

**Background Paper for the
General Assembly Thematic Debate on Human Trafficking**

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I. Introduction

Trafficking in persons is widely recognised as an important challenge of the 21st century and can only be tackled collectively, globally, across regions and across different segments of societies. As the United Nations chief deliberative, policy making and coordinating body, the General Assembly has a special role in laying out the multilateral vision of an effective and successful fight against human trafficking. The General Assembly thematic debate on human trafficking aims to raise awareness about the scale of the problem, promote international partnerships and consider how the UN system most effectively can address human trafficking.

The United Nations General Assembly has during the last few years placed high emphasis on the topic of trafficking in persons and significant efforts have been made in establishing normative and institutional mechanisms for the elimination of trafficking in persons.

The adoption in 2000 of the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, followed by other related conventions and instruments precipitated intense activity around the world to stop trafficking in persons. The Protocol provided a comprehensive definition of the crime of “trafficking in persons”, and legal tools to combat this crime. Focusing on the “three P’s” (prevention, protection and prosecution), it entered into force on 25 December 2003, and to date has 117 signatories and 118 parties.

In 2006, the General Assembly adopted Resolution 61/144 on trafficking in women and girls, and Resolution 61/180 on improving coordination of efforts against trafficking in persons. The General Assembly will review the implementation of these two resolutions during its 63rd session.

An International Conference on Trafficking in Women and Girls took place at the UN Headquarters, New York, on 5 March 2007 in the framework of the General Assembly informal thematic debate on gender equality and the empowerment of women.

These efforts have been further enhanced by the United Nations Global Initiative to Fight Human Trafficking (UN.GIFT), launched on 25 March 2007. UN.GIFT collectively addresses human trafficking in a multi-faceted manner by bringing together partners from within as well as from outside the UN.

As part of UN.GIFT, the United Nations Office on Drugs and Crime (UNODC) together with the International Labor Organization (ILO), Office of the High Commissioner of Human Rights (OHCHR), United Nations Children’s Fund (UNICEF), Office for Security and Cooperation in Europe (OSCE), and the International Organization for Migration (IOM), organised a Forum on trafficking in persons in Vienna on 13-15 February 2008. It brought together new and existing partners in the fight to end trafficking in persons: i.e. Governments, civil society, the private sector, the media, arts, trade unions,

women leaders, and youth representatives. It took stock of what has already been done in order to share best practices with the broadest range of stakeholders, and highlighted innovative approaches to combating human trafficking. It also addressed key issues in a comprehensive anti-trafficking strategy: vulnerability, impact and action.

The GA thematic debate will focus on the “three P’s” in the UN Trafficking Protocol and will be organized in the form of two interactive panels. Under the title “**Enhancing multilateral cooperation to prevent trafficking in persons**” the morning panel will focus on prevention. The afternoon panel, “**Protecting victims of trafficking and cross-border cooperation in prosecuting traffickers in persons***” will be focusing on prosecution and protection.

II. Panels

Morning Panel: Enhancing multilateral cooperation in preventing trafficking in persons

A recent global report on forced labour by the ILO suggested that the illicit profits realized per year from trafficked forced labourers – US\$32 billion – are far greater than has so far been understood.

Issues of demand for trafficked persons, social and economic conditions which make people vulnerable to trafficking, information campaigns informing of the risks of trafficking and other preventive measures will be addressed at this panel. The panel will highlight the role of the government, the private sector, the NGOs and media in preventing trafficking -- both for economic and sexual exploitation. It will focus on identifying problem areas and sharing good practice.

The involvement of the private sector in partnership with others is imperative in addressing the serious and growing problem of human trafficking for sexual and economic exploitation. The panel will discuss the need for a clear and transparent policy that sets out the concrete measures and tools by which to prevent forced labour and trafficking. Such policy should apply to all enterprises involved in a company’s product and supply chains. The panel will also discuss the value of private sector codes of conduct, such as the Athens Ethical Principles, in contributing to anti-trafficking efforts.

The panel will also look at the need for better implementation of Article 9 of the Trafficking Protocol, which provides, inter alia, that States Parties shall establish comprehensive policies, programmes and other measures to prevent and combat trafficking in persons.

The Protocol calls for States Parties to undertake measures such as: 1) research, information and mass media campaigns and social and economic initiatives to prevent and combat trafficking in persons; 2) collaboration with civil society, 3) strengthening of measures to alleviate the factors that make persons, especially women and children, vulnerable to trafficking, such as poverty, underdevelopment and lack of equal opportunity; and, 4) resort to educational, social or cultural measures, to discourage the demand that fosters all forms of exploitation of persons, especially women and children, that leads to trafficking.

In addition to the UN Trafficking Protocol, the prevention of forced labour based trafficking is addressed in various other important instruments, including the 1930 Convention against Forced Labour (No. 29), the Migrant Worker’s Conventions (Nos. 97 and 143), the Private Employment Agencies

Convention (No. 181), the Worst Forms of Child Labour Convention (No. 182), and the Multilateral Framework on Labour Migration.

The UN General Assembly has an important role in ensuring the realization of such preventative actions both as the proper forum for discussing the issue and as well as the nexus for promotion of multi-faceted cooperation among Member States, UN system and non-governmental actors.

Afternoon Panel: Cross-border cooperation in protecting victims of trafficking in persons and prosecuting their traffickers

Effective prosecution of traffickers and the combat of crime require close cross-border cooperation and appropriate legal bases for international cooperation in fighting human trafficking. It also requires appropriate protection and assistance to victims, especially with a view to reconciling interests and promoting understanding between victim service providers and law enforcement.

The Trafficking Protocol, other international treaties and international human rights instruments, including the Optional Protocol to the United Nations Convention on the Rights of the Child on the Sale of Children, Child Prostitution, and Child Pornography, and regional treaties, including Council of Europe Convention on Action against Trafficking in Human Beings, create an important legal basis for cross-border cooperation on combating trafficking in persons.

The United Nations General Assembly has an important role in facilitating the effective implementation of these treaties. General Assembly Resolution 61/180, for example, established the Inter-Agency Coordination Group, in order to enhance cooperation and coordination and facilitate a holistic and comprehensive approach by the international community to the problem of trafficking in persons. The resolution also requested Member States to consider the advisability of elaboration of the United Nations strategy on preventing trafficking in persons, prosecuting traffickers and protecting and assisting victims of trafficking.

UNGIFT, the Vienna Forum, and related events have created a momentum and a unique opportunity to catalyse the cross-border cooperation in prosecuting traffickers and protecting victims of trafficking.

Panelists will discuss important initiatives by regional organisations such as Council of Europe, and OSCE, and the best practices in bilateral cooperation, including exchange of information, joint law enforcement actions and training programmes. The panel will also pay attention to the nexus between effective prosecution and assistance to victims of human trafficking.