



## Summary of the Interactive Thematic Dialogue of the United Nations General Assembly on “Taking collective action to end human Trafficking”

UN Trusteeship Council Chamber, New York

13 May 2009

### OPENING SESSION:

1. **H.E. Mr. Miguel D’Escoto Brockmann**, President of the General Assembly, referred to the focus of the debate which is “taking collective action to end human trafficking”. He urged Member States to provide a clear signal of support and consideration of a Global Plan of Action against trafficking in persons, as supported by the African Union, the Non-Aligned Movement and as stated in the “Manama Declaration on Human Trafficking at the Crossroads”. He also urged participants to propose practical steps that can be taken to improve coordination and technical assistance. He called on Member States to seize the opportunity to close gaps and join efforts towards a coordinated, unified and global response to trafficking in persons.
2. **H.E. Mr. Ban Ki Moon**, United Nations Secretary-General, acknowledged that there has been progress made in preventing and combating human trafficking, but more needs to be done. He noted that many delegations have called for a Global Plan of Action, and welcomed their determination. He commended efforts of Member States, UN.GIFT and UN organizations as well as non-governmental organizations. However, he indicated that these efforts need greater coherence. He stressed the importance of uniting together, speaking out and matching rhetoric with deeds. He called for universal ratification of the United Nations Trafficking in Persons Protocol and for criminalization of human trafficking to put an end to impunity. He highlighted the need to prevent victimization, reduce demand and ensure the protection of victims. He also stressed that human trafficking affects and is affected by human rights, peace and security, development and family health, thus cutting across all fundamental issues.
3. **H.E. Mr. Néstor Arbito Chica**, Minister of Justice and Human Rights of Ecuador, referred to the challenges in combating human trafficking and measures put in place by Ecuador in the areas of prevention, prosecution and protection of victims. He highlighted that human trafficking needs to be seen as a shared responsibility among Member States. Thus, joint efforts are needed to strengthen mechanisms for data collection and exchange of information as well as the networks for regional and international coordination that allow competent authorities to cooperate. He stated that despite progress, national and regional efforts are not sufficient. He called on the United Nations to develop and adopt a Global Plan of Action that will help ensure coordinated action to prevent, prosecute and protect the victims of trafficking.

#### Note:

UN webcast of day’s proceedings are available on the official website of the President of the General Assembly, website page address: <http://www.un.org/ga/president/63/interactive/humantrafficking.shtml>

4. **H.E. Mr. Antonio Maria Costa**, Under-Secretary General, Executive Director of the United Nations Office on Drugs and Crime (UNODC), highlighted the goal of achieving universal adherence to the Trafficking in Persons Protocol and the fact that roughly 1/3 of Member States still have not become party to this instrument. He also noted the lack of comprehensive anti-trafficking laws in place and the need for greater awareness to prevent victimization and discourage demand. He stressed that about one half of Member States have not yet recorded a single conviction for human trafficking and that more collective action is needed to protect the victims. He called for greater coordination and urged Member States to develop a review mechanism to monitor the implementation of the Trafficking in Persons Protocol. While referring to other gaps, such as the need to improve data collection systems, he emphasized the need to change attitudes and reverse the fundamental disrespect for human beings caused by modern-day slavery.

### Panel 1: The State of Play: Where the UN Stands on a Global Plan of Action to End Human Trafficking

[The morning session is available at: <http://webcast.un.org/ramgen/ondemand/ga/63/2009/ga090513am.rm> ]

1. **H.E. Mr. Valentin Rybakov**, Assistant to the President, Republic of Belarus, expressed his Government's conviction that the adoption of a United Nations General Assembly Global Plan of Action would be an effective measure to ensure well-coordinated efforts on the part of the international community to combat human trafficking. Though not an end in itself, the Global Plan of Action is the logical next step in fostering a global partnership to end this crime. He stated that while the Palermo Protocol is the basis for international cooperation, it is not the only international instrument nor is it sufficient for an effective international response. He also highlighted that there has been an increase in the importance of other players such as international organizations, civil society actors and the private sector. A Global Plan of Action would help involve such players and therefore complement the Palermo Protocol.
2. **Ms. Kyung-wha Kang**, Deputy High Commissioner for Human Rights, Office of the High Commissioner for Human Rights (OHCHR), stressed that effective action to eliminate trafficking in persons must be based on a human rights approach, as promoted in the OHCHR Recommended Principles and Guidelines on Human Rights and Human Trafficking. On the proposal for a Global Plan of Action, she highlighted that such a plan must build upon existing international instruments and the rights and obligations that they contain. It should be designed first and foremost to implement the measures provided in the Palermo Protocol. It should reflect the major policy shifts and practical developments that have taken place over the past decade at the national, regional and international levels. In addition, she stressed the importance of addressing the root causes of trafficking and demand. A Global Plan of Action must therefore address the link between trafficking and inequality; between trafficking and gender and racial discrimination; and between trafficking and inefficient migration regimes.
3. **Ms. Ndioro Ndiaye**, Deputy Director General, International Organization for Migration (IOM), referred to the three areas of action that are key to countering human trafficking: preventing trafficking by focusing on root causes, strengthening protection for all migrants, and strengthening research and evaluation. The demand for cheap products,

