

UN.GIFT

Global Initiative to Fight Human Trafficking



 **HUMAN TRAFFICKING**  **A CRIME THAT SHAMES US ALL**

THE VIENNA FORUM REPORT:

a way forward to combat
human trafficking



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**The United Nations Global Initiative
to Fight Human Trafficking
(UN.GIFT)**

**The Vienna Forum report:
a way forward to combat
human trafficking**



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I. Introduction

1. The present report describes the discussions, activities and accomplishments of the Vienna Forum to Fight Human Trafficking, held in Vienna from 13 to 15 February 2008. Twenty-eight panels, workshops, special sessions and side events were held as part of the Forum with a view to exploring the themes of vulnerability, impact and action and to offering an opportunity for dialogue on preventing and combating trafficking in persons. Additional special exhibits held throughout the City of Vienna as part of the Forum increased the visibility of the issue of human trafficking among the public.

2. This report summarizes the discussions, findings and proposed recommendations of each of those sessions and events.

II. Situation analysis

A. Human trafficking worldwide

3. The adoption of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime,¹ and other related United Nations instruments precipitated intense activity around the world to stop human trafficking. The Trafficking Protocol, along with individual country programmes and laws, is the basis on which future actions to fight human trafficking must be built, with the human rights of the trafficked persons at the centre of anti-trafficking efforts.

4. However, despite increasing global attention and significant national responses, human trafficking is still a tragic reality. While the majority of Member States have ratified the Protocol and other international instruments, human trafficking remains a crime with low risks and high profits.

5. Improved knowledge of the nature of human trafficking, its underlying conditions and the profiles of traffickers and victims is necessary in order to take the right steps to combat

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

trafficking in persons. Some basic patterns and trends are apparent. Human trafficking is a process characterized by people being abducted or recruited in the country of origin, transferred through transit regions and exploited in the country of destination, which highlights the need for a holistic anti-trafficking approach that emphasizes both international cooperation and innovative partnerships.

B. Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children

6. The Trafficking Protocol provided the first internationally accepted definition of the term “trafficking in persons” and remains the primary international legal instrument addressing human trafficking as a crime. The Protocol emphasizes the need to balance criminal justice concerns with a human rights approach to the protection and assistance of victims. Cooperation among States to meet these objectives is also promoted in the Protocol. As at March 2008, 118 countries had ratified the Protocol.

C. The United Nations Global Initiative to Fight Human Trafficking: mission statement

7. The United Nations Global Initiative to Fight Human Trafficking (UN.GIFT) aims to mobilize state and non-state actors to eradicate human trafficking by: (a) reducing both the vulnerability of potential victims and the demand for exploitation in all its forms; (b) ensuring adequate protection and support to those who fall victim; and (c) supporting the efficient prosecution of the criminals involved while respecting the fundamental human rights of all persons.

8. In carrying out its mission, UN.GIFT increases knowledge and awareness of human trafficking; promotes effective rights-based responses; builds the capacity of state and non-state actors; and fosters partnerships for joint action against human trafficking.

9. The Steering Committee for UN.GIFT is composed of the Office of the United Nations High Commissioner for Human Rights (OHCHR), the United Nations Office on Drugs and Crime (UNODC), the United Nations Children’s Fund, the International Labour Organization (ILO), the International Organization for Migration (IOM) and the Organization for Security and Cooperation in Europe (OSCE).

III. Objectives of the Vienna Forum to Fight Human Trafficking

A. Vienna Forum

10. The framework of UN.GIFT provided for a global conference, the Vienna Forum to Fight Human Trafficking, held in Vienna from 13 to 15 February 2008 (see annex III for the enabling decisions of the Commission on Crime Prevention and Criminal Justice). The Forum offered a unique opportunity to bring together representatives of Member States, United Nations entities, non-governmental and international organizations, the business community, academia and civil society.

11. The Vienna Forum was a step towards generating consolidated support and political will behind the goals of UN.GIFT. Its aims were to raise awareness of all forms of trafficking, to facilitate cooperation and partnerships among participants, to take stock of progress and to set the directions for follow-up measures to prevent and counter human trafficking. The Forum also provided an opportunity to assess lessons learned regarding the dimensions of the issue and current actions being taken in response to trafficking in persons.

B. Attendance

12. Over 1,500 senior government officials, delegates of Member States, business leaders, representatives of non-governmental organizations (NGOs) and of the United Nations and international and regional organizations, academics, activists and victims of trafficking from over 116 countries participated in the Vienna Forum, which provided a platform for a new campaign of coordinated action to tackle trafficking in persons. Additionally, 150 journalists were accredited to the meeting.

C. Plenary sessions

13. The issue of human trafficking was addressed in the plenary sessions. Within the three themes of vulnerability, impact and action, Governments contextualized the various dimensions of human trafficking and its relation to security, development and human rights.

1. The response of Governments

14. The Vienna Forum represented a new approach, combining experts in the field, the general public and other new partners. Governments made presentations concerning their

efforts to combat human trafficking, highlighting the progress made in their countries. Forty-seven delegates made statements; one was made at the presidential level and six at the ministerial level.

2. Opening session

15. The Executive Director of UNODC opened the Vienna Forum to Fight Human Trafficking. He thanked the Crown Prince of Abu Dhabi for his generous support for UN.GIFT. He also recognized the efforts of Governments in general, but called on Member States to be more aggressive in honouring their commitments and implementing the Trafficking Protocol, noting the role of UN.GIFT in that process. He emphasized several outcomes that should result from the Forum, including additional research to allow action on the guiding framework of the three Ps (prevention, prosecution and protection) based on solid information. He spoke of the role of all partners and segments of society in combating human trafficking and pointed out that the Vienna Forum needed to be a platform to launch innovative, practical anti-trafficking measures, such as codes of conduct to curb sex tourism and controls over supply chain management. He also mentioned the importance of the decision by the General Assembly to hold a thematic debate on human trafficking in 2008.

16. In her address, Ursula Plassnik, the Federal Minister for International and European Affairs of Austria, referred to the Vienna Forum as a new form of multilateral diplomacy that would set in motion a global and sustained process to end human trafficking. She spoke of the need to raise awareness and generate political will, and highlighted Austria's efforts to combat human trafficking at the national and international levels. Suzanne Mubarak, wife of the President of the Arab Republic of Egypt, emphasized the responsibility of countries to eliminate the root causes of trafficking, noting Egypt's special attention to potential victims, such as marginalized children and vulnerable women. She also pointed to the instrumental roles of women, youth and the private sector in eradicating human trafficking.

17. Actress Emma Thompson, speaking as Chair of the Helen Bamber Foundation, gave a detailed account of the life of a woman trafficked for sexual exploitation, which Ms. Thompson had helped turn into the internationally viewed art installation, "The Journey against Sex Trafficking", featured as part of the Forum. Entertainer Ricky Martin closed the speeches of the opening plenary session by describing the anti-trafficking activities of the Ricky Martin Foundation, with its special emphasis on children. The opening session was followed by the acceptance by the Executive Director of a declaration with 1.5 million signatures, presented by Stop the Traffik (a global coalition of more than 1,000 anti-trafficking organizations), requesting that Governments and the United Nations work together to stop human trafficking.

18. All speakers called for the Vienna Forum to be the basis from which to launch new partnerships and aggressive action against trafficking in persons.

3. Closing session

(a) *Outlook and innovative initiatives*

19. The closing session was used to showcase good practices in the fight against human trafficking.

20. The representative of the International Centre for Missing and Exploited Children (ICMEC) outlined the Centre's technology-based initiatives to stem trafficking, child pornography and child sexual exploitation. A technology coalition of five major online companies was being used to develop and deploy technology solutions that disrupted the ability of predators to use the Internet. Additionally, ICMEC had joined with the National Center for Missing and Exploited Children of the United States of America, 29 financial institutions and Internet industry leaders to form the Financial Coalition against Child Pornography. The Financial Coalition, covering 90 per cent of the credit card industry, aimed to eradicate child pornography by following the flow of funds and shutting down the payment accounts being used by those illegal enterprises. ICMEC had also developed a CyberTipline, which had helped in establishing a clearinghouse for information-sharing between the Coalition and law enforcement. The goal of ICMEC and its partners has to stop such crimes by making them too expensive and too risky.

21. The head of Drehscheibe Augarten in Vienna presented the model used by that crisis management centre to help identify trafficked children and repatriate them to their home countries. The centre established a close working relationship with the countries of origin so as to ensure standard agreements for repatriation and that victims had a secure place to return to upon repatriation. Centres based on that model had been established in Bulgaria and Romania. The working methodology between centres included a six-month monitoring period with social workers and the submission of regular progress reports. The Vienna centre had also undertaken site visits to the countries of origin to confirm and monitor the working arrangements.

22. The former head of the South Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons presented a counter-trafficking profiling and software system developed by the Clearinghouse for arms smuggling and discussed its potential for adaptation to detecting and disrupting human trafficking. He pointed out that trafficking in arms and people were both forms of transnational organized crime and both involved licit companies fronted by businesses licensed to engage in activities that facilitated the movement of goods and people. He also pointed out that traffickers left traces wherever they operated, which could be used to help create generic profile indicators. Such profile indicators, combined with risk assessments and ratings systems, could then be used to develop easy-to-use software. Adapting such software required information from front-line experts on trafficking networks and their models.

(b) *Closing of the Vienna Forum*

23. In her closing remarks, Helga Konrad, an international consultant on combating trafficking in persons, emphasized that dialogue was important but not enough. Political

will to implement relevant laws and commitments was necessary along with cooperation. Everything, however, must lead to expedient action if it were to produce meaningful results. Better research must lead to better monitoring and evaluation to improve responses to human trafficking. Ms. Konrad contended that law enforcement should adopt a victim-centred approach, because the primary reason to fight human trafficking was the harm it caused people.

24. The Chairperson of the Vienna Forum, Renuka Chowdhury, Minister of Women and Child Development of India, presented the Chairperson's summary, in which she stressed the need to aggressively address all forms of exploitation, including forced labour, and underscored the critical role of UN.GIFT in continuing to build and expand alliances. She stated that the Vienna Forum had met its immediate objectives, but that meaningful action must follow useful dialogue. She also reiterated some of the salient findings of the panels and workshops, such as the need for more monitoring and research, the important role of Governments in combating trafficking and the value of innovative partnerships. (The full text of the Chairperson's summary appears in annex I.)

25. In his closing remarks, the Executive Director of UNODC noted the successful completion of the Vienna Forum and called for greater impact in fighting human trafficking. He acknowledged that the Forum had raised awareness, but pointed to the critical lack of a mechanism for reviewing implementation of the Trafficking Protocol and other related international instruments, calling for expediting implementation by States parties to the Protocol. He stressed that the ideas discussed at the Forum must be put into practice, building on initiatives such as those presented at the closing session on tracking the finances of trafficking, disrupting trafficking routes and better protection for victims. He cited a number of enabling conditions needed in order to move forward, such as increased resources, an improved knowledge base and strengthened alliances. He urged participants to tackle the issues of supply and demand, gender-based exploitation and forced labour. The Executive Director emphasized that the Vienna Forum was just the beginning of the process and that it was urgent to build on the momentum and energy generated by it. (The full text of the Executive Director's closing remarks appears in annex II.)

IV. Themes: vulnerability, impact and action

A. Vulnerability

26. Issues such as disempowerment, social exclusion and economic vulnerability are the result of policies and practices that marginalize entire groups of people and make them vulnerable to being trafficked. Individuals are vulnerable to trafficking not only because of conditions in their countries of origin. The allure of opportunity, the relentless demand

for inexpensive goods and services and the expectation of reliable income drive people into potentially dangerous situations where they are at risk of being exploited.

27. The Vienna Forum examined definitions of and practices related to the prevention of trafficking and focused on decreasing vulnerability to broaden the strategic impact of existing prevention efforts.

1. Demand for forced labour and sexual exploitation: how and why it fuels human trafficking

28. Human trafficking is in large part about the exploitation of vulnerable workers—women, children and men. It is an issue of labour rights and labour protection, as well as of human rights and criminal justice. Whether the trafficking is for sexual exploitation or for other forms of economic exploitation, labour actors must be drawn into global efforts to prevent and combat human trafficking.

Objectives

29. The purpose of this panel was to examine the issue of demand for all forms of forced labour and sexual exploitation, how demand drives the crime and what can be done to reduce it.

Summary of discussions and key findings

30. During the panel, the case was made for reducing human trafficking by addressing factors that fuelled demand for vulnerable and exploitable workers as well as for commercial sexual services.

31. According to the panellist from the United States Department of State, this meant, among other things, sensitizing men to the effects of prostitution and the idea that prostitution was not a victimless activity but a crime. Other methods to reduce demand for sexual exploitation included stronger penalties and aggressive prosecution for child sex tourism. To clean up supply chains, the United States Department of Labor was drawing up a list of products that might be tainted by forced labour, with plans to publish that list in 2009. The companies and products concerned would not be embargoed, but highlighting offenders was intended to influence business practices by influencing consumer behaviour.

32. Another panellist mentioned the need to understand how the current form of globalization influenced supply and demand for human trafficking. The competitive nature of globalization put pressure on wages, increasing employers' demands for a flexible workforce that could be retained or easily disposed of. As a result of those conditions, human trafficking could occur within the migration process, so both legitimate and illegitimate migration must be examined. All potential victims should be protected, regardless of their immigration status.

33. It should be noted that there was a strong divergence of opinion among participants on appropriate responses to the sex industry. Some panellists believed in abolition, while others asserted that regulation and recognition of collectives of sex workers was inevitable.

34. Demand and supply were interconnected. Systemic deregulation of labour markets created regulation gaps that allowed exploitative and coercive labour practices to flourish, and some sectors, such as domestic and sex workers, were largely unregulated, making them especially susceptible to trafficking.

Proposals for future action and recommendations

35. The following proposals were made:

(a) Trafficking must be placed within the context of the ways in which the globalized economy generates supply and demand for all forms of trafficking;

(b) Emphasis should be placed on the value of a rights-based approach. Forced labour must be contextualized within human and labour rights, especially in relation to the need for collective bargaining to allow vulnerable workers to assert their rights;

(c) National approaches must be used to tackle employer-driven demands for exploitative labour through rigorous inspection, the naming of specific companies and broad-based business coalitions;

(d) Much more consensus is needed on whether and how awareness-raising activities should target users of the sex industry to inform them about the violence and exploitation faced by many prostitutes as a strategy to reduce or eliminate demand.

2. Communities in crisis

36. Natural disasters and conflicts place people in situations of vulnerability, weakening or destroying family support structures, community bonds and self-protection mechanisms that might otherwise serve as a buffer to the risk of human trafficking. Affected communities often face difficulties accessing education and livelihoods, making them particularly vulnerable to traffickers offering life-saving employment opportunities.

37. Although more research needs to be undertaken, experience indicates that during the early stages of a crisis, while the focus is on immediate relief, the risk of trafficking is low. That risk increases as the affected population realizes the impact on their lives and their means of livelihood.

Objectives

38. This panel was intended to demonstrate the vulnerabilities to human trafficking specific to communities in crisis and the ways such vulnerabilities could be addressed. It was also hoped that it would elicit broad agreement among humanitarian actors that human trafficking concerns were a core part of crisis response.

Summary of discussions and key findings

39. Participants did not compile joint recommendations. Individual panellists presented their own practical experiences and related recommendations. The three key issues discussed during the panel were the causes of vulnerability created by crisis situations; approaches to reducing trafficking risks; and channels to reduce vulnerability.

40. During the discussion, it became clear that no standard solution to the problem existed. However, participants mentioned several factors that should be considered in designing effective measures to reduce the risk of falling victim to trafficking. Questions were also raised about the willingness of trafficked people to participate in rehabilitation, as well as on good practices for working with native communities in ways that built trust and showed proper cultural respect.

Presentations and recommendations

Colombia

41. The panellist from IOM Colombia focused on research addressing the factors that contributed to vulnerability and how to identify indicators of increased vulnerability, especially among adolescents and young women.

42. Recommendations from this panellist included:

- (a) Affected populations should participate in policy development and implementation;
- (b) Knowledge about available services should be increased within communities, emphasizing specific measures to increase the self-esteem of children and adolescents and to support their recognition within the community;
- (c) More research should be undertaken regarding exploitative labour situations that are not readily perceived as such by workers and are on the borderline of the definition of human trafficking.

Indonesia

43. The situation in Indonesia in the aftermath of both economic crisis and natural disasters had increased vulnerability to trafficking in persons. Trafficking for transnational marriage was also committed under the guise of religion.

44. The panellist from Fatayat Nahdlatul Ulama, a Muslim women's association in Indonesia, presented a number of recommendations specific to the Indonesian situation:

- (a) A cross-religious, cross-sectoral and cross-border advocacy network should be developed to prevent and eliminate trafficking;
- (b) The Government should be supported in providing alternative job opportunities, especially for women;
- (c) Awareness-raising about the dangers of human trafficking is necessary within communities for prevention and to allow them to monitor and control the implementation of the law;

(d) Capacity-building efforts should be undertaken for faith-based institutions and organizations.

Uganda

45. The presentation by the panellist from the Uganda Youth Development Link focused on the conflict situation in the northern part of that country, which had resulted in significant abduction of children for “recruitment” as soldiers and for sexual services. Anti-trafficking measures were hindered because there was no related legislation in Uganda and the rehabilitation of trafficked people was left entirely to civil society.

46. Given the Ugandan situation, the panellist emphasized the need for good governance, including legislation and national action plans; the need for creation of employment opportunities, education and other social and welfare services; and overall better coordination of anti-trafficking efforts.

