

**TWELFTH COORDINATION MEETING ON  
INTERNATIONAL MIGRATION**

Population Division  
Department of Economic and Social Affairs  
United Nations Secretariat  
New York, 20-21 February 2014

**UNODC'S CONTRIBUTIONS TO THE FOLLOW-UP TO, AND IMPLEMENTATION  
OF, THE 2013 HIGH-LEVEL DIALOGUE ON INTERNATIONAL MIGRATION AND  
DEVELOPMENT, AND PROPOSED WAYS AND MEANS TO INTEGRATE  
MIGRATION INTO THE IMPLEMENTATION FRAMEWORK OF THE POST-2015  
UNITED NATIONS DEVELOPMENT AGENDA<sup>1</sup>**

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<sup>1</sup> The views expressed in the paper do not imply the expression of any opinion on the part of the United Nations Secretariat.

A. UNODC'S CONTRIBUTIONS TO THE FOLLOW-UP TO, AND IMPLEMENTATION  
OF, THE 2013 HIGH-LEVEL DIALOGUE ON INTERNATIONAL MIGRATION AND  
DEVELOPMENT

1. *Introduction*

At the 2013 High-level Dialogue on International Migration and Development, Member States unanimously adopted a Declaration which explicitly reiterated: the need to ratify and implement relevant international instruments and to prevent and combat trafficking in persons and smuggling of migrants; to protect trafficking victims and smuggled migrants from exploitation and abuse; and to reinforce cooperation on prevention. At the High-level Dialogue, the United Nations Secretary-General announced his eight-point agenda for action, and also urged Member States to end human trafficking which often perpetuates vicious cycles of abuse, violence and poverty.

UNODC is concerned with the issue of international migration through its role as a guardian of the Organized Crime Convention and its supplementing Trafficking in Persons and Smuggling of Migrants Protocols. UNODC works to implement the outcomes of the High-level Dialogue both individually and through ensuring cooperation and coordination among United Nations agencies and other stakeholders in relation to trafficking in persons and smuggling of migrants.

2. *UNODC's role in the promotion of the Protocols and capacity-building*

UNODC, as the custodian of the Trafficking in Persons and Smuggling of Migrants Protocols, supports Member States in their efforts to ratify and effectively implement the Protocols. On 25 December 2013 and 28 January 2014, the Trafficking in Persons and Smuggling of Migrants Protocols celebrated the tenth anniversary of their entry into force, respectively. As of 4 February 2014, there are 159 States Parties to the Trafficking in Persons Protocol and 138 States Parties to the Smuggling of Migrants Protocol. This number of ratifications/accessions shows a strong commitment of the international community to combat these two crimes.

*a. Technical assistance and capacity building*

While UNODC recognizes that remarkable progress has been made in combating trafficking in persons and smuggling of migrants in the last ten years of the Protocols' existence, it continues to urge Member States to do more to put an end to these crimes and to effectively implement the Protocols. For many countries, it was UNODC's support which contributed to the ratification of the Protocols or the adoption of national legislation.

UNODC continues to play a leading role in strengthening and coordinating the criminal justice response to trafficking in persons and smuggling of migrants by providing technical assistance to countries, including through legislative assistance and capacity building. Technical assistance activities are tailor-made to the specific needs of the particular country and/or region. For example, since the 2013 High-level Dialogue, UNODC has provided technical assistance to the Republic of Congo, Iraq, Libya, Montenegro, Morocco, Philippines and Yemen.

*b. Promoting better understanding of the Protocols*

UNODC works to promote better understanding of both the Trafficking in Persons and the Smuggling of Migrants Protocols. For example, UNODC continues to address problematic concepts of the trafficking in persons definition by preparing a series of issue papers. In doing so, UNODC assists Member States in improving their understanding of the concepts contained in the Trafficking in Persons Protocol which are not clear and, therefore, are not being consistently implemented and applied. Following the finalization of the first issue paper on “abuse of a position of vulnerability”<sup>2</sup> in 2012, UNODC is currently working on the preparation of new issue papers addressing the concepts of “consent” and “exploitation”. UNODC also explores particular modus operandi in the context of the smuggling of migrants through the development of issue papers. After developing issue papers on the specificity of smuggling of migrants by air<sup>3</sup> and smuggling of migrants by sea<sup>4</sup>, UNODC focussed on the links between smuggling of migrants and corruption<sup>5</sup>, which led to the development of a specific training module for practitioners.