labour or services and the profit motive of organized criminal networks are root causes of trafficking in persons. Thus, she underscored that the responsibility for this crime lies both with traffickers and consumers. She also emphasized the need to strengthen protection for all migrants and referred to IOM's response which has been premised on the needs of the individual migrant, whether trafficked, abused, or exploited, or those considered particularly vulnerable to abuse and exploitation. She suggested that perhaps a Global Plan of Action that is grounded on human rights, practical in its approach, that adds value to regional action plans and takes into account the expertise of international actors working in this field could be the way forward.

4. **Ms. Zohreh Tabatabai**, Director of Communications, International Labour Organization (ILO), highlighted that human trafficking is largely based on the need for labour. It is the antithesis of Decent Work as it deprives women and men of decent and productive work in conditions of freedom, equity, security and human dignity. She referred to the ILO report "The cost of coercion" which is represented by the billions of dollars each year in unpaid wages to victims of trafficking. She also referred to the potential impact of the global economic and financial crisis on trafficking, as it is usually the vulnerable who suffer first and foremost. She suggested that a Global Plan of Action should support the Decent Work core values such as promoting full, productive and freely chosen employment; enhancing social protection; and promoting social dialogue and core labour standards.
5. **Mr. Dan Rohrmann**, Deputy Director, Programme Division, United Nations Children's Fund (UNICEF), stated that while international, regional and national instruments exist, there are still challenges to be overcome in the implementation of commitments, in effective coordination, capacity building, monitoring and evaluation, data collection and knowledge management. Another critical gap in combating human trafficking is the lack of integration of anti-trafficking work into national development, social and criminal justice systems. UNICEF's experience demonstrates that building and strengthening a protection system for all children, irrespective of whether or not they are trafficked children, is key to achieving results. Thus, child trafficking must be viewed in a comprehensive manner as it relates to migration and other child protection issues. Scaling up evidence-based interventions, harnessing partnerships and strengthening national and international coordination are also critical to halt human trafficking.

## Panel II: Articulating a Global Plan of Action: Drawing upon practice at the national and regional level

[The afternoon session is available at: <http://webcast.un.org/ramgen/ondemand/ga/63/2009/ga090513pm.rm> ]

1. **H.E. Shaikh Abdul-Aziz bin Mubarak Al Khalifa**, Assistant Under-Secretary, Ministry of Foreign Affairs of Bahrain/Head of the Bahrain National Committee to Combat Human Trafficking, described the Government's efforts to prevent and combat human trafficking, including the enactment of legislation to define and criminalise trafficking, the establishment of a national committee and shelters for victims. He referred to the International Forum "Human Trafficking at the Cross Roads" hosted in Bahrain and the outcome document of the Forum – the Manama Declaration – that stressed the need for both national and international action, for private sector engagement, and for greater

awareness by media. He concluded that bringing together the efforts of different stakeholders in a coherent international strategy will be a challenging but not impossible task. He stated that his Government supports the adoption of a United Nations Global Plan of Action and is committed to work with the UN and other countries in developing it.

2. **Ms. Joy Ngozi Ezeilo**, UN Special Rapporteur on trafficking in persons, especially women and children, stated that a Global Plan of Action to combat human trafficking would help address the gaps and build on the work carried out at national and regional levels. It would galvanize political and economic will and improve coordination and cooperation. It would provide a holistic approach and operational measures to implement existing international instruments as well increase awareness and the sharing of good practices and of information on trafficking flows and trends. It would result in sustained technical assistance for the identification and protection of victims and enhance technical cooperation among stakeholders, while providing a framework for monitoring progress and a road map for the review of the implementation of the Palermo Protocol. She also suggested that a Global Plan should include a situational analysis, strategic objectives, targets and timeframe. It should contain recommended actions, expected results, as well as resource needs. She concluded that strategies to combat human trafficking should be based on five “P’s” and three “R’s”: protection, prosecution, punishment, prevention, promotion of international cooperation, redress, rehabilitation and reintegration of victims.
3. **Ms. Ruchira Gupta**, Founder and President, Apne Aap Women Worldwide, spoke on behalf of the victims and survivors of human trafficking that are members of Apne Aap. She stressed the importance of criminalizing trafficking in persons and discouraging demand. She appealed to countries to strengthen their anti-trafficking laws to address the demand for human trafficking, in line with the Trafficking in Persons Protocol. In order to tackle demand effectively, attention should be given to both businesses that profit from it as well as to the buyers of trafficked people who drive the demand. She called for justice and accountability and for those responsible for trafficking to be punished. She stressed that the law enforcement response to trafficking should ensure the confiscation of illegal assets derived from trafficking and the compensation by traffickers and buyers for the damages caused. She emphasized that if the number of convictions increase, the costs of human trafficking operations will become untenable and the business models of traffickers disrupted. She concluded by appealing to Member States to organize a panel of survivors as part of their efforts in developing a global response to human trafficking.
4. **Dr. Saisuree Chutikul**, Committee Member, Committee on the Elimination of Discrimination against Women (Thailand), shared the experience of Southeast Asia, in particular the Mekong Sub-region, in preventing and combating human trafficking. She highlighted five critical elements for successful cooperation: i) genuine desire and need to work in a coordinated way; ii) readiness of the international community and the UN system to recognize and join efforts to support an initiative; iii) inclusiveness, by involving all actors; iv) existence of a formal agreement and a plan of action; and v) existence of indicators to evaluate progress of a plan of action. She concluded by highlighting key challenges, including the co-existence of national and bilateral activities that may hinder coordination; building trust among all stakeholders to ensure transparency and accountability; and the complex and dynamic nature of the problem that requires cooperation mechanisms to be adaptable.