Office of the United Nations High Commissioner for Refugees

47. The representative of the Office of the United Nations High Commissioner for Refugees gave a presentation on the efforts of the Office to prevent certain groups, such as refugees, asylum-seekers, returnees and stateless people, from becoming victims of human trafficking by addressing the factors that contributed to their vulnerability.

48. The panellist recommended that gender equality be made a cross-cutting aim of all prevention activities and stated that a human rights-based approach was necessary in dealing with victims of human trafficking.

3. Corruption and human trafficking: the grease that facilitates the crime

49. Corruption is a root cause and a facilitating tool in carrying out and sustaining trafficking in persons, and it needs to be taken into account when dealing with that illicit trade. Most human trafficking would have little chance of success if it were not for the complicity of public- and sometimes private-sector officials. Corruption ranges from active involvement to passive negligence, and it is often the lubricant that allows victims to be selected, transported and held against their will.

50. The international community has adopted legal frameworks to deal with such issues, but it has not examined how the two major international agreements can complement each other. Both the United Nations Convention against Corruption² and the Trafficking Protocol deal with these issues in isolation. The panel took a closer look at how the two instruments could be used together to respond.

²Ibid., General Assembly resolution 58/4, annex.

Objectives

51. The panel examined the connection between corruption and human trafficking and the impact of that connection on trafficking in persons, as well as measures to tackle corruptive practices.

Summary of discussion and key findings

52. One panellist proposed a holistic approach to confronting the problem. Domestic law needed to be enacted to cover most aspects of human trafficking; Governments should invest in education; research should be encouraged on human trafficking and corruption; the basic rights of victims must be respected; and corruption should be integrated into anti-trafficking plans.

53. Another presentation focused on how corruption could occur at any stage of human trafficking and include anyone involved in the process. It also emphasized the similarity in responses to the two crimes and underlined the need to find ways so that anti-corruption and anti-human trafficking strategies could be mutually beneficial.

54. Case studies were also presented by a third panellist, demonstrating practices and methods of combating corruption by establishing relevant and independent institutions, terms and conditions for hiring personnel and a code of conduct, and by involving civil society.

55. The representative of UNODC pointed out that the tools to address corruption, including in the context of human trafficking, already existed and that focus should be placed on those practical tools that made action against corruption and human trafficking more effective.

56. The discussion focused on the fact that corruption happened all along the trafficking chain—in countries of origin, transit and destination. Corruption was not always linked to a lack of economic development, but also occurred in so-called developed countries.

57. Panellists agreed that an anti-corruption environment was essential for effective anti-trafficking work. A key to fighting corruption, which also had an impact on human trafficking, was establishing independent institutions and enhancing the cooperation of law enforcement in countries of origin, transit and destination. There was also agreement that corruption greatly affected trafficking in persons and the question was raised as to whether human trafficking would be possible without corruption.

Proposals for future action and recommendations

58. There was broad consensus on several proposed recommendations as starting points in the combined fight against human trafficking and corruption:

(a) Collaboration is necessary, not just for legal prosecution and penalties, but also to maximize limited resources for research, especially for hard data on corruption in the context of human trafficking and to take awareness of human trafficking to a broader

community audience. Anti-corruption and anti-trafficking units along the trafficking chain need to work together and to share information and intelligence. International cooperation between origin, transit and destination countries is crucial;

(b) Comprehensive domestic law must cover most aspects of human trafficking, specifying severe punishment for traffickers and corrupt criminal justice and governmental officials. Victims must be rehabilitated, with their basic rights respected, and law enforcement officers must be given adequate investigative tools and training;

(c) Strategies to prevent corruption need to be put in place, such as awareness-raising, transparency of work and operations, and initiatives to prevent people from becoming victims. Governments should invest in education and provide alternative economic opportunities for children and youth to help reduce their vulnerability to trafficking;

(d) The independence of relevant institutions and the involvement of civil society are important to prevent corruption and ensure independent coverage by the media.

4. Trafficking in persons for removal of organs and body parts

59. Trafficking in persons for the purpose of organ removal is addressed by the Trafficking Protocol. The inclusion of that form of exploitation is intended to cover situations where a person is exploited for the purposes of obtaining profit in the “organ market” and for the removal of organs and/or body parts for purposes of witchcraft and traditional medicine.

60. Only a few States explicitly define and criminalize trafficking in human organs. The lack of adequate laws creates many opportunities for such illegal trade and poses a threat to human security. There are clear indications that organ trafficking is on the rise, fuelled by a growing demand and unscrupulous traffickers and “brokers”.

61. Organized criminal groups are often involved, luring people abroad and convincing or forcing them to sell their organs. One of the distinguishing marks of such trafficking is that the traffickers and organ “brokers” come from atypical sectors and include doctors and other health-care practitioners, ambulance drivers and mortuary workers.

Objectives

62. The objective of the workshop was to discuss problems of detection, investigation and prosecution of the crime. Also addressed was how trafficking in persons for organ removal could be distinguished from “transplant tourism” and how to develop strategies to combat such trafficking.

Summary of discussions and key findings

63. Panellists noted that the increasing need for organs still remained unmet globally. Payment for cells, tissues and organs took advantage of the most vulnerable groups. The

majority of identified donors were in their mid-thirties, male and under- or unemployed; their educational levels were low and many did not have the language skills necessary to understand what they were told in the host countries where the removal and transplantation were carried out.

64. Many of those who had sold their organs to traffickers were subsequently unable to work for reasons of bad health resulting from the removal operations and thus faced unemployment, social and psychological consequences, and the stigma attached to them by their families and communities. Trafficking in persons for organ removal was a medical human rights abuse and paid donations were also inherently exploitative.

65. Panellists agreed that trafficking for organ removal was a complex issue that included controversial technical, ethical, legal and medical considerations. Such trafficking also involved a unique range of actors, including surgeons and hospital staff, who collaborated with criminal networks, brokers and middlemen who recruited donors from among the most vulnerable groups of society.

66. The detection and investigation of cases related to trafficking for organ removal constituted significant challenges to law enforcement, especially in the identification of those involved, the distinction between innocent parties and those who were willingly involved, and the admissibility of evidence in court. In most countries, there was no national body responsible for collecting data from institutions and hospitals. Attempts to conduct research had been disappointing because of incomplete donor registries and, in most cases, a lack of procedures to establish accurate donor information.

67. Key initiatives to combat trafficking in persons for organ removal and the illegal trade in organs included the Trafficking Protocol; the Guiding Principles on Human Organ Transplantation of the World Health Organization (WHO); and statements calling for state accountability made by the World Medical Association and the Transplantation Society, the Consensus Statement of the Amsterdam Forum on the Care of the Live Kidney Donor and the Islamic Charter of Medical and Health Ethics.

Proposals for future action and recommendations

68. Participants in the workshop agreed on several recommendations regarding trafficking in persons for organ removal and the effective protection of vulnerable donors:

(a) Relevant international legal instruments, including the Trafficking Protocol, need to be signed and ratified. Country-specific legal structures should also be established prohibiting trafficking in persons and the commercial organ trade and promoting alternative supply sources for national self-sufficiency in transplantation;

(b) Awareness-raising and information campaigns on organ, tissue and cell donation should be promoted at the regional and national levels;

(c) Investigative law enforcement capacity should be strengthened, including intelligence- and information-sharing about possible cases, and cooperation should be enhanced among law enforcement, financial institutions and health officials;

(d) The risk for criminal syndicates and all other actors involved should be increased. More proactive investigations should be encouraged, especially related to the identification of recruiters and the profiling of suspects;

(e) Health-care-related businesses need to exercise corporate responsibility in their involvement in transplantation;

(f) Protection and support must be extended to victims and civil society involvement should be promoted to protect the vulnerable;

(g) Countries should give urgent attention to ensuring effective oversight of organ transplantation. Countries also should establish effective regulatory control and surveillance and comply with the WHO guiding principles on human organ transplantation;

(h) Follow-up meetings with relevant agencies and non-governmental organizations should be held to discuss a global strategy for action to combat trafficking in persons for the purpose of organ removal.

5. Profiling the traffickers

69. For a universally condemned and globally prominent issue, surprisingly little is known about the perpetrators of human trafficking. Data and information about how people come to commit trafficking crimes, their respective roles in trafficking networks, their relationships to other criminals and to victims, and a strong understanding of trafficking modus operandi are necessary to establish effective means to identify, stop and prosecute traffickers, as well as to prevent potential traffickers from becoming so.

70. Increasing effort is being made in the anti-trafficking community to target traffickers active at the point of exploitation, but this represents only part of a complex and multifaceted crime. Available information suggests that the majority of traffickers may never come into contact with the criminal justice system at all.

Objectives

71. The objectives of the workshop were to identify and highlight what was known about human traffickers; to emphasize the need to deepen and broaden knowledge about traffickers; and to recommend practical action to criminal justice actors and Member States.

72. Specifically, the workshop addressed shortcomings in current knowledge on the profile of human traffickers, focusing on:

(a) Contributing factors to becoming a trafficker, especially where former victims themselves became traffickers;

(b) The characteristics of traffickers;

(c) Differentiating between traffickers and their various roles;

(d) Female traffickers.

Summary of discussions and key findings

73. All the panellists emphasized that more effective action against human traffickers could only be undertaken in the context of adequate national legislation, institutions and frameworks for coordination. One panellist spoke about the importance of coordinated, multisectoral responses linking agencies in places of origin, transit and destination. Given that it was difficult to distinguish clearly between the different roles of traffickers, it was noted that a broad definition of “trafficking” could be more effective against individuals at all levels of the trafficking hierarchy in deterring trafficking activities.

74. Countries needed to engage in more research, intelligence-gathering and information-sharing, as well as data collection on the profile, networks and modus operandi of traffickers. Developing research at the national level was key to addressing the current shortcomings in knowledge on traffickers. The report entitled *Another Delivery from Tashkent: Profile of the Israeli Trafficker*, presented by the panellist from the Hotline for Migrant Workers in Israel, was an excellent example of the kind of research Governments could develop on the profile of traffickers in their own countries. That information should also extend to sharing information and cross-border cooperation.

75. A number of panellists pointed out that it was often not the master traffickers who were arrested, prosecuted and convicted, but rather low-level traffickers. Law enforcement and criminal justice practitioners needed to have an understanding of trafficking chains and their hierarchies to take effective action in dismantling trafficking rings and to bring the chief perpetrators to justice.

76. Raising awareness among law enforcement agencies, criminal justice practitioners, stakeholders and the public was crucial in order to identify and effectively punish human traffickers. This was especially the case concerning those who might not fit the common stereotype of a trafficker, such as women. Women were often given visible functions within a trafficking ring, such as the recruitment of victims, so as to lower the possibility of detection, since traffickers were most commonly expected to be men.

77. Former victims were particularly vulnerable to becoming traffickers as a result of pressure from their own traffickers, and because they saw it as an opportunity, for example, to pay back debts, as an end to the humiliation suffered as a victim and as a way to escape the negative stigma associated with being a victim of trafficking. It was argued that using former victims as traffickers reflected the ability of trafficking rings to adapt in an effort to remain undetected.

Proposals for future action and recommendations

78. The discussion and findings of the workshop were the basis for a series of recommendations aimed at more adequately profiling potential and active traffickers:

(a) Adequate national legislation, institutions and frameworks for coordination are prerequisites for increased and effective action against human traffickers;

(b) National Governments should gather and share research, information and intelligence on the profile, networks and modus operandi of traffickers to support enforcement actions, country-specific response mechanisms and knowledge of transnational trends in order to help develop early warning and prevention systems;

(c) Because former trafficking victims are vulnerable to becoming traffickers, Governments should consider whether their criminal justice systems have the capacity to address issues of prevention, culpability, further victimization and recidivism. Governments should also consider developing rehabilitation measures for traffickers as a strategy to counter recidivism;

(d) Governments must undertake targeted and appropriate awareness-raising activities for law enforcement agencies, other criminal justice practitioners, key stakeholders and the public;

(e) Law enforcement authorities should consider developing intelligence checklists to facilitate the profiling of human traffickers. Law enforcement intelligence must be shared across borders and may be supported by the implementation of operational procedures and protocols for communication and information exchange;

(f) Criminal justice systems should provide for case management, coordination and monitoring from the investigation of a human trafficker through to sentencing;

(g) Criminal justice systems must reject preconceived stereotypes that treat some traffickers as marginal actors or having committed a lesser offence, and greater enforcement action must be taken against “master” traffickers. The judiciary should scrutinize defence strategies, taking into consideration aggravating and mitigating circumstances, such as the level of culpability, when sentencing traffickers. The rights of any person suspected or accused of trafficking offences—including the right to a fair trial—should be upheld in all criminal justice proceedings;

(h) In developing policies responding to trafficking in persons, Governments should acknowledge that conditions such as poverty, gender inequality and economic disparities can create vulnerabilities that make individuals susceptible to being trafficked as well as, on occasion, to engaging in trafficking crimes.

B. Impact

79. From the physical abuse and psychological trauma to the economic and political implications of unabated crime, the impact of trafficking in persons on individuals and society is destructive and unacceptable.

80. Participants in the Vienna Forum shared experiences and focused on the consequences of human trafficking on victims, including the violence they experience, adverse health effects, social stigmatization and the risk of re-victimization.

1. Quantifying human trafficking, its impact and the response to it

81. There is a lack of quantitative information and understanding regarding the scope and development of the crime of human trafficking around the world. Even basic criminal justice data on trafficking in persons offences are not publicly available for many countries and regions, making the compilation of accurate statistics on human trafficking elusive and unreliable.

82. A more credible information base is necessary in order to design adequate policies. To date, there has been very little measurement of the impact of many human trafficking initiatives and consequently, without solid monitoring tools, there is no guidance on where resources can best be invested.

Objectives

83. This panel was designed to provide an opportunity to debate the gaps, challenges and opportunities concerning the research to quantify human trafficking, its impact and effective responses.

Summary of discussions and key findings

84. The first panel session focused on identifying existing sources so as to enhance data collection on human trafficking. Discussion centred on best practices for regularly collecting representative data on trafficking in persons.

85. The second session dealt with the identification of new research approaches and the issue of whether it was possible to draw a baseline against which human trafficking trends could be measured at the local and global levels.

86. There was currently a lack of reliable data on the quantitative aspects of human trafficking, in particular data related to the criminal justice response. The reasons for this were manifold, but in many countries the problem was the lack of specific legislation and a corresponding lack of a central database on the criminal justice response to trafficking in persons. In addition, data on trafficking victims were frequently incomplete because of the hidden nature of the problem and the high degree of underreporting.

87. Panellists presented examples of efforts to collect data on victims and perpetrators:

(a) Peru had developed a database system for use by the national police in the recording and management of trafficking cases that could also be used for the generation of statistical reports and qualitative intelligence information to enhance investigative capacity;

(b) A programme to assist 10 States to build and maintain a systematic, harmonized and continuous data collection system was currently in operation in South-Eastern Europe;

(c) A regional programme to set up an efficient data collection system for policy development, monitoring, data-sharing and cooperation had been set up in West Africa with the support of UNODC and the Economic Community of West African States.

88. The panel learned about several new and innovative approaches taken by researchers and international organizations to estimate the extent of human trafficking, including the “dark numbers” of victims who never came to the attention of the authorities. One such research methodology aimed to establish the number and geographical distribution of trafficking victims by focusing on the economic enterprise aspects of perpetrators who trafficked women for sexual exploitation. Another approach was to embed relevant questions indicating the existence of forced labour and trafficking in persons in national household surveys or periodic labour force surveys.

89. Research on trafficking in persons informed policymakers and an interested public about how to allocate scarce resources and improve national responses to human trafficking.

Proposals for future action and recommendations

90. The panel discussion led to a number of proposals to support better data collection:

(a) Research is needed for monitoring the effectiveness of legislation and for evaluating existing and proposed counter-trafficking initiatives. More effective coordination of efforts and a pooling of capacity can contribute to enhancing the quality of research and to developing a new agenda for research on human trafficking;

(b) Although data on trafficking victims are frequently incomplete, available figures must be interpreted with caution because of the effect of the differing degrees of resources countries devote to the criminal justice response. To enhance the criminal justice response to human trafficking and to provide more targeted assistance to victims, a concerted effort of data collection is required;

(c) The good practice examples illustrated by the panellists should be further promoted within research efforts on trafficking in persons.

2. Health and human trafficking

91. Trafficked persons, in particular women, children and adolescents, regardless of whether they are trafficked for purposes of forced labour or sexual or other forms of exploitation, are exposed to a range of health hazards. Throughout the trafficking cycle, they are likely to experience physical, sexual and/or psychological abuse while having limited or no access to health and social services.

92. Many aspects of health and human trafficking are not understood, are under-researched or are not addressed at all. Not much attention has been given and not much evidence is available to document the serious health problems that arise from human trafficking.

Objectives

93. The objective of this panel was to increase understanding and awareness of the health consequences of human trafficking, and to examine how to provide better and more accessible health-care services for trafficked persons.

Summary of discussions and key findings

94. Health hazards and outcomes were usually related to the type of exploitative situation in which a trafficked person found him/herself. Each trafficking cycle presented a range of health risks, but also provided opportunities for intervention and health care.

95. The first presentation described the methodology and findings of a multi-country study on the health of women and adolescents trafficked in Europe. The study identified the most common physical and mental health symptoms and suggested how access to treatment affected some medical conditions. The study also emphasized the importance of providing continued protection and adequate access to health care for the duration of the reintegration process.

