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Issue Brief Serie

Leveraging the Sustainable Development Agenda to combat Human Trafficking

United Nations Office on Drugs and Crime (UNODC)

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UNODC
United Nations Office on Drugs and Crime

Leveraging the Sustainable Development Agenda to combat Human Trafficking

Commitment: *We will strengthen regional, national and subnational institutions to prevent all forms of violence, combat terrorism and crime and end human trafficking and exploitation of persons, in particular women and children, in accordance with international human rights law. We will effectively strengthen national institutions to combat money-laundering, corruption and the financing of terrorism, which have serious implications for economic development and social cohesion. We will enhance international cooperation for capacity-building in these areas at all levels, in particular in developing countries. We commit to ensuring the effective implementation of the United Nations Convention against Transnational Organized Crime (para 112 AAAA)*

Commitment: *We will eradicate forced labour and human trafficking and end child labour in all its forms.(para 27 Agenda 2030)*

Monitoring implementation: Sustainable Development Goals: *5.2- Eliminate all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation. 8.7 - Take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour, including recruitment and use of child soldiers, and by 2025 end child labour in all its forms. 16.2 - End abuse, exploitation, trafficking and all forms of violence against and torture of children 16.4 - By 2030, significantly reduce illicit financial and arms flows, strengthen the recovery and return of stolen assets and combat all forms of organized crime. 16.a Strengthen relevant national institutions, including through international cooperation, for building capacity at all levels, in particular in developing countries, to prevent violence and combat terrorism and crime*

1. Introduction

Human trafficking is the recruitment, transportation, transfer, harbouring or receipt of persons by improper means such as force, fraud or deception, with the aim of exploiting them. As the only United Nations entity focusing on the criminal justice element of these crimes, the work that UNODC does to combat human trafficking is underpinned by the *United Nations Convention on Transnational Organized Crime and its protocol on trafficking in persons.* The protocol entered into force on the 25th of December 2003 and has 169 states parties. This level of consensus, combined with a growing understanding of the social and economic impact of human trafficking on sustainable development, drove the inclusion of human trafficking into the core of the current sustainable development agenda.
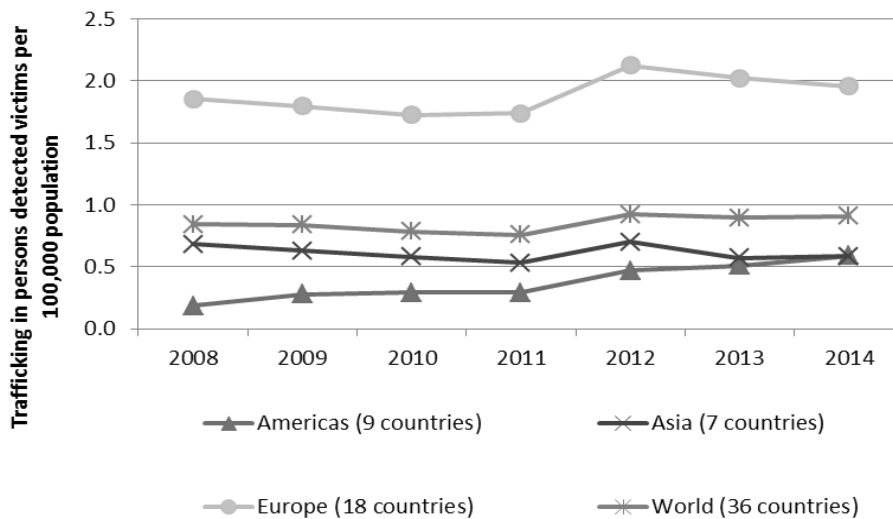
Agenda 2030 and the Addis Ababa Action Agenda have drawn a clear link between combatting the crime of human trafficking and sustainable development. The agenda has focussed attention on the

impact of the lack of sustainable development on a crime which disproportionally affects poor countries and the vulnerable population groups within them – addressing cross cutting underlying factors of human trafficking (persistence of exploitation, transnational organised crime, weak rule of law and criminal justice systems, lack of economic opportunity and weak institutions) – as well as the means to combat it (strengthening domestic resource mobilisation, improved growth prospects and job creation, safeguarding remittance corridors, financial inclusion, strengthening access to justice, improving the protection of victim's rights and improving the effectiveness of the criminal justice framework amongst many, many other factors.)