*c. Expansion of the UNODC human trafficking case law database and development of a case digest for practitioners*

UNODC continues to expand its publicly available human trafficking case law database<sup>6</sup>. By doing so, UNODC is working to increase the visibility of successful prosecutions and to promote awareness of the realities of this devastating crime. The case law database enables users to take experiences and court decisions from other countries into account when dealing with human trafficking, consult on practices in different jurisdictions and broaden their knowledge of human trafficking. As of February 2014, the human trafficking case law database includes over 900 cases from 79 countries, and it continues to grow.

In order to explore the potential of the database for criminal justice practitioners, UNODC is currently preparing a Case Digest for practitioners on “Practical Evidential Issues and Victim Protection Issues which Impact upon Evidence in Trafficking Cases”. Cases analysed in the Case Digest are either drawn from the case law database or are collected from expert practitioners from different regions of the world. The Case Digest is planned to be finalized in the first half of 2014.

*d. Preparation of the second Global Report on trafficking in persons*

The 2010 General Assembly resolution “United Nations Global Plan of Action to Combat Trafficking in Persons” (A/RES/64/293) mandated UNODC, among others, to publish a Global

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<sup>2</sup> [http://www.unodc.org/documents/human-trafficking/2012/UNODC\\_2012\\_Issue\\_Paper\\_-\\_Abuse\\_of\\_a\\_Position\\_of\\_Vulnerability.pdf](http://www.unodc.org/documents/human-trafficking/2012/UNODC_2012_Issue_Paper_-_Abuse_of_a_Position_of_Vulnerability.pdf)

<sup>3</sup> [http://www.unodc.org/documents/human-trafficking/Migrant-Smuggling/Issue-Papers/Issue\\_Paper\\_-\\_Migrant\\_Smuggling\\_by\\_Air.pdf](http://www.unodc.org/documents/human-trafficking/Migrant-Smuggling/Issue-Papers/Issue_Paper_-_Migrant_Smuggling_by_Air.pdf)

<sup>4</sup> [http://www.unodc.org/documents/human-trafficking/Migrant-Smuggling/Issue-Papers/Issue\\_Paper\\_-\\_Smuggling\\_of\\_Migrants\\_by\\_Sea.pdf](http://www.unodc.org/documents/human-trafficking/Migrant-Smuggling/Issue-Papers/Issue_Paper_-_Smuggling_of_Migrants_by_Sea.pdf)

<sup>5</sup> [http://www.unodc.org/documents/human-trafficking/2013/The\\_Role\\_Of\\_Corruption\\_in\\_the\\_Smuggling\\_of\\_Migrants\\_Issue\\_Paper\\_UNODC\\_2013.pdf](http://www.unodc.org/documents/human-trafficking/2013/The_Role_Of_Corruption_in_the_Smuggling_of_Migrants_Issue_Paper_UNODC_2013.pdf)

<sup>6</sup> [www.unodc.org/cld](http://www.unodc.org/cld)

Report on trafficking in persons every two years. UNODC is currently collecting data for and preparing the second Global Report, planned to be launched in late 2014. Similarly to the first Global Report, the 2014 Global Report will provide an overview of patterns and flows of trafficking in persons at global, regional and national levels.

*e. Development of a Voluntary Reporting Mechanism on Migrant Smuggling and Related Conduct*

UNODC has developed a Voluntary Reporting Mechanism on Migrant Smuggling and Related Conduct<sup>7</sup> (VRS-MSRC) in support of the Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime. The VRS-MSRC is an internet based, secure system to regularly collect, share and facilitate the analysis of non-nominal data on irregular migration and migrant smuggling within, from, through and into Bali process States. The VRS-MSRC was fully launched in July 2013 and continues to aim at improving evidence-based knowledge sharing and access to knowledge on smuggling of migrants in order to inform the development of policies and counter-measures to prevent and combat migrant smuggling.

*3. UNODC's role in enhancing partnerships and cooperation*

UNODC continues to play a leading role in ensuring cooperation and coordination among UN agencies in relation to human trafficking and migrant smuggling. UNODC also partners up with the broader anti-trafficking community, including international and non-governmental organizations, civil society and the private sector.

*a. Inter-Agency Coordination Group against Trafficking in Persons (ICAT)*

UNODC continues to maintain its coordinating role of ICAT by serving as Secretariat of the ICAT Working Group. In November 2013, the six ICAT Working Group agencies agreed on a 2014 ICAT Work Plan which envisions a number of significant activities, including more frequent and regular ICAT meetings, a pilot “regionalization” of ICAT with possible joint programming activities, targeted activities towards enhancing ICAT’s visibility, and further development of ICAT policy papers.

In 2014, ICAT plans to advance the work on the second policy paper addressing “demand”, and to embark on the development of the third policy paper addressing “evaluation” of anti-trafficking activities and projects.