96. The second presentation outlined the different models of care that should be used in treating trafficking victims, such as trauma-informed and patient-centred care. Adequate treatment of the trafficked person must be the foremost concern, and this could be achieved through a systematic approach using available screening and treatment modalities.

97. Another panellist addressed the psychological issues affecting trafficking victims, noting that gender role expectations shaped the ways in which trauma was experienced and how recovery proceeded. Trafficked adolescents, for instance, merited special attention. Assistance and healing processes for adolescent and adult trafficking survivors involved restoring their sense of identity and their ability to form relationships, and helping them gain meaning in their lives.

98. The collaborative and proactive health-care efforts of Ghana were highlighted. Increased health access was facilitated by the implementation of national health insurance schemes and mobile/community-based health planning services. The positive experience of Ghana encouraged a reorientation of national health systems to reach trafficked persons and other vulnerable communities. A significant health system presence that provided for routine data collection and analysis and the dissemination of health information in communities could enhance the health status of trafficking victims.

99. The final panellist discussed how adequate health responses to trafficked persons must vary depending on where the person was assisted during the trafficking process—in the country of origin, transit or destination or during return and reintegration. Rights-based principles in the management of health consequences must acknowledge that assistance was given in the best interest of the victim and that it was voluntary, confidential and done in accordance with ethical standards of professional conduct. It was also important to establish minimum standards for health care based on comprehensive research and best practices.

Proposals for future action and recommendations

100. The presentations and discussions during this panel were intended to contribute to the development of a comprehensive manual that would serve as a tool to achieve

improved understanding of the health-related aspects of trafficking, better health-care services and improved access to care for trafficked populations. The manual would form the basis for future training of trainers to reach a wide network of care providers and managers in different disciplines. Translation of the manual into other languages was recommended to ensure wide usage and to maximize its benefits and impact.

101. Combined efforts at the national, regional and international levels must continue to facilitate and provide comprehensive health services and prevention and protection assistance for all trafficked persons, their families and host communities. The ability to provide improved health access and services would have a long-term positive impact on the broader public health situation.

3. The consequences of sexual exploitation, especially for women and children

102. Sexual exploitation and trafficking in human beings are two distinct phenomena, but they are sometimes related or coinciding. While sexual exploitation is not always linked to trafficking, trafficking in human beings can involve a range of exploitative purposes, including labour exploitation. Sexual exploitation and trafficking may have the same underlying root causes and a comparable impact on victims. Synergies and parallels therefore exist between strategies to address and prevent sexual exploitation and those targeted at trafficking for sexual exploitation in addressing vulnerability factors and demand, identification of victims and victim assistance.

Objectives

103. The key objective of the panel was to demonstrate the core elements of a comprehensive rights-based approach to prevent and respond to the exploitation of children, and to contribute to conceptual clarity around sexual exploitation, trafficking and other forms of child exploitation. The panel was further intended to create a forum where children's voices could be heard and child participation promoted.

Summary of discussions and key findings

104. Sexual exploitation was a crime and a violation of human rights with serious consequences for the victim, communities and societies. It had serious physical, psychological and social effects on the individual that were often lifelong and could even be life-threatening.

105. Many initiatives, programmes and activities to address trafficking focused on sexual exploitation and the adult population. However, addressing trafficking in human beings in general would not automatically protect children. It was important to note that women and children were particularly vulnerable to sexual exploitation, but the reasons for their vulnerability differed and anti-exploitation strategies must be targeted, recognizing their different rights, needs and capacities. Effective initiatives also needed to acknowledge that sexual exploitation of children was often linked to other forms of violence against

children. Such exploitation and violence must be addressed in a comprehensive way, such as through multiple stakeholder cooperation and coordination.

106. The main responsibility to safeguard children from any form of exploitation and abuse should lie with national child protection systems or with equivalent authorities where such systems were not in place. National and local child protection authorities should be able to provide children with information and access to a wide range of services, including where to report risky or threatening situations and where to turn for assistance. Governments should monitor and assure the quality of their interventions.

107. It was often the lack of realistic alternatives that drove children into high-risk situations. A critical element of prevention work was the empowerment of children, including at-risk groups, through livelihood opportunities, access to quality services, life skills, and opportunities for children to have their views heard and taken into account by decision makers.

108. In responding to cases of child exploitation, including trafficking, criminal justice systems needed to acknowledge children as victims of crime and protect them from secondary victimization by law enforcement and the criminal justice system. Prevention, protection and empowerment were the basic dimensions of successful anti-trafficking initiatives.

Proposals for future action and recommendations

109. Proposals included the following:

(a) All anti-trafficking initiatives need to ensure that specific provisions are incorporated and effectively implemented to safeguard the human rights of children;

(b) Child trafficking cannot be addressed and prevented in isolation from other child protection issues. A comprehensive approach is required to address child trafficking. It is essential to strengthen national and community-based child protection systems that prevent and respond to violence, exploitation and abuse, and that empower children and young people. This approach considers the human rights of children as a central concern and promotes child participation at every stage with a view to more effectively preventing all forms of exploitation and abuse of children;

(c) Prevention measures and strategies must address root causes such as social, economic and structural factors that contribute to the vulnerability of children;

(d) A uniform system is needed to identify children who have been the subject of violence, exploitation or abuse, whether as a result of trafficking or otherwise. The issue of identification needs to be addressed in a coordinated way by all the actors involved, including government authorities and civil society organizations working with children;

(e) Children have to be provided the opportunity to share their experiences and influence social policies and measures to address trafficking. Children's actions to prevent trafficking need to be supported;

(f) By providing, among other things, sustainable livelihoods, safe and regulated working conditions, empowerment through employment, income generation and career

development, private sector actors can support the rights of working children and young people in line with international standards and national law. The private sector can also make an important contribution to creating a protective environment for children by promoting and monitoring corporate social responsibility. The role of the private sector needs to be supported by national legal and policy frameworks that safeguard the rights of the child;

(g) Preventing and addressing child trafficking will be better realized through effective implementation of the Convention on the Rights of the Child³ and other relevant international instruments. The Convention provides specific guidance through its general measures of implementation, including law reform; national independent institutions for the protection of children's rights; national coordination mechanisms; cooperation with civil society; the allocation of resources for children; data collection and analysis; training and capacity-building; monitoring implementation of the Convention; and international cooperation.

110. Children had raised their voices at national and international forums on children's rights. In the context of the United Nations study on violence against children,⁴ children had made the following recommendations to Governments:

(a) National laws should be passed to protect children from all forms of violence at home and in schools, communities and institutions—and these laws must be put into practice;

(b) Initiatives are needed to teach people about human rights and children's rights. Human and children's rights and the Convention on the Rights of the Child need to be taught in schools;

(c) Child-friendly information about violence, abuse, exploitation and trafficking should be produced in local languages;

(d) The media should not give out names, pictures or other information that identify children who are abused;

(e) Children should be informed about where they can report violence and where they can take shelter when they report;

(f) Information should be printed and spread about raising children without violence. Measures should be taken to make sure that children who are victims of violence are not rejected by society.

(g) Children should be consulted when planning programmes to end violence, abuse, exploitation and trafficking.

4. The role of the media in building images

111. The media is a powerful tool in influencing public opinion and raising awareness. With that power, comes the responsibility of providing accurate information to the public

³United Nations, *Treaty Series*, vol. 1577, No. 27531.

⁴A/62/209.

while ensuring the protection of individual sources from harm resulting from information disclosure.

112. Sensationalism, stereotypes and assumptions about the profile of victims of human trafficking and the circumstances of their exploitation often prevail over in-depth investigative journalism. In many instances, journalists and editors cannot tell the difference between illegal migration, prostitution and trafficking in women, and often are not sufficiently concerned about or aware of accurate definitions. The linkages between issues such as globalization, migration policies, marginalization and discrimination, as well as economic inequality and exploitation, are rarely explored.

Objectives

113. The aim of the workshop was to examine the representation of human trafficking and its victims in the media so as to generate a deeper understanding of the factors that influenced journalists' decisions when covering the topic. It was also intended to highlight the importance of fair and balanced media coverage, in particular in relation to the victims of human trafficking, so as to avoid re-victimization and undue hardship as a result of media interventions.

Summary of discussions and key findings

114. The workshop addressed three general themes:

(a) Uncovering human trafficking stories. This included discussions about the practical constraints faced by journalists when investigating human trafficking stories and about upholding ethical standards;

(b) Balanced and fair representation of the issue. Questions were raised about what could be done to help generate a full understanding and fair reporting of the issue in the media. Panellists discussed why clichés and stereotypical representations of victims were often used and how they could best be avoided;

(c) Sensitivity and responsibility when interviewing victims. Discussions centred on what could be done to ensure that victims were protected from harm when they decided to speak to the media about their ordeals.

115. Journalists with experience in reporting on human trafficking gave presentations and participated in question-and-answer sessions. The representative of an NGO in Serbia that specialized in victim support also discussed problems in media reporting, suggesting good practices and practical guidelines in interviewing victims and protecting and respecting their rights.

116. One of the journalists discussed the potential political impact of stories and stressed the importance of finding different sources of information, such as police and hospital staff, who were often key in tipping off journalists and ensuring comprehensive and accurate coverage. A BBC journalist on the panel described the difficulties she had faced during her investigation of a Bulgarian human trafficking ring, including the practicalities

of reaching out to illicit networks, making strict editorial choices and complying with the BBC's ethical standards, as well as the reactions to her piece from the media and local authorities.

117. A photojournalist on the panel spoke about the need to make stories personal to viewers to create empathy, which was critical in generating true understanding of the issue and in motivating the public to act. Victims should be the owners of their stories. He cautioned, however, about the danger of "cultural anaesthesia", which occurred when the horror of stories and images became too much for the audience, counter-productively creating a distance between the audience and the topic.

118. The workshop discussions and question-and-answer sessions exposed the need for broader awareness of victim-centred guidelines for journalists. The session also demonstrated good practices in carrying out investigative journalism on human trafficking and highlighted the importance of avoiding sensationalism. The media should be promoted as a useful vehicle to spread awareness and understanding of human trafficking, while emphasis should also be placed on socially responsible journalism. Journalists should be educated comprehensively about the nature and complexity of human trafficking before investigating and reporting a story so as to avoid oversimplification of the issue. The many facets of this crime—both causes and effects—must be understood and reflected in media coverage.

Proposals for future action and recommendations

119. During the workshop, a number of recommendations were made to help ensure that the media became a positive and powerful ally in fighting human trafficking:

(a) Authorities and civil society engaged in fighting trafficking in persons need to maintain regular contact with the media in order to improve coverage of the issues and increase the reporting of fresh angles. Emphasis was placed on the usefulness of NGOs as partners in ensuring fair and balanced reporting;

(b) Training and awareness-raising among journalists, in particular in countries where the media are still at a nascent stage of development, are important in generating deeper understanding of the issue and in ensuring that victims are not further harmed as a result of inappropriate reporting;

(c) A broader awareness of existing guidelines for journalists when dealing with human trafficking is necessary. Panellists suggested that a comprehensive international code of conduct could be useful;

(d) Monitoring of the media could help identify gaps in comprehensive coverage and help devise strategies to fill those gaps;

(e) Follow-up stories are important to provide a full picture of human trafficking;

(f) UN.GIFT should continue to promote dialogue and foster cooperation among stakeholders in order to ensure that the media report on the issue comprehensively and fairly, while at the same time safeguarding victims and those who provide victim assistance.

5. Transnational organized crime and human trafficking

120. Analysis of the link between transnational organized criminal groups and human trafficking activities can be considered from many perspectives. For years, that link has been assumed without sufficient evidence and research on the topic.

Objectives

121. The workshop was intended to establish the link between different organized criminal groups and human trafficking with the objective of verifying that link for some groups. Participants analysed the nature of transnational criminal groups and the characteristics of those involved in human trafficking. The structure of groups was considered in relation to the various trafficking activities they carried out, and the modus operandi of groups was examined, with particular attention being paid to the means by which groups operated and cooperated transnationally.

Summary of discussions and key findings

122. Participants acknowledged that trafficking groups could be conceptualized not only as criminal enterprises, but also as business models, agreeing that viewing such groups in the business model context could offer insight into their modus operandi.

123. Panellists also acknowledged that while transnational organized criminal groups were indeed involved in human trafficking, it was also carried out by actors who were not part of transnational or even non-transnational organized criminal groups. Entities involved in human trafficking could be:

- (a) International criminal syndicates with diverse activities;
- (b) Family operations with extended family across country borders;
- (c) Independently owned businesses with contractors/agents;
- (d) Loosely based acquaintances/organizations;
- (e) Individuals.

124. Speakers showed that the way groups were organizationally structured could influence how they pursued their activities. Devolved hierarchies were often made up of core groups that allowed traffickers to act individually. Groups that were rigidly hierarchical usually comprised various levels of responsibility, from the authority at the top level down to those who carried out day-to-day activities at the lower levels.

125. Many organized criminal groups adapted their criminal activities to profit-making opportunities and were often involved in a range of criminal activities, human trafficking among them. Other smaller groups or family-run operations were highly specialized, aligning their criminal activities, including human trafficking, with their areas of criminal expertise.

126. Some organized criminal groups aimed to exercise political influence in the territories in which they operated by such means as corruption of political officials through

bribery, violence or threats; election (or placement) of particular political entities to protect the interests of the criminal group; and the occupation of positions of political power by members of the criminal group themselves.

127. The transnational cooperation of criminal groups for human trafficking was achieved by various means, including providing services or expertise to other organized criminal groups; by a single criminal entity having a presence in multiple countries; through co-operative relationships between criminal groups across borders; by maintaining ethnic or family ties across borders; and by a combination of cross-border strategies.

Proposals for future action and recommendations

128. Proposals included the following:

(a) The increasing exchange of expertise and intelligence on suspects should include conducting joint operations to render investigations and prosecutions more effective in dismantling all branches of the groups involved. The workshop highlighted the need for law enforcers to cooperate in the context of a global policy against human trafficking with shared responsibility between countries of origin, transit and destination;

(b) Transnational criminal groups involved in human trafficking should not be seen only in the context of criminal models, but also as business models, as this offers insight into their modus operandi. For that reason, the expertise of non-law enforcement professionals should be called upon to strengthen the law enforcement response;

(c) Economic enforcement, such as asset freezing and seizure and taxation to penalize traffickers, is vital in the fight against human trafficking;

(d) Emphasis should be placed on disabling groups and mechanisms rather than on targeting individuals. Bringing down the individual at the top of the hierarchy is essential for dismantling mechanisms;

(e) The Internet is being increasingly used to advertise “young models”. While such images are not always considered pornographic, evidence suggests that many are pictures of trafficking victims. Law enforcement responses should be in a position to respond to the “grey zone” of this form of exploitation;

(f) Links between human trafficking and other crimes must be further understood for the benefit of law enforcement response and prevention. For instance, one panellist asserted that links had been established between human trafficking and terrorism, with victims trafficked for use in terrorist activities. Another panellist raised the issue of victim identification in the context of “mules” (people forced to swallow drug-filled condoms as part of the drug trafficking process), while acknowledging that it was often difficult to differentiate between a drug trafficker and a victim of human trafficking;

(g) The collaboration between different criminal groups calls for multifaceted, cross-cultural experts who understand local, regional and international crime. Interventions against human trafficking should prevent the commission of the crime and prevent criminal groups from recruiting individuals; prevent those individuals from organizing into groups; and prevent those groups from cooperating with each other between and across borders;

(b) The support and assistance of victims/witnesses should be prioritized as both an ethical obligation and a strategy to better target transnational organized criminal groups. Meaningful witness protection measures need to be harmonized with law enforcement responses;

(i) The vulnerabilities of potential victims should be considered and understood in developing strategies to prevent their recruitment.

C. Action

129. The Trafficking Protocol provides a comprehensive strategic approach to combating trafficking in human beings. A lack of clarity related to basic terms and definitions, national political concerns and uncertainty regarding what measures work and what do not have contributed to a lack of systematic and consistent implementation and sustainable action. The Vienna Forum provided an opportunity for participants to review major anti-trafficking strategies and national responses, describing their own experiences and identifying elements that constituted best practices.

1. From protection to prosecution

130. Human trafficking is a criminal offence in many States, although criminal investigations often do not result in conviction or, if a conviction is reached, it is usually lenient and does not reflect the severity of the crime. Successful prosecutions with maximum enforcement of the law can act to prevent and deter human trafficking.

131. Responding to human trafficking requires a balanced approach based on enforcing the law against traffickers while protecting the human rights of victims. Adequate national laws should be in place to punish traffickers, and victim protection and support measures should be implemented to respond to the exploitation suffered by trafficked victims.

Objectives

132. The panel was intended to raise awareness of the need for adopting criminal justice strategies to prevent and combat human trafficking that yielded sustainable results in reducing the number of victims and increasing the number of convicted perpetrators. For that purpose, participants identified the elements that should be part of a comprehensive and effective criminal justice response, and highlighted the different approaches in developing and implementing such responses.

Summary of discussions and key findings

133. The session included a panel of experts who presented good practices as regards victim-centred, multi-agency approaches to human trafficking prevention. They also highlighted the importance of cooperation between civil society, law enforcement and other relevant agencies in working to identify trafficked victims and to provide them access to protection and support services. Such cooperation could be achieved by means of an

institutionalized framework such as that used by the United Kingdom Human Trafficking Centre and the National Agency for the Prohibition of Traffic in Persons and Other Related Matters of Nigeria.

