in this regard.