2. Stocktaking[1]

Monitoring trafficking in persons is particularly challenging because of its hidden nature and the complexity of identifying affected victims. From the available data, it emerges that the levels of detected victims (calculated per 100,000 population of the country where victims are detected) have been relatively stable over the last few years, although significant differences between regions emerge (see figure 17). In interpreting these data, it should be taken into account that higher levels in Europe can also be explained by the better identification and recording capacities in that region.

Figure 1: Recent trends of detected victims of trafficking per 100,000 population, by region, 2008-2014
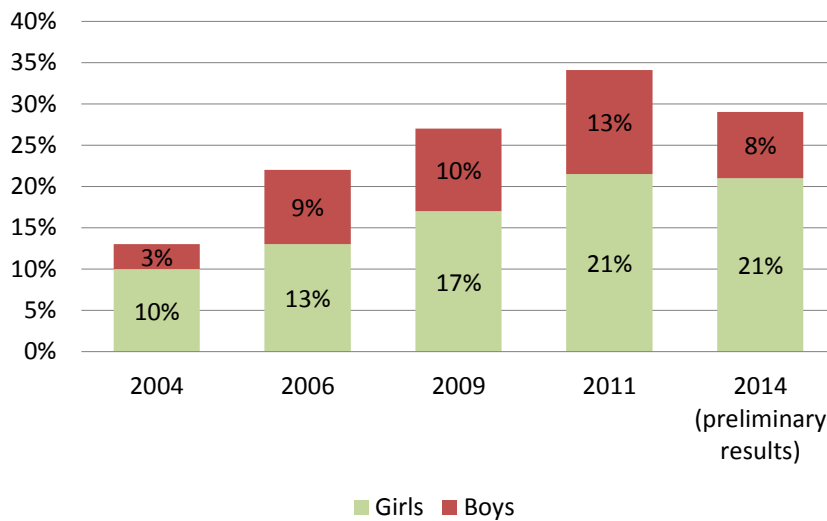

Source: UNODC, Global Report on Trafficking in Persons Database.

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[1] This section reproduces text and data from E/CN.15/2016/10, Commission on Crime Prevention and Criminal Justice, World crime trends and emerging issues and responses in the field of crime prevention and criminal justice, Note by the Secretariat, 29 March 2016.

Analysis of data on the victims of trafficking in persons detected by national authorities around the world also shows that child trafficking has been increasingly detected. According to the Global Report on Trafficking in Persons 2014[2], the share of children among total detected victims increased 5 per cent points, from 27 per cent recorded in 2009 to 33 per cent in 2011, while in 2004 the same value had been about 13 per cent. The most recent figures referring to the year 2014 show a stabilization of the share of detected children among total victims detected.

Figure 2: Share of children among detected victims of trafficking in persons, globally, 2004-2014

Source: UNODC, Global Report on Trafficking in Persons Database.

Similarly, trafficking in males (boys and adult men) has been increasingly registered on a global scale. Underage boys accounted for about 12 per cent of the total victims detected, while the share had been 10 per cent in 2009 and 3 per cent in 2004. The share of adult men went from 12 per cent in 2006 to 18 per cent in 2011, and more recent information confirms that the increasing trend continued in 2014.

Trafficking for the purpose of forced labour has been increasingly detected over the years, making up 32 per cent of the total in 2007 and rising to 40 per cent in 2011. More recent data confirm the detection of an increasing number of such cases in 2014. In addition, the variety of detected forms of exploitation other than forced labour and sexual exploitation have increased over the years, both in prevalence – passing from 3 per cent in 2006 to 7 per cent in 2011 and even more in 2014 – as well as in terms of the number of typologies of exploitation; more than 10 different types of exploitation have been reported, including pornography, benefit frauds, sham marriages and trafficking for the commission of crime.