134. To create a safe and secure environment for victims to participate in criminal investigations, panellists agreed on the need for a victim-centred approach, especially with a view to reconciling interests and promoting understanding between victim service providers and law enforcement.

135. Too often the crime of human trafficking remained undetected. Panellists emphasized the crucial need to raise awareness among identified key audiences, including all law enforcement actors, and strongly agreed that responding to human trafficking must be raised to a daily core objective of law enforcement business. Law enforcement agencies should provide training on good practice responses to human trafficking, in particular for front-line staff.

136. Human trafficking was a crime that could occur anywhere, not only in the sex industry, but in other industries and businesses such as agriculture, hotels and restaurants. Everybody could contribute to the fight against trafficking. To harness that potential, a safe environment needed to be created in which people who witnessed trafficking could anonymously report their suspicions without fear of retaliation from traffickers. A representative of Crime Stoppers in the Netherlands presented the organization as a good practice for gathering anonymous tips from the public that also could be applied to reporting cases of human trafficking.

Proposals for future action and recommendations

137. Proposals were as follows:

(a) The guiding framework of the three Ps (prevention, protection and prosecution) should be extended to a fourth P, “partnership”;

(b) Effectively cracking down on perpetrators is too often still hampered by a lack of multi-agency cooperation. Working relationships among criminal justice actors need to be fed into an institutionalized framework so as to ensure lasting cooperation with a view to investigating and prosecuting traffickers more effectively;

(c) The working relationship between state authorities and civil society organizations needs to be institutionalized, that is, clearly regulated and guided. Such a relationship should be based on the promotion of a victim-centred and human rights approach to dealing with human trafficking;

(d) Emphasis should be placed on large-scale awareness-raising and training of law enforcement authorities, especially front-line staff;

(e) Responding to human trafficking should be at the core of daily law enforcement business;

(f) Practical and safe means of gathering anonymous information from the general public should be devised in order to initiate and assist trafficking investigations.

2. The effectiveness of legal frameworks and anti-trafficking legislation

138. Human trafficking is a complex phenomenon that requires States to arm themselves with legislation to confront it as a serious crime, committed by criminals and perpetrated against victims. Several United Nations conventions and international instruments, with the Trafficking Protocol at the fore, require the implementation of laws that can properly respond to trafficking in a nuanced and effective way to meet the complex nature of the crime. The Trafficking Protocol created mandatory minimum standards upon which States can build responses to the challenges of their domestic contexts. The successful prosecution of traffickers and the compensation of victims can only be brought about by laws and regulations that effectively criminalize all elements of trafficking in persons in accordance with article 5 of the Trafficking Protocol. Additionally, anti-trafficking legislation must recognize trafficked persons as victims who are entitled to basic human rights and that trafficking is a transnational offence that requires transnational law enforcement cooperation.

Objectives

139. The aim of the legal frameworks panel was to raise some of the issues and complexities that States must grapple with in combating trafficking in their domestic contexts; to give participants insight into alternative legislative approaches using comparative models and the experiences of different countries; and to raise awareness of potential gaps in those legislative frameworks. The panel also highlighted the importance of a comprehensive and coordinated approach in dealing effectively with human trafficking.

Summary of discussions and key findings

140. The presentations of the panel were related to four cross-cutting issues: criminalization of all forms of trafficking; identification of victims; the immigration status of victims; and support and protection measures for victims.

141. The panel stressed that the Trafficking Protocol marked a milestone as the first global legally binding instrument with an agreed definition of the offence of trafficking in persons. The Protocol was also important as it required States parties to criminalize trafficking and consider measures to protect and support victims of trafficking, including the possibility of compensation, and as it recognized trafficking as an offence requiring transnational judicial and law enforcement cooperation.

142. The panel deemed it crucial that States incorporate all the provisions of the Trafficking Protocol into their national legislative frameworks. The need for States to consider legislation on additional issues, such as the non-punishment of victims of trafficking for acts stemming directly from their situation as victims and the definition of the “exploitation of the prostitution of others” and “sexual exploitation”, was also discussed.

143. One panellist asserted that the Council of Europe Convention on Action against Trafficking in Human Beings⁵ was the most comprehensive instrument as regards setting legal obligations for States parties, especially related to victim protection and support, for instance by making assistance measures binding; criminalizing the use of services of a victim of trafficking; stipulating that a minimum 30-day period of reflection and recovery must be granted by domestic law; explicitly addressing national trafficking; and providing a strong monitoring mechanism.

144. Several speakers emphasized that comprehensive anti-trafficking laws were crucial. One speaker referred to Italian legislation on trafficking and pointed to provisions on special investigative techniques as important. It was also noted that legislators should take into account national challenges and specificities in order to ensure that laws were adapted to the realities of their countries. Furthermore, existing laws should be reviewed, harmonized and updated in order to address all types of trafficking. The panel concluded that, when drafting national legislation on human trafficking, a best practice would be to enact a combination of primary law, delegated legislation and administrative guidelines.

145. One panellist stressed that although legal frameworks could be tools for changing attitudes, disseminating information, awareness-raising and deterrence, legislation alone was not sufficient to change attitudes and should be accompanied by active law enforcement and public awareness campaigns. The issue of criminalizing the purchase of sexual services was discussed as an example and some speakers argued that criminalization could affect demand.

Proposals for future action and recommendations

146. Based on the discussions, panellists concluded that certain actions could assist in comprehensively addressing the complex issue of human trafficking and emphasized the following:

(a) Relevant anti-trafficking laws must be implemented and national laws adapted to international anti-trafficking standards. Laws should be comprehensive, criminalizing all forms of trafficking and addressing all aspects of the complex trafficking issue;

(b) National legal frameworks should provide tools for the identification of victims;

(c) National laws should regulate the immigration status of trafficked victims. Additionally, the principle of non-punishment is considered a best practice and appropriate protection measures should be adopted for a trafficked person to be meaningfully recognized as a victim;

(d) Victims' rights should not be compromised by considerations of the investigation of the crime or prosecution of the offender. Victims should in no case be subjected to coercion or pressured to cooperate with law enforcement. Furthermore, assistance to victims should not be made conditional upon their cooperation;

⁵Council of Europe, *Treaty Series*, No. 197.

(e) National laws must recognize the often transnational nature of the crime and provide for provisions facilitating judicial cooperation, including draft laws on extradition and mutual legal assistance;

(f) National laws must criminalize national and transnational trafficking in persons, regardless of organized criminal involvement. Countries should establish national monitoring and reporting mechanisms in addition to the existing international reporting mechanisms.

3. The roles of employers' organizations, businesses and trade unions in combating trafficking for labour exploitation

147. Forced labour needs to be addressed through alliances. Working with labour market stakeholders is a logical step when discussing trafficking for labour exploitation and identifying possible points of synergy between the organizations representing labour and business, their past experiences and future plans.

Objectives

148. The panel discussion was intended to allow participants to explore opportunities for cooperation and alliances. It also offered an overview of policy positions and the experiences of employers' and workers' organizations in fighting trafficking and forced labour.

Summary of discussions and key findings

149. Panellists representing trade unions pointed out that trafficking for forced labour called for the active involvement of labour market actors. Trade unions approached creating decent work opportunities by supporting workers' rights to organize and by pushing for effective labour legislation. It was also asserted that where independent trade unions existed and people had the right to organize and bargain collectively there was limited or no forced labour.

150. Emphasis was placed on the need for policy coherence within the United Nations, the need for Governments to support the creation of decent work and the need for trade unions to organize vulnerable groups of people to lobby for appropriate labour laws and rehabilitation services. International framework agreements between global companies and trade union federations were an effective instrument to monitor supply chains. Governments should also speed up their ratification and implementation of relevant ILO conventions.

151. Representatives of employers' groups discussed the need for and capacity of Governments and businesses to develop comprehensive victim services and preparation and training for reinsertion of victims into the legitimate labour market. Human trafficking occurred mostly in the informal economy and employers' organizations should support government efforts to formalize the informal economy and to prevent people from

looking for work there. Employers' organizations had a role to play in supporting government efforts to safeguard the workforce and create legitimate jobs with decent remuneration.

Proposals for future action and recommendations

152. As a result of the panel discussions, several recommendations for confronting forced labour emerged from one or more of the presentations:

(a) Effective social dialogue and the involvement of social partners (such as NGOs) are needed to tackle labour market issues, especially to ensure that the efforts of trade unions and employers' organizations complement each other. The only sustainable way to eradicate labour exploitation is the creation of decent work to prevent people from being forced to migrate in search of a livelihood;

(b) Policy coherence is necessary between labour market regulations, migration policies and criminal legislation in the United Nations as well as at the national level. Additionally, labour law has to cover all workers, including in the informal sector and migrant and domestic workers;

(c) Trade unions should organize groups among populations and industries where forced labour occurs;

(d) More services for victims and mechanisms for their reinsertion into the labour market are necessary. Employers' organizations can be partners in the prevention of trafficking and the reintegration of victims into the labour market;

(e) Training and education about forced labour is needed for trade unionists, businesses and employers' organizations.

4. National and regional responses: action plans, coordinating structures and national monitoring mechanisms

153. There is no shortage of international legal frameworks targeting trafficking in persons as a form of organized crime, but the challenge of implementing them at the national and local levels still has to be met by countries of origin, transit and destination. Preventing trafficking is even more challenging and calls for changes in economic, social and migration policies to address the structural factors at the root of the exploitation.

Objectives

154. The aim of the panel was to work towards comprehensive, cross-dimensional, human rights-based and gender-sensitive responses to human trafficking.

Summary of discussions and key findings

155. The panel moderator used the OSCE Action Plan to Combat Trafficking in Human Beings as an example of a tool to overcome the challenges of implementing legal frameworks and addressing the root causes of human trafficking. The OSCE Action Plan was designed to assist the Organization's 56 participating States in complying with their

anti-trafficking commitments and obligations. The panellists presented their own experiences in building efficient regional and national responses to human trafficking.

156. The panel emphasized the role of multidisciplinary machineries, such as national coordinators and action plans, in preventing and combating human trafficking in a coherent and coordinated way. Anti-trafficking commissions or similar inter-ministerial bodies set up to coordinate activities among state agencies and NGOs represented an important pillar of a coordinated national approach to combat human trafficking. National and regional action plans also belonged to a set of useful tools that enabled States to set strategic priorities and outline specific actions, allocate resources and set realistic benchmarks to ensure visible results for their efforts.

157. Participants were also given examples of the crucial pillar of national reporting and monitoring mechanisms by panellists from Nepal and the Netherlands. Those instruments helped assess the scope of trafficking in persons in a country; identify policy gaps; reveal new patterns and trends in human trafficking; and draw up adequate recommendations using evidence-based data collection and research.

158. Most participants agreed that, while there was a sufficient number of international obligations under the United Nations conventions and other international anti-trafficking instruments, their implementation at the subregional, national and local levels was lagging. Participants and panellists highlighted the monitoring mechanism established within the Council of Europe Convention on Action against Trafficking in Human Beings as a good example of an approach to enhancing the implementation of an international treaty.

159. Panellists reiterated that national legislation was still not being adopted and synchronized with international commitments in a timely fashion and even when legislation was adopted, the key actors at the local levels (judges, prosecutors and police) still lacked the training necessary to accurately detect human trafficking and implement relevant criminal legislation. To overcome difficulties in the implementation of international obligations and commitments, countries not only needed political will, but must also ensure adequate funding to fight organized crime and trafficking networks.

Proposals for future action and recommendations

160. The following proposals were made:

(a) The adaptation of national laws to international anti-trafficking standards needs to be accelerated and anti-trafficking activities must be supported with sufficient political will, budgetary resources and state-level planning. Research should also be promoted on all aspects of human trafficking, including the impact of measures to counter it. These aims can be better achieved if relevant coordinating bodies are established; if national action plans ensure a systemic approach and synergy of efforts; and if national monitoring and reporting mechanisms help authorities meet the challenge of trafficking in persons;

(b) Awareness-raising concerning trafficking-related crimes must be carried out among all sections of the population, but in particular among those working in law

enforcement, prosecution and the judiciary, migration and social services, educational institutions, the media, employers' associations and trade unions;

(c) NGOs should be included in the development of anti-trafficking policies and cooperation between state structures and civil society organizations that provide assistance to victims should be strengthened and formalized for a better division of responsibility and to establish mutual trust;

(d) Anti-trafficking measures should not adversely affect the human rights and dignity of trafficked persons and other vulnerable groups, in particular women and children, migrants, internally displaced persons, refugees and asylum-seekers.

5. Repatriation and reintegration of victims of human trafficking

161. The return of trafficked persons to their countries of origin is often the main feature of assistance strategies. While many trafficked persons do wish to return to their home countries, there are many factors that need to be taken into consideration when assessing whether return and reintegration is a safe, feasible and sustainable option. Some victims may face a heightened risk of becoming re-trafficked, reprisals from traffickers or stigma from their community. Without adequate support upon arrival, the victim may return to the same environment that contributed to his/her trafficking to begin with.

Objectives

162. The panel's aim was to contribute to the dialogue on rights-based approaches to finding sustainable solutions for victims of trafficking. Part of that dialogue was designed to address the importance of empowerment and participation of the victim in the decision-making process and the need to understand the risks a victim might face upon return. The panel also explored alternatives to return in cases where it was not a viable option because of security concerns or because sustainable reintegration was unlikely.

Summary of discussions and key findings

163. A rights-based approach should be taken in decisions relating to the victim and the individual should have an active role throughout identification, return, recovery and reintegration. Proper identification of a trafficking victim began with presumptive identification followed by access to reintegration; definitive identification was carried out at a later stage. All efforts to minimize risks to the victim's health and security must be taken during the return and following arrival into the home country or other chosen environment. Return, an extremely complex process, should not be viewed independently from the entire mechanism of protection. State efforts to prosecute traffickers could be enhanced while maintaining the best interest of the victim by striking a balance between fulfilling law enforcement needs and maintaining the legal interest and rights of the victim.

164. Overall, there was a general lack of awareness about the crime even on the part of those in a position to identify trafficking. Thus, responsible authorities might remain largely unaware of the indicators of the crime and a victim might not be properly identified

and be deported with no protection. This could lead to a gap between estimates of the number of trafficked persons and the number of victims actually identified.

165. Trafficking victims might face significant threats upon return. The range of risks that must be addressed was broad, but it was crucial to provide the victim and other stakeholders with the necessary information to make the decision about return. Risk and needs assessments should be performed before and following return to ensure safe and successful reintegration.

166. The key concept behind relevant international instruments was that return should not be considered if risks to the victim remained. The cornerstone of all of such documents was the concept of non-refoulement: victims should not be returned or repatriated to their countries of origin if their lives or freedoms could be threatened. In reality, however, States often mandated visa requirements that did not address humanitarian needs, stipulations were impossibly stringent or placed undue obligations on the victim.

167. Alternatives should be available for victims who were not able or willing to return home, including the right to asylum and to residence permits. Victims should be able to participate fully in the decision and plans for return as they were in the best position to judge the safety and viability of a successful re-entry into their home environment.

168. Reintegration was crucial for providing victims with protection to allow them to maintain socio-economic sustenance and to avoid re-trafficking. Civil society often provided direct care and support for victims, such as medical recovery and safe shelter. The role of Governments was directly connected to the sustainability of reintegration programmes as well to the funding and coordination of the involved agencies.

169. The victim must take ownership for reintegration for it to be successful. The question of when successful reintegration was achieved could be answered by determining when the victim was self-reliant and was not in danger of being re-trafficked or further exploited. Reintegration should be specific to the context and the individual.

Proposals for future action and recommendations

170. Proposals included the following:

(a) Human rights should be integrated into state policies and day-to-day implementation of identification, return, recovery and reintegration practices. Those practices should involve a multi-stakeholder effort including government, civil society and the private sector;

(b) Host countries should offer accessible asylum and visa options for victims of trafficking who are not able or willing to return home;

(c) Stakeholders involved with reintegration should commit to a long-term process involving ongoing assessment and monitoring of victims' reintegration;

(d) Governments should be encouraged to end actions to stop migration as a tactic to fight trafficking. Alternatively, actions must be focused on ending exploitation rather than on migration;

(e) It was suggested that victims should be allowed a minimum of one month as a reflection period, though some experts believed three months were necessary. Those estimates were based on medical needs following physical and psychological exploitation as well as law enforcement demands. During the reflection period, accommodation, legal advice, medical recovery and access to employment should be granted. Overall, the victim should be an agent for his/her own recovery during the process;

(f) As a result of a “culture of disbelief”, it may be difficult for a victim to prove that he/she meets the stipulations for gaining asylum under existing international mechanisms. As much corroborative information as possible should be provided regarding the victim’s statements, medical reports, previous persecution, country information reports, possible threats upon return and actions taken by the country of origin to protect people under its jurisdiction from being trafficked.

6. Criminal justice responses to human trafficking

171. The format of the workshop was an interactive role-play and mock trial conducted by UNODC in partnership with criminal justice practitioners from all over the world. Practitioners performed various “bad practice” scenarios. Based on the feedback provided by the audience, good practice scenarios were then performed.

Objectives

172. The objectives of the workshop were to demonstrate examples of good practice in the identification and interviewing of victims; the use of interpreters; victim/witness assistance and protection within the criminal justice system, especially related to the trauma and health of victims; and the sensitivity of responders and rights-based procedures. The overall objective of the workshop was to illustrate that keeping the best interests of the victim in the forefront of criminal justice responses not only supported the victim’s human rights but also served the interests of the criminal justice system in achieving prosecutions.