*b. Global Migration Group (GMG)*

Having successfully concluded its six month Chairmanship period of the GMG in December 2012, UNODC remains committed to strengthening the collective work of the GMG and to support the envisaged GMG activities. UNODC is also committed to the activities of the recently established GMG Working Group on human rights, gender and migration. Within the context of

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<sup>7</sup> <http://www.unodc.org/southeastasiaandpacific/en/vrs-msrc.html>

this Working Group, UNODC stands ready to contribute to the planned activities in 2014 which include, for example, the development of human rights indicators on migration, the development of key messages on human rights at international borders, and the development of common approaches on protection at sea.

UNODC actively supports the GMG activities led by other agencies, and continues to use its core expertise on trafficking in persons and smuggling of migrants for GMG thematic outputs, including joint statements and thematic papers.

*c. Bilateral agreements*

UNODC has signed memoranda of understanding, aimed at furthering joint cooperation, with various UN agencies and international organizations. UNODC continues to recognize the importance of collaboration and comprehensive and multidisciplinary approach to prevent and combat trafficking in persons and smuggling of migrants. And works with its partners towards the implementation in practice of the bilateral agreements concluded. Those concluded in the past 3 years include: the MoU signed in 2012 with the World Tourism Organization; renewed commitment between UNODC and IOM signed in 2012 for closer cooperation to combat human trafficking, migrant smuggling and to improve border management; and the MoU with UNHCR aimed at furthering joint cooperation in combating human trafficking and migrant smuggling signed in 2011.

*d. Cooperation with non-governmental organizations (NGOs)*

UNODC continues to work with NGOs worldwide in the implementation of technical assistance projects and activities and for the development of multi-disciplinary tools. Cooperation aims, inter alia, at delivering trainings, supporting and protecting trafficking victims and smuggled migrants, and developing technical assistance tools.

An example of such cooperation is “Project Childhood” which aims at combating sexual exploitation of children in travel and tourism in Cambodia, Vietnam, Thailand and Lao PDR. The project is carried out by INTERPOL, World Vision and UNODC, and in cooperation with other national and regional NGOs. The project is to be concluded in mid-2014.

**B. PROPOSED WAYS AND MEANS TO INTEGRATE MIGRATION IN THE  
IMPLEMENTATION FRAMEWORK OF THE POST-2015 UNITED NATIONS  
DEVELOPMENT AGENDA**

The United Nations System Task Team on the post-2015 development agenda called for it to be rights-based, inclusive, people-centred and sustainable. The Task Team also recommended crafting the agenda around four interdependent dimensions—inclusive social development, inclusive economic development, environmental sustainability, and peace and security. It is broadly recognized that progress in each of the four dimensions called for by the UN System Task Team, requires a solid underlying normative framework and processes, as “the rule of law

and development are strongly interrelated and mutually reinforcing” and that the advancement of the rule of law together with accountability and transparency is essential for development, poverty eradication and the realization of human rights and fundamental freedoms. As regards security, the UN System Task Team stressed that the prevention and reduction of all forms of violence and abuse should be at the heart of any development agenda which fully recognizes the centrality of human security, both as a human rights imperative and as being integral to development.

UNODC promotes the concepts of security, justice and rule of law for the post-2015 United Nations Development Agenda. Global goals, targets and indicators on security and justice will establish and consolidate norms, instigate action, and enhance accountability and transparency. Also, they will reflect principles of national ownership and will serve as signalling devices by demonstrating change and highlighting whether United Nations Member States are delivering on their development promises.

UNODC’s engagement with the post-2015 process thus follows a two-pronged approach. First, given UNODC’s proven expertise and access to historical data on various elements of the rule of law including governance, security and justice, we are well placed to assist in developing a monitoring and accountability framework covering these areas. Second, given UNODC’s integrated programming approach, we can provide a comprehensive package of assistance to Member States to assist them in meeting their obligations under the United Nations Convention Against Corruption (UNCAC), the United Nations Convention Against Transnational Organized Crime (UNTOC), and the Drug Control conventions and international instruments related to terrorism prevention. In effectively addressing already known shortcomings of the current Millennium Development Goals, it will be vital to integrate anti-corruption, the rule of law, and security into development frameworks which encapsulate the effectiveness, accountability and transparency in resource generation, allocation and management. A globally accepted and globally-owned post-2015 framework will allow a stronger link between donor support, UNODC’s mandated work and unique national priorities. National and regional stakeholders will be provided with data and evidence to formulate policy and measure progress made towards implementation of the framework, including strengthening their national crime prevention and criminal justice statistical system.