3. Selected policy options and recommendations

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[2] UNODC, Global Report on Trafficking in Persons.

Approximately 90% of Member States have taken on the obligation to criminalise TIP and mobilise their justice systems accordingly – this includes adopting provisions for specific and concrete action against offenders, and legal recognition of trafficking victims, including non-citizens, as rights-holders. It is immediately apparent, therefore, that human trafficking must be dealt with via a wide variety of public policy and therefore, policy makers at the national and international level must place close attention to ensuring policy coherence and – importantly – a relevant and contextually appropriate prioritisation of policy in the context of national sustainable development strategies. This is especially true in low-income countries where capacity and resources are scarce and therefore must be tested for both effectiveness and efficiency.[3]

Over the 13 years since the entry into force of the Trafficking in Persons Protocol, there have been a myriad of national and international policy initiatives which have prioritised a number of areas related to prevention generally, as well as the sanctioning of offenders and the protection and support of victims of human trafficking. These have ranged from dealing with underlying employment and labour issues – such as strengthening labour standards and improving implementation, addressing social norms which contribute to exploitative labour practices and encouraging action by the private sector to address exploitation in their supply chains.[4] Measures and recommendations have included strengthening normative frameworks, and improving the effectiveness of the criminal justice framework and law enforcement in deterring, investigating and prosecuting human trafficking and related offences. Policy developments have also focussed on supporting, protecting and re - integrating the victims of this crime. Further, as human trafficking also involves economic and financial crimes, including money laundering, fraud and corruption – the use of normative and criminal justice structures for the prevention of and ensured societal response to these crimes is also fundamental – particularly to investigations and prosecutions. Increasing access to justice, in general – is also fundamental to the prevention of the crime and the protection of its victims and to addressing the inequalities which, in part, drive this crime.

To improve government's ability to combat human trafficking, national competent authorities (including law enforcement units, prosecutors' offices and other entities) have been encouraged to increase capacity in understanding of situations that increase vulnerability to being trafficked, and to strengthen institutions and institutional mechanisms involved in investigation and prosecution. Building on this, particularly impacted regions could increase effectiveness by strengthening (and improving access nationally to) specialized law enforcement units, prosecutors' offices and other judicial representatives that deal solely with trafficking in persons (strengthened by follow up including mobilising and improving the interaction between "frontline" actors and specialists.) In this context, strengthening cooperation and coordination frameworks amongst those actors – and

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[3] International commitment to policy coherence for development was established as part of the Monterrey Consensus and is a core element of and commitment in the means of implementation (Goal 17) of Agenda 2030 and the Addis Ababa Action Agenda.

[4] Inter-Agency Coordination Group against Trafficking in Persons, Preventing Trafficking in Persons by Addressing Demand, September 2014.

enabling the exchange of relevant information in accordance with national laws could greatly improve the investigation and prosecution of these crimes, and the provision of assistance to trafficking victims.

Critically, in adopting clear standard operating procedures that ensure and enable frontline officers' appropriate responses in the identification of trafficked persons and in creating or strengthening national referral mechanisms, all relevant stakeholders, including law enforcement agencies, civil society actors, governmental bodies and international agencies, should be mobilised to better identify persons who have been trafficked.   Allowing a low threshold of access to support and protection structures for all presumed trafficked persons would enable competent authorities to better respond to victims needs and ensure more consistent access to justice.

Finally, policy and operations must be informed by improved information and trends (at the local, national, regional and international level). In addition to responding to UNODC's questionnaire for the Global Report on Trafficking in Persons, governments are encouraged to explore innovative methods for estimating undetected victims of trafficking in persons, such as the Multiple Systems Estimation (available at https://www.unodc.org/documents/data-and-analysis/tip/TiPMSE.pdf) , in order to more effectively measure and monitor policy interventions to prevent and combat trafficking in persons.