Overview of the role-play

173. The role-play scenario featured the story of Sema, who was described as a 24-year-old woman struggling to provide for her children after the death of her husband. She was sold into trafficking by a neighbour who promised her that she could make money as a domestic labourer. After crossing a border, Sema was taken to a brothel and her papers were confiscated. She was forced to provide sexual services, including intercourse without a condom, every night. After a year, Sema was taken for a blood test and then set free without explanation. She was told not to tell her story to anyone or something would happen to her children. Sema was picked up by police, but she had no papers and was afraid for herself and her children.

Summary of discussions and key findings

174. Comments made by participants showed that different systems of victim support and assistance applied in different countries and that different victims and scenarios might

require different responses. A key point arising from the discussion about the cooperation between NGOs and police within and across borders was that, while the nature of the relationship between them might differ from jurisdiction to jurisdiction, the need for them to cooperate was essential in preventing and combating trafficking. Similarly, the role of multiple stakeholders (Governments, civil society, private sector, media) was emphasized in the process of rehabilitation and reintegration of the victim.

175. The interactive role-play led to conclusions related to the specific themes of the workshop.

(a) *Identification of victims*

176. Identification of victims was essential for their appropriate access to support and assistance services, which in turn strengthened law enforcement and criminal justice responses to trafficking. The four stages of victim identification could be broken down into:

- (a) Initial identification to assess if one or more indicators of human trafficking were present;
- (b) Enquiries to corroborate those indicators;
- (c) Further action, which might include offering victims access to recovery and support services and evidential interviews;
- (d) Review of the actions taken to establish that the indicators were corroborated or to assess if further indicators of trafficking were present.

(b) *Interviewing of victims*

177. Employing good practice interview techniques increased the likelihood of successful prosecution. The “PEACE” interview model had been developed as a good practice tool for interviewing trafficked victims. PEACE stood for:

- Plan and prepare
- Engage and explain
- Account
- Closure
- Evaluate

(c) *Use of interpreters*

178. The following main points were made:

- (a) The role of the interpreter was to facilitate communication between the victim and the investigating officers. Interpreters should understand their role, not deviate from it and have adequate preparation time;
- (b) Interpreters’ credentials and any relationship with the victim must be known by investigators. They must also be psychologically, emotionally, culturally, ethnically and religiously suitable to work with the victim;

(c) The interests of interpreters should be considered; they should be protected from intimidation by traffickers and have access to psychological support;

(d) Interpreters should not be left alone with the victim.

(d) *Victim/witness assistance and protection within the criminal justice system*

179. Salient points were as follows:

(a) The terms “victim” and “witness” could have different meanings in different jurisdictions. As soon as the victim was identified as such, protection and support should be made available;

(b) Planning for the safety and security of victim/witnesses was a necessary component of court proceedings and investigators, prosecutors and judges each had a role to play;

(c) Victims of trafficking might face actual or implied threats of harm to themselves or their families by traffickers if they cooperated with authorities. Victims should be told to immediately report any threats or acts of intimidation to authorities and law enforcement should be sensitive and prepared to conduct the necessary risk/threat assessments;

(d) The trauma that a victim experienced must be borne in mind during all interactions so as to avoid their re-traumatization;

(e) Investigating officers should adopt sensitive and timely interview strategies, noting that victims of trafficking were affected in different ways;

(f) Where the best interests of a victim/witness were served, so too was the criminal justice process. It was important for victims to have access to professional and timely psychological support as a matter of priority.

(e) *Sensitivity of responders and rights-oriented procedures*

180. The following points were made in this connection:

(a) The sensitivity and human rights orientation of the responders in the process of justice delivery and law enforcement was a sine qua non in responding to human trafficking;

(b) Lawmakers and responders must develop and implement practices and procedures that were in the best interest of the trafficking victim.

Proposals for future action and recommendations

181. Keeping the best interests of the victim in the forefront of law enforcement and criminal justice responses not only supported the human rights of the trafficked victim (and reduced the risk of his/her re-victimization), but also served the interests of the criminal justice system in achieving prosecutions. Based on that conclusion, the key recommendation was that law enforcement and criminal justice systems of all jurisdictions should incorporate protection and assistance measures for victim/witnesses. Protocols and procedures must be developed and implemented and responders must be adequately sensitized so that the best interests of victims were ensured.

182. The workshop was filmed in order to create a multimedia training tool for wide distribution. This, and other training tools, should be used to build the capacity of law enforcement, prosecutors and judges with respect to anti-trafficking. The value of this was borne out by the interest expressed for the role-play to be performed elsewhere.

7. Technology and human trafficking

183. The technology and human trafficking workshop described and demonstrated the ways in which technology was used in human trafficking situations. This included addressing practices that facilitated human trafficking crimes as well as simple and innovative technological methods used to assist victims and to investigate, interrupt and prosecute trafficking activities.

Objectives

184. The objectives here were to discuss good practices in the use of technology; to identify the possibilities created by new technology to investigate and interrupt trafficking crimes; to support victims of human trafficking; and to strengthen partnerships between NGOs, law enforcement and the private sector.

Summary of discussions and key findings

185. Technology provided new opportunities for traffickers to lure and exploit victims, but authorities were also using technology to come up with ways to prevent trafficking and ensnare traffickers. Presentations focused on best practices in identifying and interrupting potential trafficking cases using the Internet and on immediate interventions in victim support. Additionally, a computer-based training model was introduced along with other innovative technological tools for investigating human trafficking crimes.

186. The presentation by the representative of Microsoft demonstrated tools that had been developed to prevent trafficking and protect victims. Microsoft provided training for law enforcement, taught skills to rehabilitate victims so that they could enter the legitimate labour market and offered improved parental and police controls to track Internet users.

187. ICMEC presented its efforts to combat the multi-billion-dollar child pornography industry. The Centre advocated solutions to fight and prevent child pornography, including appropriate legislation, training of law enforcement and the involvement of the private sector. The Financial Coalition against Child Pornography, led by ICMEC, was an example of an alliance involving private banks, NGOs and Governments. The Coalition tracked the electronic financial flows derived from child pornography, which were the main means of purchase.

188. Churches Alert to Sex Trafficking Across Europe (CHASTE), which was involved in protecting victims of trafficking in persons, presented its cooperative effort with law enforcement in the United Kingdom of Great Britain and Northern Ireland and with Apple to assist in victim protection through the development of a translation tool. The tool

transmitted a message recorded in the victim's language via an Apple iPod so as to give the victim reassurance and basic information about his/her situation. These messages could be easily downloaded from the Internet in any language and made immediately available to law enforcement and service providers for use with victims.

189. The presentation by UNODC featured the use of technology for training purposes and to raise public awareness by developing and broadly disseminating public service announcements. UNODC had designed a computer-based module for law enforcement training. The module was interactive and adapted to the reality of the country where the training was taking place, using different forms of the trafficking process to guide users through the typical difficulties faced by law enforcement agents when dealing with trafficking cases. The module was constantly updated to reflect new forms and patterns of trafficking.

Proposals for future action and recommendations

190. Participants emphasized that the balance must be tipped in fighting human trafficking to make technology more a part of the solution than part of the problem. Technology had great potential to help in the fight against trafficking and accelerating advances in technology should translate into advances against trafficking, with the private sector acting as a key partner in achieving creative responses. The following proposals were formulated:

(a) More research needs to be conducted on the modus operandi of traffickers using technology and on how the Internet and other technology are used by vulnerable persons, especially children. Such research should be participatory;

(b) Actual and virtual cooperation is necessary to achieve a global law enforcement presence, taking advantage of the "borderless" electronic environment to enhance cooperation, as called for in article 27, paragraph 3, of the United Nations Convention against Transnational Organized Crime.⁶ Governments should make use of the capacity of technology to facilitate cooperation, for instance, through information exchange networks and mutual legal assistance request tools;

(c) The private sector should be encouraged to participate as a partner in exploring creative ways of using technology to combat trafficking;

(d) The potential of technology to empower people against trafficking should be enhanced. While information on the Internet can be used to recruit potential victims into trafficking, it can also be used to raise awareness to prevent Internet users from falling prey to traffickers;

(e) Article 12 of the Trafficking Protocol (concerning the security and control of documents) should be implemented with the strength of technological advances;

(f) Technology should be used to develop training tools and computer-based law enforcement training tools that already exist should be translated and distributed widely;

⁶United Nations, *Treaty Series*, vol. 2237, No. 39574.

(g) Opportunities provided by technology to protect victims should be further explored. Depending on available resources, this can include victim/witness re-identification and remote testifying, and more simple measures such as providing mobile phones to victims to call emergency numbers.

8. Supply chain management: eliminating the risks of forced labour and trafficking

191. In the context of global supply chains and the trend towards ever more complex labour recruitment systems, there is an increasing tendency for global companies to look beyond traditional methods of supply chain management and auditing. Corporate social responsibility programmes—including codes of conduct and related implementation systems such as social auditing—have been developed to address the immense risk posed to brand image by poor and abusive working conditions in supply chains. This is particularly true when an industry is reliant on consumer products and where stakeholders perceive that a company has considerable influence over its trading relationships. While many individual companies and business associations have addressed forced labour in their codes of conduct, they face a myriad of challenges in translating them into practice.

Objectives

192. The workshop was designed to build on innovative initiatives in corporate social responsibility that had emerged in the private sector in recent years. The overall objective was to demonstrate the role that businesses could play at different levels of their management and operations in identifying, combating and preventing forced labour.

Summary of discussions and key findings

193. Speakers highlighted the risk of forced labour and trafficking in global supply chains, strategies of risk management and the challenges that lay ahead. The workshop included presentations from representatives of employers' organizations, businesses and trade unions, and the results would feed into an ILO-led expert group on supply chain management organized under UN.GIFT.

194. The panellist representing an employers' organization pointed out the challenges of speaking to national associations of employers in a way that made human trafficking a real issue for them and to address companies who felt that they were not touched by that crime.

195. Another panellist, from an industry trade union organization, called forced labour "the underbelly of globalization" and outlined a number of actions that were needed to combat forced labour, such as effective labour inspectorates, clear employment contracts between workers and employers and the right to freedom of association and collective bargaining.

196. The panellist from Manpower emphasized the need for regulation and enforcement by Governments to combat forced labour and trafficking in recruitment systems. He also talked about the need for industry bodies to “police” their own industries, for instance by setting common principles that must be adhered to by all member companies.

197. Anti-Slavery International used the example of its partnership with Manpower to illustrate how businesses and NGOs could engage constructively through synergies of expertise, and also emphasized the potential for such coalitions to result from UN.GIFT. The Gap, Inc., highlighted its membership in the Ethical Trading Initiative, which worked on purchasing practices and addressed supply chain working conditions. The Gap representative noted, however, that while such efforts were making small dents in the formal economy, the informal sector needed to be examined as well.

198. The limits of the traditional social audit approach were pointed out, including the dangers of making policy decisions at the highest levels of management, which risked driving questionable practices underground, out of sight of auditors.

199. The importance of the role of ILO was emphasized in identifying best practices to protect workers in host countries and to develop standards for the private sector, such as providing guidance on recruitment fees, among other issues. There was agreement on the need for strong government policies, including making links to trade policy and bilateral trade agreements to address the issue of migrant workers. There was also general agreement that, while the public had a role, boycotts and consumer action could have a detrimental effect because of the negative impact on the economies of developing countries. However, at least one panellist contended that boycotts could be useful if consumers were properly informed.

Proposals for future action and recommendations

200. The following proposals were made:

(a) There is a need for clear legislation and stronger regulation and enforcement, for example through strong labour inspection systems;

(b) Partnerships and cooperation must be used to tackle trafficking through businesses, employers' and workers' organizations and civil society working together;

(c) The complexity of managing the risks of forced labour in global supply chains must be recognized, in particular in view of the conditions in the informal economy. Specific guidance and tools addressed to businesses must be developed;

(d) There is a need for immediate action and impact on the issues of forced labour and trafficking within the context of a broader, longer-term and sustainable approach;

(e) ILO needs to encourage Governments to sign, ratify and implement relevant conventions. It also has an important role to play in educating and raising awareness among its constituents and business actors.

9. Proactive prevention; what works: reducing the risks and providing protection

201. Prevention attempts to address the roots of a problem. In the context of human trafficking, those root causes are usually said to be poverty, economic deprivation, lack of opportunities, gender discrimination, and the like—all of which are seen to be characteristics of countries from which trafficked persons come. Some observers have noted that a disproportionate share of prevention efforts and resources have supported initiatives in source countries that aim to reduce the supply of potential victims. An alternative suggestion is for a greater proportion of resources to focus on eliminating the demand for trafficked labour and services in destination countries.

Objectives

202. This workshop was designed to further the dialogue among key stakeholders on preventing demand for human trafficking, measuring the success of prevention initiatives and examining the themes of appropriate messages and innovative media.

Summary of discussions and key findings

203. The IOM moderator provided an interpretation of globalization trends. While falling trade barriers had facilitated more free movement of goods, services and capital-creating employment opportunities, migration policies had generally become more restrictive and rigid. Tension between the intense demand for labour and services, coupled with too few legal migration channels, created opportunities for intermediaries, including traffickers. Preventing human trafficking entailed addressing the broader issue of vulnerability of migrants.

204. The OHCHR panellist emphasized that human rights must be at the core of all efforts to prevent and combat trafficking in persons. She suggested that States had largely failed to recognize trafficking as a human rights violation and that Governments needed to take more action. The panellist asserted that the central policy theme in some countries had been the detection of illegal migrants, but that States must recognize the demand for labour, including in the unskilled sectors of economies, and establish policies to address it.

205. The panellist from the United States Department of State stated that policies must deal with all aspects of prevention, including curbing the demand that turned people into commodities; supporting the rule of law and combating criminal networks; and confronting the poverty that left people desperate to escape current circumstances. The United States addressed demand in many ways, such as with high penalties for trafficking crimes and prosecuting child sex tourism offences committed abroad. While Governments could take short-term preventive actions, such as supporting an assistance hotline or releasing public service announcements, those efforts needed to be complemented with longer-term investment that fostered the rule of law and fought corruption. The panellist also contended that, when normalized, tolerated or regulated, prostitution still led to exploitation and arguably increased demand and vulnerability to trafficking.

206. The president of the Visayan Forum Foundation provided an overview of the Philippines from the viewpoint of a leading source country for migrant workers. The Foundation and the Philippine Ports Authority had joined forces to establish halfway homes in seaports across the country to provide services to victims of trafficking identified during transit.

207. Another panellist offered lessons learned from proactive prevention programmes:

(a) Prevention needed to be based on evidence and research had to be carried out, for example, to identify the characteristics that made some people disproportionately more likely to be trafficked than others;

(b) Research could also be used to identify gaps in existing protection systems;

(c) Prevention initiatives required monitoring to measure their impact and to check that they were not having an unexpected or counterproductive effect;

(d) If initiatives to prevent trafficking were given a positive objective rather than purely to “stop trafficking”, there would be a greater chance of achieving desired results.

208. An analysis of awareness-raising campaigns contended that although those focusing on demand dominated, they were not necessarily the most productive. Anti-trafficking measures and messages tackling demand must be consistent with broader sets of policies that demonstrated intolerance of exploitation, racism and discrimination. Arguably, the most effective type of campaign focused on human rights.

Proposals for future action and recommendations

209. There was consensus on the need for the issue of prevention to remain at the forefront of the human trafficking agenda:

(a) Prevention activities that aim to protect potential trafficked individuals’ rights need to be designed in such a way that other human rights are not violated;

(b) Prevention projects need to focus on specific and achievable aims that contribute to the overall prevention of trafficking and avoid reaching for ambitious and unattainable goals such as “stopping trafficking”;

(c) Careful and creative consideration should be given to the selection of stakeholders involved in a project; there is not just one approach to confronting trafficking and new partnerships are needed;

(d) While it may not be possible to reach consensus on what “demand” means in the context of trafficking or how the issue should be addressed, there needs to be a more regular, systematic and constructive debate on the issue between stakeholders with differing views. Such a constructive debate should also extend to the issue of legalized prostitution and the degree to which it may create an enabling environment for sex trafficking;

(e) There is increasing awareness that poverty is not the root cause of trafficking. The focus should be on what triggers a trafficking scenario, including criminality, corruption and demand;

(f) The relationship between trafficking and social and economic development needs further analysis. How underdevelopment contributes to trafficking must be examined as well as how trafficking may inhibit development;

(g) While human trafficking represents an acute form of exploitation of victims, care must be taken to avoid falling into the trap of establishing a hierarchy of suffering or reducing migrants to a definition and an administrative category. With the increasing difficulty in determining whether an individual is a victim of trafficking, it becomes essential to ensure that all migrants benefit from actions intended to prevent their exploitation and the violation of their rights.

10. Building bridges: civil society organizations and law enforcement cooperation

210. Cooperation between Governments and civil society organizations is crucial to effectively protecting and supporting victims of trafficking, especially because victims assisted by civil society are more likely to provide evidence to law enforcement. One of the aims of the Vienna Forum was to highlight the existing practices of stakeholders and to discuss best practice models on how to cooperatively fight trafficking in human beings in an effort to create a holistic approach.

Objectives

211. This session was designed to address factors that compromised and challenged cooperation between stakeholders with different roles in the overall fight against human trafficking. These factors could include competition, lack of confidence and understanding, and roles often seen as “conflicting” between law enforcement institutions and civil society organizations. The panel also examined good practices in civil society/law enforcement cooperation and addressed the importance of quality standards, transparency and mutual recognition of tasks and responsibilities.

Summary of discussions and key findings

212. Discussions centred on keeping victim rights at the core of all legal action. Challenges to cooperation were also pointed out, including finding agreed indicators of victim identification and distinguishing between trafficking and smuggling.