## Panel III: Scaling Up: Why the coordination needs to be global and how to do it

1. **Ambassador Dr. Abdullah Salim Al-Harthy**, Permanent Observer, Delegation of the Cooperation Council for the Arab States of the Gulf to the United Nations, stressed the need for global coordination. He outlined the efforts by the region including the signing by all Gulf Cooperation States of the Trafficking in Persons Protocol and other related international instruments and the endorsement of legislation to combat trafficking in persons. He referred to trafficking in persons as an economic and social phenomenon that results from migration of labour and the inability to ensure adequate job opportunities for all. He noted the role of the UN regional economic and social commissions and suggested that ECOSOC dedicate a meeting to trafficking in persons, at the Ministerial level, in one of its substantive sessions. As a global problem, he underscored that trafficking in persons can only be overcome through comprehensive and multilateral cooperation.
2. **Mr. Anders Johnsson**, Secretary General, Inter-Parliamentary Union, highlighted that trafficking in persons has been on the parliamentary agenda for the last five years. For parliamentarians, human trafficking is an important issue that cannot be dealt with only at the national level but requires regional and global cooperation. He stressed that combating human trafficking requires addressing its root causes and the issues that permeate societies such as vulnerability, inequality and exploitation. He underscored the need to address the manner in which societies and economies are constructed and that allows exploitation to exist. He noted that while parliamentarians have a role in enacting and harmonizing laws to make sure they are in line with international standards, there is much more that needs to be done to ensure an effective anti-human trafficking response. A holistic approach is needed where all actors, including media and civil society, are involved.

### Summary of the Interactive Thematic Dialogue:

A significant number of delegations contributed to the interactive thematic dialogue and expressed their views during the debate. A list of the delegations that contributed to the discussion is included as Annex I.

Overall, there was consensus by participants on:

1. The need for **greater political will and commitment** to prevent and combat trafficking in persons.
2. The importance and urgency of **strengthening international efforts and collective action** by Member States and other stakeholders including regional and international organizations, non-governmental organizations, the private sector and media.
3. The need to ensure **universal ratification** of the United Nations Convention against Transnational Organized Crime and the Trafficking in Persons Protocol and other relevant international instruments.
4. The need to ensure the **full and effective implementation** of existing international instruments.
5. The fact that trafficking in persons is a **human rights violation** and therefore requires a victim-centred approach and to be addressed in a comprehensive, multi-disciplinary and holistic manner.

Participants referred to the main gaps in the international response to trafficking in persons and the need to:

1. Ensure the implementation of **comprehensive national anti-trafficking laws**
2. Increase **awareness and prevention efforts** focusing on the root causes and other factors that make people vulnerable to trafficking.
3. **Discourage demand** that fuels trafficking in persons.
4. **Strengthen capacity building** efforts.
5. **Ensure the prosecution and conviction** of perpetrators.
6. Strengthen **protection of victims** and prevent victimization of vulnerable groups and migrants.
7. **Increase coordination** at national, regional and international levels.
8. **Improve cooperation** among stakeholders in particular with **civil society** and the **private sector**.
9. Improve **data collection, monitoring and evaluation** and promote **evidence-based policies**.

