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Commission on Crime Prevention and Criminal Justice

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Consideration of the conclusions and recommendations of the Twelfth United Nations Congress on Crime Prevention and Criminal Justice

Argentina:* revised draft resolution

Measures for achieving progress on the issue of trafficking in persons, pursuant to the Salvador Declaration on Comprehensive Strategies for Global Challenges: Crime Prevention and Criminal Justice Systems and Their Development in a Changing World

The Commission on Crime Prevention and Criminal Justice,

Bearing in mind the Salvador Declaration on Comprehensive Strategies for Global Challenges: Crime Prevention and Criminal Justice Systems and Their Development in a Changing World,¹ adopted by the Twelfth United Nations Congress on Crime Prevention and Criminal Justice, held in Salvador, Brazil, from 12 to 19 April 2010,

Emphasizing that trafficking in persons was addressed in its broad sense in the Salvador Declaration and without comment by Member States on specific problems relating to this crime or on national, subregional and regional progress in measures to discourage the demand for such trafficking,

Recalling the General Assembly resolutions on measures to improve coordination efforts against trafficking in persons and other Assembly resolutions on trafficking in persons and other contemporary forms of slavery, in particular resolutions 61/180 of 8 March 2007, 63/156 of 18 December 2008, 63/194 of 18 December 2008, 64/137 of 18 December 2009 and 64/178 of 18 December 2009,

* On behalf of the States Members of the United Nations that are members of the Group of Latin American and Caribbean States.

¹ A/CONF.213/18, chap. I, resolution 1.



Taking note of the ongoing General Assembly consultations and consideration by Member States of a possible United Nations global plan of action on preventing trafficking in persons, prosecuting traffickers and protecting and assisting victims of trafficking, and stressing the need for the consultations to be held in an open, inclusive and transparent manner and taking into account all the views expressed by Member States,

Recalling Economic and Social Council resolution 2008/33 of 25 July 2008 on strengthening coordination of the United Nations and other efforts in fighting trafficking in persons and previous Council resolutions on trafficking in persons,

Welcoming Human Rights Council resolution 11/3 of 17 June 2009 on trafficking in persons, especially women and children,

Reaffirming the commitment made by world leaders at the Millennium Summit and the 2005 World Summit to devise and enforce effective measures to prevent, prosecute and punish all forms of trafficking in persons and to improve existing measures to eliminate demand for and protect victims of trafficking, consistent with the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime,²

Highlighting the commitments made by States parties to the United Nations Convention against Transnational Organized Crime³ and the Trafficking in Persons Protocol,

Highlighting in particular the fact that, under the Trafficking in Persons Protocol, States are urged, inter alia, to take or strengthen measures, including through bilateral or multilateral cooperation, to alleviate the factors that make persons, especially women and children, vulnerable to trafficking, such as poverty, underdevelopment and lack of equal opportunities,

Also highlighting in particular the fact that, under the Trafficking in Persons Protocol, States are urged, inter alia, to adopt or strengthen legislative or other measures, such as educational, social or cultural measures, including through bilateral and multilateral cooperation, to discourage the demand that fosters all forms of exploitation leading to trafficking in persons, especially women and children,

Underlining the importance of the support provided by the United Nations Office on Drugs and Crime to Member States in implementing the Organized Crime Convention and the Trafficking in Persons Protocol, and welcoming the development of tools enabling their application, in particular the general framework for action to implement the Protocol,

Bearing in mind that, among other decisions adopted at the fourth session of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime, States parties were invited to take measures to discourage the demand that fosters all forms of exploitation and an open-ended

² United Nations, *Treaty Series*, vol. 2237, No. 39574.

³ *Ibid.*, vol. 2225, No. 39574.

intergovernmental expert group on trafficking in persons was established for the purpose of making recommendations to the Conference,

Underlining the fact that trafficking in persons has in the twenty-first century been exacerbated and become more sophisticated through the use of diverse new technologies,

Aware of the frequent lack of visibility in our societies of various forms of exploitation, such as, inter alia, sexual exploitation, the removal of organs, forced labour, slavery and practices similar to slavery,

Concerned about the current inability to disaggregate the slave trade into its component parts, such as demand, supply and related prices, owing to the absence of logical categories,

Recognizing the need to continue fostering a global partnership against trafficking in persons and other contemporary forms of slavery,

Recognizing also that broad international cooperation between Member States and relevant intergovernmental and non-governmental organizations is essential for effectively countering the threat of trafficking in persons and other contemporary forms of slavery,

Noting the progress made on this issue at the regional and subregional levels regarding measures to reduce demand, bearing in mind especially the results achieved with respect to clients, consumers or users of forced labour or services of victims of trafficking and other contemporary forms of slavery,

Welcoming the efforts of the Inter-Agency Coordination Group against Trafficking in Persons, drawing on the comparative advantages of the respective agencies, to share information, experiences and good practices on anti-trafficking activities of the partner agencies with Governments, other international and regional organizations, non-governmental organizations and other relevant bodies,

Emphasizing that any policy to prevent, prosecute and punish trafficking in persons must be based on full respect for human rights,

1. *Urges* Member States that have not yet done so to consider ratifying, adopting or acceding to, as appropriate, the United Nations Convention against Transnational Organized Crime⁴ and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing that Convention,⁵ and also urges States parties to those instruments that have not yet done so to implement all aspects of them fully, including through the enactment of specific legislation on trafficking in persons;

2. *Exhorts* Governments to improve preventive measures and discourage the demand that fosters exploitation in all its forms and leads to trafficking in persons, with a view to its elimination, and accordingly to raise awareness of the negative impact of clients, consumers or users of trafficking, inasmuch as it is they who are responsible for generating demand;

⁴ Ibid., vol. 2225, No. 39574.

⁵ Ibid., vol. 2237, No. 39574.

3. *Exhorts* Member States to consider, within the framework of their respective national laws, among other measures, the application of criminal penalties or other penalties to consumers or users who intentionally and knowingly use the services of victims of trafficking for any kind of exploitation;

4. *Exhorts* Governments to implement measures aimed at reducing the risk of people becoming victims of trafficking, for example through awareness-raising and law enforcement activities to disrupt the operations of and prosecute traffickers.