213. One panellist presented a series of challenges to effective structural cooperation:

- (a) A common definition of the purpose of cooperation was necessary;
- (b) Cooperation should not be limited to law enforcement but should also incorporate the provision of other services, such as education;
- (c) Cooperation needed to be formalized and structured through cooperation agreements to adequately protect human rights;

(d) Information-sharing and data management needed to form part of the cooperation agreement;

(e) Regular assessment was necessary and any agreement should include an evaluation mechanism.

214. Another panellist stressed the importance of a holistic, multidisciplinary approach to developing cooperation frameworks, using examples from the Greater Mekong sub-region (Cambodia, China, the Lao People's Democratic Republic, Myanmar, Thailand and Viet Nam). That experience showed that, while cooperation agreements were important, the actors involved should not get overly caught up in the structures of cooperation, because a structured cooperation agreement often did not take the individual into account. Human trafficking was a diverse crime—victims of forced labour needed different assistance from victims of sexual exploitation—and the response and support must be equally diverse. It was important to find a balance between the goals of the different actors. Such a partnership was the key to victim identification and support.

215. Another panellist asserted that the common goal of all stakeholders should be to improve the situation of the victim. An essential aspect of cooperation meant having a specialist representing all involved parties to build trust and enhance communication. Part of building trust was managing the expectations of the victim when he/she agreed to become a witness (e.g. for a residence permit).

Proposals for future action and recommendations

216. The following proposals were made:

(a) Structured cooperation needs to be formalized. A multi-agency partnership group or national referral mechanism with a representative membership should be established and regulated by a memorandum of understanding or other framework agreement. The agreement should define the purpose of the cooperation, the methodology and the responsibilities of each actor. The multi-agency partnership group should develop a memorandum of understanding on the issue of information-sharing between all relevant stakeholders;

(b) The common goal of all group members should be to identify, protect and rescue victims, with clear delineations and understanding of responsibilities. Criminal justice actors must adopt a victim-friendly approach and establish a process of providing accurate information to victims about their rights and the risks they run so as to avoid false expectations. For the group to function effectively, trust must be established between the different stakeholders, emphasizing transparency while avoiding bureaucracy;

(c) Social reintegration and real job opportunities are central to combating re-victimization;

(d) Human trafficking in countries with economies in transition and increased domestic trafficking as a result of the enlargement of the European Union constitute new challenges that will need to be addressed.

D. Special sessions

1. International cooperation: identifying and overcoming obstacles

217. The United Nations Convention against Transnational Organized Crime and its Trafficking Protocol include a number of crucial provisions on law enforcement cooperation; the exchange of information; joint investigations; extradition; mutual legal assistance; international cooperation for purposes of confiscation; transfer of criminal proceedings; and transfer of sentenced persons. Implementation of those provisions is essential to fulfil the fundamental purpose of the international instruments.

218. The investigation and prosecution of organized criminal groups involved in trafficking in persons is complex and difficult. Facilitating information exchange between law enforcement authorities and developing effective international judicial cooperation and responses is crucial.

Objectives

219. The workshop examined a variety of approaches to law enforcement and judicial international cooperation based on experience gained from specific cases in order to identify problem areas and appropriate responses that could make cooperation for investigation and prosecution more effective. In addressing issues of interest to investigators, prosecutors and judges, the session was intended to promote mutual understanding beyond the “blame culture”.

Summary of discussions and key findings

220. Action by Governments to promote a holistic approach to bringing key stakeholders together in a more strategic way was an important step that could lead to a more focused response to prevent and counter human trafficking. Operation Pentameter, an initiative of the European Union’s Group of Six—France, Germany, Italy, Poland, Spain and the United Kingdom—offered an example of such an international multi-agency model.

221. The use by law enforcement of existing organizations facilitated effective operational law enforcement information-sharing, intelligence development, coordination and action. International law enforcement liaison officer networks could also arrange swift and practical assistance in transnational investigations. Early contact and liaison with international foreign law enforcement agencies that had a specific role in coordinating and supporting cross-border investigations should be utilized.

222. Specific and adequate legislation in line with the Trafficking Protocol, mechanisms to ensure national inter-agency cooperation and effective law enforcement and judicial cooperation at the international level were all crucial to investigating and prosecuting human trafficking cases. The Conference of the Parties to the United Nations Convention against Transnational Organized Crime and its Trafficking Protocol might consider

introducing a more operational dimension with the establishment of a law enforcement working group/task force against organized crime.

223. It was essential for States to overcome ignorance or misperceptions about multi-lateral treaties and to make full use of United Nations instruments, in particular the Organized Crime Convention, as a basis for international judicial cooperation. International judicial cooperation relied on mechanisms such as extradition and mutual legal assistance and had to take into account differences in the legal systems of States that sought mutual cooperation.

224. The Organized Crime Convention required States to provide contact details of their competent authorities. It was essential for States to provide and update such information, as it allowed international cooperation practitioners to know whom to contact when preparing requests for extradition and mutual legal assistance.

225. Appropriate training for the judiciary needed to be provided to ensure that courts and judges at all levels were aware of modern international cooperation requirements. The training of international cooperation practitioners, the building of networks and partnerships, the establishment of channels of communication and the enhancement of trust and mutual understanding were essential to international cooperation. UNODC, in its role as a facilitator of international cooperation, should provide technical assistance in these areas. Adequate resources needed to be made available for training in developing countries.

226. A major challenge in implementing the Organized Crime Convention was assisting developing countries in institution-building and developing capacity/capability. The provision of the necessary resources for technical assistance activities was of paramount importance.

Proposals for future action and recommendations

227. The key findings of this workshop should be submitted for further consideration and action to the Conference of the Parties to the United Nations Convention against Transnational Organized Crime at its session in October 2008.

2. The role of parliamentarians: Parliamentary Forum

228. Parliamentarians have an important role to play in fighting trafficking in persons because they can create the political and legislative environment necessary for the successful development and implementation of anti-trafficking initiatives. As the legislative authority, parliaments are entrusted with the ratification of the Trafficking Protocol and any other international instruments related to trafficking in persons.

229. To respond to the problem of human trafficking, various legislative reforms are required to bring national legislation into compliance with international standards and to ensure that the offence of trafficking is created in domestic criminal law.

230. Parliamentarians also play a role in other prevention, protection and prosecution efforts, such as raising awareness, ensuring the appropriate allocation of funds to anti-human trafficking programmes and promoting inter-agency and international cooperation.

Objectives

231. The Parliamentary Forum on the occasion of the Vienna Forum to Fight Human Trafficking provided an opportunity for parliamentarians to discuss and share good practices in anti-human trafficking legislative review and to elucidate the critical role parliamentarians and parliaments had to play in national and international efforts to combat human trafficking.

Summary of discussions and key findings

232. Parliamentarians could motivate their Governments to develop, implement and enforce anti-human trafficking legislation. States needed to ratify the pertinent international and regional legal instruments, but ratification of those instruments was not the end of the process. Implementation was more important in preventing human trafficking, protecting trafficked victims and prosecuting traffickers.

233. Parliamentarians must understand the distinction between human trafficking and people smuggling, so that victims were recognized and treated as victims of crime and not as illegal immigrants. An understanding of that distinction was also necessary in order to develop effective policies and responses to human trafficking.

234. Many parliamentarians agreed that it was important to involve civil society as partners in the development and implementation of trafficking prevention policies. This included funding NGOs to act as service providers for trafficked victims.

235. Parliamentarians also agreed that further discussions on policy developments and good practice to prevent human trafficking should be held annually to allow the sharing of progress and knowledge in the fight against human trafficking.

236. Parliamentarians considered calling for a day of national reflection on human trafficking with such a day going beyond parliamentary boundaries to reach out to the public as a means of raising national awareness on the issue of human trafficking. They also highlighted the importance of the media as an awareness-raising vehicle.

Proposals for future action and recommendations

237. Parliamentarians discussed the need for action in a number of areas, focusing especially on enhancing national legislative environments for combating trafficking in persons, in many cases reiterating the key findings of the Forum discussion:

(a) All Member States should develop, implement and enforce national legislation to criminalize human trafficking. Parliamentarians were called upon to support the signature and ratification of the Organized Crime Convention, the Trafficking Protocol and all

related international instruments on human trafficking and to bringing national legislation into compliance with international standards;

(b) Parliamentarians need to address the three Ps (prevention, protection, prosecution) when developing policy and legislation on human trafficking;

(c) Parliamentarians need to understand the distinction between human trafficking and the smuggling of migrants and reflect that distinction in national legislation;

(d) The root causes of human trafficking, including poverty, gender inequalities, vulnerabilities in societies and conflicts need to be addressed;

(e) An annual inter-parliamentary meeting should take place to discuss the progress of the anti-human trafficking policies of Member States;

(f) The European Commission has designated 18 October European Union Anti-Trafficking Day. Parliamentarians around the world should call for a day of national reflection on human trafficking to overcome apathy;

(g) The *Handbook for Parliamentarians* developed for this Forum will be updated for the next Statutory Assembly of the Inter-Parliamentary Union, to be held in Cape Town, South Africa, from 13 to 18 April 2008, to share knowledge and best practices of countries in combating trafficking. The *Handbook* will be finalized following the Cape Town meeting;

(h) Parliamentarians should support the role of the media as a tool for raising public awareness on the issue of human trafficking.

3. The role of the private sector

238. The business community can play a crucial role in combating human trafficking by ensuring that commercial activities comply with national laws and international instruments that criminalize trafficking in persons. Businesses can also address and reduce the factors that allow trafficking to be a profitable crime and that create the demand for goods and services produced by trafficked persons.

239. The Vienna Forum provided opportunities to identify and promote positive action through specially convened sessions for the private sector and by involving the business community in the broader discussion and development of partnerships to fight human trafficking.

(a) *Private sector panel I. Engaging the private sector in actively fighting human trafficking: opportunities and challenges*

240. Human trafficking is a cross-cutting developmental problem with wide-ranging social, economic and legal implications affecting all segments of society. Employers in many industries are increasingly aware that their supply chain is vulnerable to unlawful practices, including human trafficking and forced labour.

241. Some companies seek to protect their supply chains by adopting codes of conduct to eliminate trafficking in persons for the purposes of forced labour and/or sexual exploitation. While such self-focused measures are important and legally mandatory in many

countries, some corporations are going beyond mitigation and awareness-raising efforts. Yet few businesses are actively involved in the front lines of the fight against human trafficking, compared with their involvement in other issues.

Objectives

242. This session explored the challenges in engaging more in-depth involvement of the private sector and examined how to increase the dialogue between the private sector, Governments and NGOs.

Summary of discussions and key findings

243. The panel reached the following key findings:

(a) Companies needed to have a sense that NGOs and programmes against human trafficking were sustainable and designed using successful models;

(b) There needed to be a focal point for anti-human trafficking activities. UN.GIFT could serve as such a focal point to coordinate and bring together all segments of society.

244. The agenda of corporate social responsibility was crowded and businesses chose to engage in issues that they knew could have an effective impact. Human trafficking was an issue where too little was known and too few facts were available, leaving it a vague and difficult area to address.

245. While there were private sector companies actively engaged in anti-human trafficking efforts, there was a lack of knowledge and awareness of the issue in much of the business community and those companies that were active received little positive recognition for their efforts. Indications were that few businesses were involved in anti-human trafficking efforts and there was a need to increase the involvement of more companies. The current dearth of knowledge and activity created the impression that the private sector was stuck in the nascent stages of the fight against human trafficking.

246. A business case needed to be made for private sector engagement that would give corporations an idea of the extent of the problem, efforts already under way and the gap that must be bridged between the problem and effective action. Industries needed to develop, agree upon, implement and monitor a code of conduct that went beyond legal mandates and applied ethical standards.

247. Businesses were ready to engage and contribute resources to fighting human trafficking, but they needed some assurance that their partners in non-governmental and international organizations could make a positive impact both efficiently and in a sustainable manner.

248. Private sector participants were also concerned that, in many countries where human trafficking was rife, only 20 per cent of businesses constituted the formal sector, while 80 per cent operated in the informal sector. That circumstance called for greater regulation and monitoring efforts by governmental institutions to fight trafficking in the informal sector.

249. Panellists agreed that significantly more resources must be mobilized than were currently available through UN.GIFT for anti-trafficking efforts to bear substantial results.

Proposals for future action and recommendations

250. The following proposals were made:

(a) The private sector panel agreed that UN.GIFT needed to become an effective focal point for businesses and other segments of society. In that role, UN.GIFT should convene more multilateral meetings with the aim of disseminating information on best practices and ongoing initiatives in the private sector, accurate statistical data and other relevant information. UN.GIFT needed to use the knowledge available to help develop business cases for private sector engagement in the fight against trafficking in persons;

(b) Panellists agreed that UN.GIFT needed to be a repository of information and a common platform for multilateral solutions to prevent and fight human trafficking;

(c) Despite much effort by various actors, business representatives believed that the public was still relatively unaware of the widespread nature of human trafficking and that massive awareness-raising campaigns were necessary;

(d) Another step that industries could take was developing, adopting, implementing and monitoring a code of conduct related to ethical business practices.

(b) *Private sector panel II. Resource mobilization and gathering information: the role of foundations and private companies in anti-human trafficking*

251. Employers and private sector companies must comply with legal regulations and adhere to ethical considerations related to trafficking in persons. However, it is not uncommon to find that companies do not know how to address the issue because of a lack of knowledge and data on human trafficking and how it may affect commercial activities and the individuals and communities associated with those activities. At the same time, a lack of corporate focus and resources tied to anti-human trafficking activities contributes to the information void.

Objectives

252. The second private sector panel was intended to discuss the relevant companies in the collection and analysis of data, as well as the role of financial capital organizations and foundations in resource mobilization to fight human trafficking.

Summary of discussions and key findings

253. Participants agreed that the issue of human trafficking had not caught the attention of the private sector compared with other development issues because of a lack of information, knowledge and compelling facts on the crime and its effects on society at large, including the business sector.

254. The criticism was voiced that while businesses suffered the constant fear of being shamed publicly for failures in their processes that might relate to trafficking in persons, there were no incentives for the private sector to engage in anti-trafficking efforts.

255. Among other reasons participants gave for not mobilizing resources to fight human trafficking was the sentiment that there was too little knowledge and coordination among the private sector on the issue. More awareness and research-based information was needed to understand issues such as which sectors were more susceptible to trafficking and what measures must be put in place by private companies to prevent and help fight it.

256. The resources that private sector companies could contribute to fighting human trafficking were people, expertise, skills training and creative partnerships for real change and not just short-term financial contributions. Marketing research associations could work as partners with UN.GIFT to help provide research to address the supply and demand side of this crime and to develop communication and branding for UN.GIFT to maximize the impact of private sector engagement. The private sector needed to pool its resources and have access to and share information on the issue with all multilateral partners.

Proposals for future action and recommendations

257. The following proposals were put forward:

(a) Private sector participants requested that UN.GIFT serve as a multi-stakeholder coalition to facilitate private sector engagement in fighting human trafficking;

(b) The case must be made for private sector engagement through facts and research-based information on how the current scenario will affect the future of businesses;

(c) Regulations need to be developed and enforced to put companies engaging in human trafficking out of business. Governing bodies need to provide incentives, such as positive recognition, for those companies that are working actively to prevent and fight trafficking in persons;

(d) Information on trafficking in persons needs to be made easily accessible and aggressively communicated to the private sector to increase awareness and understanding of the issues, challenges and opportunities for successful impact;

(e) Participants also agreed that the issue needed aggressive media engagement to better inform the private sector and the public and to promote greater attention and resources to the issue of trafficking in persons;

(f) Another important incentive to get businesses involved is to measure the effectiveness of anti-human trafficking programmes so that resources can be directed towards successful initiatives with proven impact.

(g) Private corporations must play a critical role in sustainable livelihood programmes for victims and other vulnerable people to help prevent this crime.

258. A variety of initiatives were announced and partnerships offered to UN.GIFT, including:

(a) The European Society for Opinion and Marketing Research had agreed to become the “knowledge partner” of UN.GIFT, bringing the resources of its members to

the United Nations, and to provide a scientific approach in building a business model for a human trafficking-free brand;

(b) A draft code for safe and honourable tourism in India had been developed to begin the process of establishing a new set of standards and incentives for the Indian tourism industry in conjunction with WelcomHeritage Hotels and UNODC;

(c) Twidox, an online library resource, was launching a specialist human trafficking platform for individuals and organizations to upload, share and find documents on human trafficking and to act as a unique repository of market and opinion information;

(d) The Gap, Inc., was a member of the Ethical Trading Initiative, which worked on purchasing practices and addressed supply chain working conditions, especially related to child exploitation in India and South Asia.

4. The role of women leaders: Women Leaders' Council to fight human trafficking

259. The Vienna Forum established a Women Leaders' Council in recognition of women who had taken the lead in drawing the attention of their Governments and civil society to the threat of trafficking in persons and its impact on human development and security. UN.GIFT emphasized the essential role of women in combating human trafficking by bringing together women with significant experience and leadership in their respective fields who were well-positioned to effect positive change in their nations and regions.

260. The Women Leaders' Council will assist in informing UN.GIFT about emerging global and national challenges, in particular in relation to the strategic and interrelated areas on human trafficking to which women and children are most vulnerable.