On the subject of the adoption and development of a United Nations General Assembly Global Plan of Action, the main arguments presented **in favour** were:

1. A Global Plan of Action would **foster political will and commitment**.
2. It would provide a **comprehensive strategic framework**
3. It would contribute to **greater coordination** of collective efforts needed to prevent and combat trafficking in persons among Member States, the United Nations system, as well as with non-state actors.
4. It would **complement** and **contribute towards the implementation of existing international instruments and mechanisms** and **bridge the gaps** among them.
5. It would promote **international cooperation** and provide an opportunity to link trafficking in persons to other internationally agreed goals.
6. It would ensure a **common and comprehensive response** by various stakeholders, including non-state actors.
7. It would prescribe forward-looking **operational measures, targets** and **achievement indicators** so that the international community can periodically assess progress and redirect national policies accordingly and improve the effectiveness of national, regional and international response.
8. It would increase **accountability**.
9. It would contribute to the provision of **consistent and sustained technical assistance** for prevention, protection and prosecution.
10. It would help promote **global awareness** to the issue.
11. It would enable the sharing of **good practices** across the world and greater sharing of **information and data on trafficking** flows and trends.

Some delegations suggested that the next step for the adoption of a Global Plan of Action would be for the President of the General Assembly to appoint facilitators from countries of origin and destination and begin informal consultations among Member States.

Participants also stressed that a Global Plan of Action **should**:

1. Be based on a **broad consensus** and on the principle of **shared responsibility**.
2. Be **transparent** and ensure **ownership** by all stakeholders.
3. Provide a **situational analysis** of where we stand today, where we want to be and what we need to do to get there.
4. Ensure synergies, **complement existing regional and international instruments** and address **conceptual gaps** in line with national and regional policies.
5. Develop and **concretize standards**.
6. Ensure a **human-rights based approach** with the full protection of victims, the criminalization of trafficking in persons and discourage demand.
7. Contain **recommended actions at all levels**, national, regional and international.
8. **Map the resources required** and how they may be mobilized.
9. Promote **cooperation between countries of origin and destination**.
10. Address the **root causes** of trafficking in persons and the **demand** that fosters exploitation.
11. Address the following issues in a cross-cutting manner: international cooperation, capacity building, human rights, gender equality, and monitoring and evaluation.

However, there were also concerns raised by some delegations on the need for or added value of a Global Plan of Action. **Concerns** presented were:

1. A Global Plan of Action may **duplicate existing international instruments**, in particular, the United Nations Convention against Transnational Organized Crime (UNTOC) and the Trafficking in Persons Protocol (Protocol). The UNTOC **Conference of States Parties** and its **Working Group on Trafficking in Persons** already offer a platform for coordination on trafficking in persons. Priority should be to **strengthen** the implementation of the Protocol and other **existing international instruments, strategies and policies** and **fill in any gaps** among them and **establish a stringent monitoring mechanism** for UNTOC and the Protocol. The negotiation of a Global Plan of Action would **divert time, resources** and **focus** from the implementation of UNTOC and other existing international instruments and the delivery of technical assistance.
2. There are concerns on **how the Global Plan of Action would be reconciled with existing national and regional plans of action**.
3. It would be **premature** to develop another coordination mechanism and there is **no consensus** among Member States that Global Plan of Action would **add value**.

### **Closing Session:**

1. **H.E. Mr. Maged A. Abdelaziz**, Permanent Representative of Egypt to the United Nations and Vice President of the General Assembly, referred to the discussions held and the appeal for a coordinated, action-oriented and rights-based approach to end trafficking in persons. He acknowledged the concern expressed by some Member States that a Global Plan of Action may weaken the United Nations Trafficking in Persons Protocol and its mechanisms. However, he stated that numerous panellists demonstrated that a Global Plan of Action would build upon and complement the UN Protocol. It would therefore provide coherence to national, regional and global efforts and reinforce the existing international normative framework. He stated that he will work with the 192 Member States of the General Assembly to develop a Global Plan of Action.

Acknowledgements:

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## **Annex 1: Full list of statements in alphabetical order**

1. Algeria
2. Argentina
3. Armenia
4. Australia
5. Austria
6. Bahrain
7. Bangladesh
8. Belgium
9. Belarus
10. Bosnia and Herzegovina
11. Brazil
12. Canada
13. China
14. Colombia
15. Cuba
16. Czech Republic (on behalf of the EU)
17. Ecuador
18. Egypt
19. Greece
20. Holy See
21. Indonesia
22. Israel
23. Italy
24. Japan
25. Kazakhstan
26. Kyrgyzstan
27. Korea
28. Malaysia
29. Mexico
30. Montenegro
31. Morocco
32. Netherlands
33. Nicaragua
34. Nigeria
35. Norway
36. Pakistan
37. Peru
38. Philippines
39. Portugal
40. Qatar
41. Russia
42. Spain
43. Sudan (on behalf of the African Group)
44. Syrian Arab Republic
45. Tajikistan
46. The former Yugoslav Republic of Macedonia
47. Turkey
48. Turkmenistan
49. UNESCO
50. United Kingdom
51. USA
52. Venezuela
53. WGTC
54. Yemen