261. The deliberations of the Council at the Vienna Forum were a rich exchange of ideas and experiences and the basis for a vibrant network, community of practices and individual commitments of action to combating trafficking. Members of the Council agreed to a set of priority action points and to convene in no less than a year to discuss progress and follow-up. UNODC would serve as the secretariat for the Council, whose programme of action would include:

(a) *Events and campaigns*

- (i) A list of global and regional events, such as sporting events, that present a high probability for human trafficking will be developed, and awareness-raising campaigns will be organized around those events. The first such event will be the 2008 European Football Championship (Euro2008) in Austria and Switzerland;
- (ii) A list of conferences and meetings pertinent to raising awareness on human trafficking (such as meetings of the World Economic Forum) will be identified for participation by members of the Council;
- (iii) The Council will develop an alert and response system for crisis situations, such as natural disasters and conflicts, which increase the vulnerability of affected populations to human trafficking;

(b) *Public service announcements and DVD compilations.* A catalogue of public service announcements, DVDs and other awareness-raising materials on human trafficking will be compiled and made available, where possible, in different languages. Films made for the Vienna Forum will also be included;

(c) *Website.* A website for the Women Leaders' Council will be established;

(d) *Creation of a decalogue.* A brochure will be developed containing the 10 basic things to know for potential victims to avoid human trafficking. The brochure will be translated and widely disseminated, especially in remote areas and through relevant media;

(e) *Public outreach.* A public outreach campaign will be developed using the UN.GIFT theme "Not for Sale" and similar initiatives to build general public awareness and increase understanding of the crime, primarily targeting youth. The campaign messages should be translated into different languages and used for Council events. Posters and public service announcements will also be developed;

(f) *Compilation of guidelines.* Minimum standards for the treatment of victims of human trafficking will be compiled and strengthened. UNODC will provide any relevant recommendations from United Nations guidelines and treaty bodies;

(g) *Strengthening legislation, ratification of international instruments*

- (i) Members of the Women Leaders' Council will call on countries to sign and ratify the Trafficking Protocol and the Council of Europe Convention on Action against Trafficking in Human Beings, which provides for victim protection. The Women Leaders' Council will also work with parliaments to strengthen legislative provisions to assist and protect victims;
- (ii) The Council will strengthen collaboration with international and regional organizations, civil society and decision-making authorities, including parliamentarians.

5. The role of the arts

262. The arts can have a reach that extends far beyond many more traditional means of communication and can speak to people of all ages in a way that laws, government documents and even the media cannot. The Vienna Forum brought together a number of different art forms to creatively present human trafficking to the public in ways that have the potential to explain the issue through means that allow viewers to take the message with them.

(a) *Art exhibition: "The Journey against Sex Trafficking"*

263. "The Journey against Sex Trafficking" is a unique art installation that maps the journey of victims of human trafficking using seven transport containers to illustrate the brutal and harrowing experiences of women sold into the sex trade. The interactive exhibit is based on the real-life stories of young women who left their home countries in search of a better life but were deceived or coerced by traffickers and forced to work in the sex industry.

264. Each container shows a different stage of the trafficking process, starting with “Hope”, which reflects the aspirations of young women planning to leave their homes. The containers “Uniform”, “Bedroom” and “Customer” offer graphic and disturbing insights into the daily ordeal of women forced into the sex industry.

265. The driving force behind the exhibition was actress Emma Thompson and fellow activist Sam Roddick, who teamed up to raise awareness of trafficking and the plight of trafficked women.

266. The Vienna Forum brought the exhibition to Vienna for viewing by the public. The installation received extensive media attention internationally. Approximately 5,000 visitors viewed the exhibit, at an average of about 1,500 a day, near maximum capacity since no more than 70 people can enter the exhibit at a time.

(b) *Film forum: “Let us not close our eyes”*

267. Using a narrative form of storytelling, film is a medium that is well-suited to showing the complex aspects and forms of exploitation experienced by those who are victims of human trafficking. These stories can make the public aware of the existence of this crime, which affects every country.

268. In conjunction with the Vienna Forum, the City of Vienna hosted a film forum on human trafficking, “Let us not close our eyes”. Nineteen films by renowned international film makers were selected and compiled by UN.GIFT for screening. These films were selected to give faces to the anonymous numbers presented in human trafficking reports.

269. The film forum was well attended. Several screenings were at capacity, with people sitting in the aisles.

(c) *Photography exhibition: “Human trafficking: images of vulnerability”*

270. A photography exhibit was presented as part of the Vienna Forum to provide snapshots of human trafficking around the world. The exhibition, which was also shown in New York in October 2007, featured the photography of Howard G. Buffett (president of the Howard G. Buffett Foundation), Academy Award-nominated director Robert Bilheimer and international photojournalist Kay Chernush. Photos from the October 2006 and February 2007 *New York Times* cover story about child trafficking on Lake Volta, Ghana, taken by João Silva and Olivier Asselin also were shown.

(d) *Cartoon competition*

271. UN.GIFT joined with Stop the Traffik, a global movement of activists to combat human trafficking, to launch a worldwide cartoon competition. Young people from across the globe contributed to the fight against human trafficking through the creation of cartoons sending out messages about the crime.

272. The best entries were displayed at the Vienna Forum and the winning cartoons will be used in future UN.GIFT publications to raise awareness among young people.

(e) *Virtual forum to fight human trafficking*

273. A password-secured virtual network was created prior to the Vienna Forum to give participants an opportunity to meet virtually and discuss project ideas and technical assistance needs prior to coming to Vienna. The virtual forum provides meeting space to further develop concept/project proposals and discuss potential partnerships and will continue to operate after the Forum is over.

6. The role of youth in the fight against human trafficking

274. The Youth Forum focused on the critical place of young people in the fight against human trafficking and highlighted, by means of personal testimony and presentations—a grassroots movement that is moving the focus to youth as a result of their creative awareness-raising activities. The session showed the potential of young people to contribute to ending a crime that ensnares millions of children and young people around the world.

Objectives

275. The objectives of the session were to encourage young people to be advocates on behalf of those who had been trafficked or were in danger of being trafficked; to provide youth an opportunity to give voice and substance to their passion; to stress the urgent need to involve young people and enable them to form a movement for action and change; to connect participants with the story of a real person who had been trafficked; and to allow young people to show how they could become advocates for prevention.

Summary of discussions and key findings

276. The session was opened by the representative of Stop the Traffik, a global coalition of over 1,000 organizations in 52 countries working together in areas of advocacy, education and fund-raising to end human trafficking. Innovative tools were presented, including youth-led film productions, role-plays and music montages, to raise awareness about trafficking in persons.

277. A short film and presentation showcased the experiences of a young woman working in a project called “Nightlight” in Bangkok, which provides alternative employment and support services for female victims of trafficking. Another film featured the efforts of a youth employed by Oasis India who worked with law enforcement to identify possible trafficking victims at the Mumbai transport centres. Drama students from Redmoor High School, Hinckley, Leicester (United Kingdom) showed how they used drama to produce a short film and role-plays to raise awareness of human trafficking in their communities.

278. Overall, the session aimed to show youth as part of the solution and not just as potential victims in need of rescue.

Proposals for future action and recommendations

279. Participants in the session concluded that youth engaged in the fight against trafficking in persons should join together with other networks to build greater momentum in a global youth movement.

280. It was concluded that young people had a role to play in using innovative tools to raise awareness about trafficking in persons among peers, teachers, parents and in their communities. It was also decided that the contribution of youth to fighting trafficking in persons should be showcased more often and integrated into anti-trafficking strategies.

7. Side event. The Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime

281. The Governments of Australia and Indonesia, in their capacity as co-chairs of the Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crimes, hosted a side event during the Vienna Forum.

Objectives

282. The event disseminated information on the Bali Process and its activities.

Summary of discussions and key findings

283. Presentations and discussions demonstrated the utility of the Bali Process as a model for regional cooperation in the fight against human trafficking. The Bali Process had made—and continued to make—a valuable contribution to combating human trafficking in the Asia-Pacific region and beyond by strengthening and facilitating non-binding and informal cooperation among policymakers and practitioners from over 50 countries, as well as with key international and regional organizations.

284. The panel concluded that regional consultative processes remained the most effective way for States to cooperatively combat human trafficking and were integral components of the global effort to fight the crime. Regional consultative processes such as the Bali Process were able to respond to the complexities of human trafficking, including changes in patterns and increased volumes, thanks to their strong operational networks and their ability to facilitate direct contact between policymakers and practitioners. The high-level political impetus that drove regional consultative processes enabled the development and strengthening of practical cooperation at the operational level. Regional consultative processes were also particularly effective at providing technical assistance to small and developing States and helping build their capacity to tackle human trafficking.

Proposals for future action and recommendations

285. Participants formulated the following proposals:

(a) The work of regional consultative processes should be enhanced through continued exchange of experience and best practices at interregional meetings. Participants

saw scope for this occurring under UN.GIFT and other relevant initiatives undertaken by the international community;

(b) Effective regional cooperation at the operational level is imperative in the fight against human trafficking. In particular, regional consultative processes should work to develop best practices in law enforcement cooperation and victim protection and to facilitate the development of anti-trafficking legislation;

(c) Given that human trafficking represents an exploitative fraction of international migration, collective efforts towards better governance of international migration could contribute significantly to countering human trafficking;

(d) Effective action to prevent and combat trafficking in persons requires a comprehensive international approach in the countries of origin, transit and destination based on shared responsibilities, in particular for victim repatriation, by protecting the internationally recognized human rights of victims. For that reason, Governments and other stakeholders should work collectively to identify sources of funding for victim repatriation and support.

E. Conclusion

286. The objectives of the Vienna Forum were to raise awareness about human trafficking, forge new partnerships and facilitate cooperation. UN.GIFT designed the Forum within that framework so as to take stock of actions already under way and to share those experiences with the broadest range of stakeholders, generating discussion and highlighting innovative approaches to combating human trafficking.

1. Awareness-raising

287. Broad-based participation in the Vienna Forum and high-profile media attention raised the visibility of the issue of trafficking in persons. Panel sessions, workshops, side events and special exhibits were often filled to capacity with attendees from United Nations organizations, Governments, NGOs, academia, the private sector and international and regional organizations. The general public flooded special events such as Emma Thompson's "The Journey against Sex Trafficking", film screenings and photo exhibits.

288. Over 150 journalists were accredited for the Forum and over 6,000 articles resulted, many carried by leading international and national news organizations, including the BBC, *The Washington Post*, *The Times of India* and the *International Herald Tribune*.

2. Forging new partnerships and facilitating cooperation

289. One of the aims of UN.GIFT is to expand its alliances. The Vienna Forum proved that this could be done creatively with a variety of partners, such as the private sector, the media and trade unions. In fact, a key recommendation from one of the panels was to extend the three Ps of prevention, protection and prosecution to the fourth P of "partnership".

290. The Forum produced tangible manifestations of alliance-building. The Women Leaders' Council was launched. The make-up of the Council is a microcosm of the partnerships encouraged by UN.GIFT, with a membership that includes political figures, diplomats, business leaders, entertainers and others. The private sector and the media also came forward as active partners. Private sector participants suggested establishing an advisory board under the UN.GIFT umbrella and members of the media panel offered to support UN.GIFT in drawing up a code of conduct for media and in training journalists to enable them to become more informed partners in the fight against trafficking.

3. Future action and recommendations

291. The Vienna Forum set the path for future anti-trafficking efforts. The Chairperson's summary emphasized the need to aggressively address all forms of exploitation, including forced labour, and underscored the critical role of UN.GIFT in continuing to build and expand alliances.

292. As stated by the Chairperson, the Vienna Forum met its immediate objectives, but action must follow through technical assistance and international cooperation—essential for national capacity-building for the implementation of the United Nations Convention against Transnational Organized Crime and its Trafficking Protocol. Every panel and workshop produced a number of recommendations and proposals for future action, many identifying common themes for action across topic areas.

293. Emphasis was placed on the need for adequate national legislation to cover all aspects of trafficking, including ratifying and implementing the Trafficking Protocol and other relevant international instruments. Within that context, virtually all panels and workshops focused on the need for a victim-centred, human rights approach to preventing and combating trafficking in persons, with an understanding that supporting victims could also have a positive impact on criminal justice actions.

294. Increased research was generally agreed to be the cornerstone of more effective action against trafficking in persons. More knowledge was necessary to fill in the crucial information gaps, which would allow the design of adequate anti-trafficking policies.

295. Participants highlighted the need for increased cooperation between relevant agencies, civil society and the private sector both within countries and at the international level. UN.GIFT was seen as an important facilitator for expanding cooperative alliances.

296. There was a call for greater efforts to confront all aspects of trafficking, including sexual exploitation and forced labour. Labour market stakeholders—employers' organizations, trade unions, businesses and others—needed to become more active partners in ensuring labour rights and labour protections to prevent forced labour and address it where it already existed.

297. Awareness-raising was a cross-cutting activity for all aspects of combating trafficking in persons. Participants in virtually every panel and workshop saw value in awareness-raising

activities, whether for front-line law enforcement to aid in victim identification, to enlighten private sector businesses or to alert potential victims and the general public.

298. Finally, as expressed by many panellists and speakers, several critical issues were identified that remained to be addressed. Research needed to lead to achievement indicators that could be used as a baseline against which appropriate evaluation and monitoring mechanisms could be developed and implemented. The question of the nature of appropriate monitoring mechanisms also needed to be more thoroughly addressed.

299. There was widespread agreement that the root causes of human trafficking must be confronted using a balanced approach, but that increased attention needed to be placed on how to reduce demand for trafficked persons in destination countries.

300. The Chairperson expressed the sentiment of participants in her summary by pointing out that to follow up on the momentum generated by the Vienna Forum, there was an obligation to convert dialogue into action to eradicate human trafficking.

Annex I. Summary by the Chairperson*

Colleagues, delegates, ladies and gentlemen, good afternoon.

It has not been an easy three days, ladies and gentlemen, delegates. We have all met here collectively, and it evolved into a fabulous human resource pool. We have had some fabulous suggestions, amazing inputs, some excellent good practices and some valuable ways forward.

Now to summarize all of that and put it into black and white letters was indeed very, very difficult, and we have had a lot of help from a lot of people who helped draft this and did not get much sleep. And all of us who have had sleepless nights wondering what to do with human trafficking, we are going to be going back this afternoon assured that we have found a way forward.

Now these are the closing moments of the Vienna Forum, and do not panic if you have gotten a text circulated earlier, there are going to be some small slight differences, which have been made with the consent of all the people here together. It is going to be pretty much what we had drafted earlier, but with some changes. A final text copy will be circulated later for those who want to take it home just to remember.

I want to highlight the discussion held over the last three days, particularly focusing on some of the innovative ideas, in the hope that the momentum that we have generated collectively here this afternoon and throughout the course of this Forum will continue to build until we eradicate this hideous crime of human trafficking. I think that is something that we all agree on.

The adoption of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, and other related United Nations conventions and instruments precipitated intense activity around the world to stop trafficking in persons. The Protocol, along with individual country programmes and laws, are the basis from which future actions to fight human trafficking must be derived, with the human rights of trafficked persons, particularly women and children, at the centre of all of our collective efforts.

Much work has been undertaken at all levels to address this crime. The United Nations Global Initiative to Fight Human Trafficking (UN.GIFT, as we call it conveniently), is a response to collectively address human trafficking in a multifaceted manner by bringing together partners from within and outside the United Nations. The justification for the Initiative is simple, is it not? Human trafficking is a crime of such magnitude that no one, acting alone, can halt it. Collectively we can fight it.

The objectives of the Vienna Forum were to raise awareness, facilitate cooperation and forge partnerships among the various stakeholders. UN.GIFT designed the Forum within this framework to take stock of what has been done already and to share these experiences with the broadest range of stakeholders, thus generating dynamic discussions and highlighting innovative approaches to combating human trafficking.

I can say with a fair share of confidence that the Vienna Forum successfully accomplished this task and met its objectives. One of UN.GIFT's aims is to expand its alliances, and the Forum

*The summary by the Chairperson is reproduced here in full as delivered.

proved that not only can this be done, but it can be done creatively with new and existing partners, such as the private sector, the media, trade unions and, most important of all, women leaders.

The Forum was organized around three themes, which reflect the key issues that need to be addressed in a comprehensive anti-trafficking strategy: vulnerability, impact and action. I want to focus on the final theme as the way to point us forward at the closing of this Forum.

The Governments

Many States that have signed or ratified the Trafficking Protocol have adopted new laws or amended existing laws and legislation to translate the Protocol into action. The Parliamentary Forum recognized the importance of these actions and the need for more countries to take similar measures. The critical role of national Governments was recognized in combating human trafficking. I do believe it is a vital threshold from which we can take things forward.

Private sector and international employers' organizations

Private sector and international employers' organizations and their representatives expressed the need for ensuring anti-trafficking provisions within their supply-chain purchasing practices, as we just heard the Gap [Dan Henkle, Vice-President for Social Responsibility, Gap, Inc.] talking eloquently—I am calling you the Gap because that is your brand equity.

They called for proactive measures to address the ways in which the globalized economy generates supply and demand for trafficking. The representatives also asked for practical tools to keep supply chains in line with national and international standards and for increased efforts to raise awareness of employers and employees, while remaining sensitive to regional value systems and practices. We really must not go flatfooted, trampling over regional sensitivities.

Overall, the private sector recognized the need for UN.GIFT to act as a facilitator in the fight against human trafficking and offered its services in an advisory capacity.

Civil society

Civil society organizations emphasized their role in providing support to victims and engaging in capacity-building and advocacy efforts on the ground, where the problems lie. New alliances between all civil society and other partners were recognized as very powerful tools. Panellists also highlighted the importance of institutionalizing the working relationship between state authorities and civil society organizations.

Media

Media—which I do believe is the key to opening up mindsets—media reporting on human trafficking is extensive, begging the question: is all publicity good publicity? Do we really need it that way? Discussion centred on how to ensure that media has a positive effect in the fight against trafficking. The exchange of experiences in this session illustrated the value of this type of dialogue by exposing the need for broader awareness of existing victim-centred guidelines for journalists.

Youth

Now the world is getting younger in many ways. We see younger people coming into the mainstream, younger achievers across the world, and youth should be seen as part of the solution and not just as those who are vulnerable or in need of rescue alone. It was suggested that youth can provide innovative tools to raise awareness about trafficking among their peers, teachers, parents and in their communities. Innovative tools presented included youth-led film productions, role-plays and music montages to raise awareness on trafficking in persons. And I do believe youth can really do that very, very effectively.

Comprehensive approach to the issue

During the Forum, we also heard about the need to address all forms of human trafficking. We must understand that. While attention is often given to trafficking for the purpose of sexual exploitation, much more needs to be done to address other forms of exploitation. In many cases, global standards exist but broad compliance remains a problem.

We heard repeatedly in the Forum about addressing the root causes of human trafficking and the need for abolishing the demand that fuels human trafficking. We do not need rocket technology for us to understand that demand raises the bar for supply, and we need to address that and contain it.

The need for a victim-centred approach was stressed, especially with a view to reconciling interests and promoting understanding between victim service providers and law enforcement.

Technical assistance and international cooperation are essential for national capacity-building for the implementation of the United Nations Convention against Transnational Organized Crime and the Trafficking Protocol.

Monitoring and research

We heard repeatedly in this Forum about the need to deepen the global understanding of human trafficking based on solid research. Gathering accurate information is necessary to understand where the major information gaps are to provide officials a sound basis for national responses to trafficking in persons. Participants also highlighted the importance of monitoring the progress in the implementation of the Trafficking Protocol by their respective Governments.

What works

In all panels, we have seen what works. We have learned about useful tools as well as good and innovative practices. They are not uniformly applicable, of course, to all countries nor can they be uniformly scaled up, but there are many practical examples that reduce vulnerability, address impacts and lay the groundwork for action. And, more importantly, will show us what it is to be politically correct and help set direction in that way.

Cooperation must be sustained, otherwise it would be failing, recognizing shared goals and differentiated responsibilities, extending the guiding framework of the three Ps (prevention, protection and prosecution) to a final fourth P—which is “partnerships”. So we have the four Ps that we need to look at and put into action.

Finally, of course, we have heard a great deal over the last week about the importance of moving beyond talk into taking action. Sessions in this Forum have been full, often spilling over into the hallways, and you have proven that a good dialogue can happen and that it is so vitally necessary.

UN.GIFT is moving forward. The alliances are growing. Now we have an obligation to take action and gather speed on the path to eradicating human trafficking.

Ladies and gentlemen, I am not going to say farewell or goodbye, because I believe it is only an interlude for all of us before we meet the next time with achievements, with better understanding, holding hands in both partnerships and friendships where we will gather again to share this knowledge. So, I will wish you all most strength to your elbow in this fight against this biggest obscenity on supposedly a civilized society, that of human trafficking.

I know, I know that some of us are going back with a burning passion and anger that we have even allowed this to happen. We are going to go back with innovative ways to see how we can influence our respective nations and Governments. We are going to go back because we have to move forward, and we will move forward into a society that is strong enough to protect the children, right enough to bestow the gift of childhood onto these children and that we are brave enough to speak the inconvenient truths.

I wish you all strength and my prayer that our paths will cross again. Good luck, god speed and see you again.

Annex II. Closing remarks by the Executive Director of the United Nations Office on Drugs and Crime*

This meeting has been a success, from an organizational, conceptual, institutional and a mediatic point of view. That means that the UN.GIFT intuition we developed about one year ago proved quite novel, and risky—but it worked.

My thanks to all those who contributed to the success—first and foremost to you, the participants. Also my sincere gratitude to the dedicated members of the UN.GIFT team. And again I thank the Crown Prince of Abu Dhabi for his generous support.

Was it also a success in terms of substance, namely on the impact we expect this Initiative to have on fighting human trafficking?

The UN.GIFT mission statement contains two parts: first, improving knowledge and awareness of this tragedy, and second, implementation of the “3 Ps” (as per the Protocol). How did we score?

Awareness has been raised

Media attention was significant: human trafficking is now more visible to both the public and policymakers. Overnight, the UN.GIFT brand—its logo, acronym, and what it stands for—have become recognized worldwide. Of course, brands wither away rapidly, unless nurtured: the challenge is to see how we can strengthen this brand.

This journey, which we should undertake together, is symbolized by Emma Thompson’s installation, called “The Journey”, that we hope to reproduce in different parts of the world and to represent other forms of human slavery.

The Film Forum also contributed to greater awareness. I urge you all to make use of this resource. I am told that some of the films touched national sensitivities. But this is an issue that transcends borders and we have to be honest about it. Nobody is singled out for criticism because we are all guilty. Films were chosen to raise constructive awareness, not to criticize. My thanks to the Suzanne Mubarak Foundation whose support will enable the Film Forum to be shown in other cities.

I urge you all—especially the artists, entertainers, celebrities, the media and NGOs who reach a wide audience—to continue your high-profile work that brings attention to this tragedy. In the coming months, we hope to trigger large manifestations—such as concerts and exhibits—to mobilize especially the young.

*The closing remarks by the Executive Director of the United Nations Office on Drugs and Crime are reproduced here in full as delivered.

“3 Ps” and implementation of the Protocol

Long ago we decided not to have any official conclusions for this Forum. The road ahead is already mapped in the Trafficking Protocol.

What is lacking is a mechanism for reviewing implementation of the United Nations Convention against Transnational Organized Crime, and its Protocols. I hope this will be realized at the Conference of the Parties later this year. The greater the role of Member States in the monitoring, the greater the sense of ownership, and the greater the impact.

Roughly one third of United Nations Member States (76 countries) have not ratified the Protocol. Some major countries have not even signed. It is time to move.

For the 116 States parties to this strong legal instrument, it is time to speed up implementation: to prevent this crime, to criminalize it, and to protect and assist victims. Indeed, a recent study by my Office, soon to be released, shows that implementation of the Protocol is characterized by gaps and omissions.

If these gaps and omissions are the result of neglect, you are now motivated to do something about it. If they are due to lack of capacity, UNODC can help through the provision of technical assistance.

Technical assistance

Fighting human trafficking is not just a legal issue, it is a capacity issue—train your law enforcement officials, judges and social workers to be sensitive to dealing with human trafficking cases, drawing on good practices that have been highlighted here (for example in the mock trial). UNODC, and other organizations in this hall, can assist.

Technical assistance is resource-intensive. Additional UN.GIFT resources are needed to fund capacity-building in Member States.

We also need better tools. This week I was pleased to launch the Witness Protection Manual. It will enable victims to be assisted, and to collaborate so that justice can be done.

Operational outcomes are becoming concrete

A number of specific initiatives have been examined this week. Some of them apply to national conditions, others to industries. Some require public-private partnership.

We need to turn these into concrete projects that will have an impact on the ground:

- Tracking and blocking credit card payments for Internet human trafficking transactions
- Technology to identify, monitor and disrupt human trafficking routes
- Codes of conduct to curb sex tourism
- Helplines to report suspected child prostitution or sex slavery
- Social services to stop street begging by exploited children
- Better supply chain management and corporate self-certification to keep slave-made products off the shelves
- Targeting human trafficking clusters: regions where this crime is especially acute.

During this week, the gruesome issue of the forced removal and trade of human organs received considerable attention. I am looking forward to guidance from Member States on what to do about this problem.

Enabling factors

To move ahead, we need suitable conditions—what we call enabling factors.

We need further resources to enter a more operational phase focused on the implementation of projects and research. The United Nations Foundation provides a useful tax-free vehicle.

We also need to improve our knowledge base—build up information and data, and our understanding of what goes on with the double purpose of: first, making policy evidence-based and second, identifying the best way of delivering technical assistance.

Throughout the meeting I was asked by the media and government, “How big is the problem?” “Is it growing?” My social scientist training prevents me from passing judgement because the evidence is so shaky. We see the tip of the iceberg, but how deep is this problem below the surface? I appreciate the offers of support from research institutes. UN.GIFT can be a hub for pooling information. Our next report on human trafficking will be released later this year.

A less tangible, but equally important, enabling factor is partnership to strengthen our ability to work together. Therefore the importance of strengthening alliances. I was impressed by the high-powered Women’s Leadership Council. You are influential leaders and mentors who can drive forward our common agenda, and promote the abolitionist cause among women around the world. I am impressed by the list of specific actions that you have identified this week, and by the fact that the Council is becoming institutionalized. I especially congratulate Baroness Mary Goudie for being elected Chairperson of the Council. UN.GIFT is proud to support you.

I have also been impressed by:

- The manifestation of corporate responsibility that has been made by the business coalition to make products “slave-free”.
- The work of so many NGOs taking action at the grass roots (to mobilize 1.5 million signatures is amazing).
- The initiative of members of the media who volunteered to set up an advisory panel to promote films on human trafficking.
- Parliamentarians have deepened their commitment to, and knowledge of, the cause. At the Parliamentary Forum I was pleased to share the *Handbook for Parliamentarians* that should assist in putting the Protocol into action.
- We all appreciated the work of faith-based organizations: they inspire ordinary citizens as much as leaders. Above all they can assist those who are vulnerable, preventing their fall, or assisting their recovery.

Attacking the problem at both ends, reducing supply and demand

We must reduce the severity of the problem by attacking it from both ends: reducing supply and demand.

Concerning trafficking for the purpose of sexual exploitation, at both ends of the spectrum there is a problem of mindset—societal and cultural attitudes towards women.

In terms of supply, trafficking is too often the result of gender discrimination. Yes, poverty is a factor, but it is an insult to poor people everywhere to suggest that economic hardship alone would cause them to sell their children. It is a sad truth that in societies where children are sold into slavery, it is usually the girls who are victims. I appeal to parents in such dire straits: love and cherish your daughters as much as your sons.

If supply is very much an issue of developing countries, demand—at least for sexual exploitation—is largely the problem of the developed world. So let us not be too quick to pass judgement on sexual discrimination in poor countries. Sexist attitudes, lifestyles that insult the dignity of women, and expensive media and advertising campaigns that exploit their bodies create a market for gender-based exploitation.

Then there is the issue of labour exploitation—we must understand its complexity. We have yet to resolve the eternal dilemma between the constant quest for low wages, on one hand, and the impact of poverty, on the other, that dictates that a low wage is better than no wage. The vulnerable are trapped in the middle.

A lot has been said this week about children in conflict situations—boys with their guns, girls with their vulnerability. We know the role of organized crime in perpetuating these conflicts. I urge you to use the Organized Crime Convention as an instrument of peace.

We also focused on the mindset of trafficking victims. The psychological scars that they carry are as deep as the physical ones—yet we do not know enough about the healing process, if it takes place at all. Many survivors, even when they are free, can not escape the mental enslavement.

UN.GIFT will therefore pay more attention to the mental health of trafficking victims, for example reducing vulnerability to post-traumatic stress disorder, so that these survivors can return to society and rebuild their lives with dignity. We need to engage specialists in this field to make it possible.

We must also better understand the grey areas between human trafficking and illegal migration, forced labour, paedophilia, child exploitation, civil conflicts, and coerced prostitution. Progress in one area can have a positive impact in others.

A tipping point

Ladies and Gentlemen, I hope that we have reached a tipping point in the fight against human trafficking.

For that to be true, we must build on the momentum and energy that has been generated this week.

As I stressed in my opening remarks, this Forum should be the beginning of a process, not the end.

I urge the UN.GIFT team to provide the background for the upcoming General Assembly thematic debate on human trafficking, and help the Assembly prepare its own comprehensive strategy for the following year.

Ladies and Gentlemen, this Forum has brought out some of the best qualities of humanity to fight against some of its most evil.

Let us say once and for all, we are not for sale.

Annex III. Decisions adopted by the Commission on Crime Prevention and Criminal Justice at its sixteenth session

Decision 16/1

Global initiative to fight human trafficking

The Commission on Crime Prevention and Criminal Justice, stressing the utmost importance of international cooperation against trafficking in persons and welcoming the efforts of the United Nations Office on Drugs and Crime in fighting that form of crime, welcoming in this regard the Global Initiative to Fight Human Trafficking, and expressing its appreciation for the financial contribution of the United Arab Emirates, welcoming also the participation of relevant regional and international organizations and private sector and civil society entities in the Global Initiative to Fight Human Trafficking, stressing the importance of the full involvement of Member States in the Global Initiative to Fight Human Trafficking, and stressing also the role of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime in improving the capacity of States parties to combat transnational organized crime and in promoting and reviewing implementation of the United Nations Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime:⁴

(a) Decides that the Global Initiative to Fight Human Trafficking should be guided by Member States;

(b) Decides also that the Commission on Crime Prevention and Criminal Justice shall take a decision on the political aspects of the proposed November 2007 event on the Global Initiative to Fight Human Trafficking, with particular emphasis on its preparatory process, form and possible outcome;

(c) Requests its Chairman to hold informal open-ended intergovernmental consultations and to report to it at one of its intersessional meetings before July 2007 on the outcome of the consultations, in order for it to take the decision referred to in paragraph (b) above;

(d) Requests the Executive Director of the United Nations Office on Drugs and Crime to report to it at its seventeenth session and to the Conference of the Parties to the United Nations Convention against Transnational Organized Crime at its fourth session, on the implementation of the present decision.

⁴United Nations, *Treaty Series*, vols. 2225 and 2237, No. 39574.

Decision 16/2

Global Initiative to Fight Human Trafficking

The Commission on Crime Prevention and Criminal Justice, recalling its decision 16/1, especially paragraphs (b) and (c), in which it decided to take a decision on the political aspects of the proposed event on the Global Initiative to Fight Human Trafficking, with particular emphasis on its preparatory process, form and possible outcome, and requested its Chairman to hold informal open-ended intergovernmental consultations and to report to it at one of its intersessional meetings on the outcome of the consultations in order for it to take the decision:

(a) Notes with appreciation the intersessional work of the Commission in this regard under the guidance of its Chairman;

(b) Also notes the efforts of the Secretariat to inform and engage Member States in related consultations;

(c) Endorses the decision on the Global Initiative to Fight Human Trafficking, contained in the annex to the present decision, approved at its intersessional meeting held on 1 August 2007.

Annex

United Nations Global Initiative to Fight Human Trafficking

The Commission on Crime Prevention and Criminal Justice, at its intersessional meeting held on 1 August 2007,

Welcoming the United Nations Global Initiative to Fight Human Trafficking (UN.GIFT),

Recalling decision 16/1 of the sixteenth session of the Commission, in which it was decided that the Global Initiative to Fight Human Trafficking should be guided by Member States,

Also recalling that in the same decision the Commission decided to take a decision on the political aspects of the proposed November 2007 event on UN.GIFT, with particular emphasis on its preparatory process, form and possible outcome,

Stressing the role of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime in improving the capacity of and cooperation among Parties to combat transnational organized crime by implementing the United Nations Convention against Transnational Organized Crime and the Protocols thereto, including in particular the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children,^b

Also stressing that the Vienna Forum should reflect the universality of the crime of and the fight against human trafficking through a balanced and equitable approach,

1. *Decides* to hold, instead of the proposed November 2007 event, a forum on the United Nations Global Initiative to Fight Human Trafficking, hereinafter referred to as the Vienna Forum, in Vienna from 13 to 15 February 2008;

^bUnited Nations, *Treaty Series*, vols. 2225 and 2237, No. 39574.

2. *Decides* that the objectives of the Vienna Forum should be to raise awareness, facilitate cooperation and partnerships among the various stakeholders, and avoid duplication of efforts in the fight against human trafficking, with due regard to the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children;

3. *Decides* that the United Nations Office on Drugs and Crime will present an inventory of existing initiatives, instruments and related information at the Vienna Forum, under the auspices of UN.GIFT, with the aim of further exchange of such information among participants;

4. *Decides* that the Vienna Forum will bring together representatives of Member States, United Nations agencies and other international and regional organizations, and will be open to relevant non-governmental organizations, in accordance with the rules and procedures of the Economic and Social Council, business entities, academia, media representatives and individual experts. The list of invitees should be prepared in consultation with the Member States;

5. *Decides* that the provisional programme be considered and endorsed by Member States by the end of September 2007;

6. *Stresses* the importance of conducting UN.GIFT in full compliance with the mandate and decisions of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime;

7. *Requests* the United Nations Office on Drugs and Crime to consult with Member States in the event of a proposal to create a trust fund for UN.GIFT;

8. *Requests* the United Nations Office on Drugs and Crime to be vigilant and assume responsibility for the contents of the information and the material on the basis of established practice. In this context, the Office will also provide access to its website for use by Member States to review all relevant Vienna Forum materials as they are developed;

9. *Also requests* the United Nations Office on Drugs and Crime to hold regular consultations with Member States during the process of preparations for and at the Vienna Forum;

10. *Requests* the United Nations Office on Drugs and Crime to provide Member States, the Commission on Crime Prevention and Criminal Justice and the Conference of the Parties to the United Nations Convention against Transnational Organized Crime with all information on the proceedings of the Vienna Forum as well as on progress and future planning of UN.GIFT, including by providing reports on the meetings of the steering group and reports of regional and expert group meetings.

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