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البند ٣ من جدول الأعمال

تعزيز وحماية جميع حقوق الإنسان، المدنية والسياسية والاقتصادية والاجتماعية والثقافية، بما في ذلك الحق في التنمية

تقرير مقدم من المقررة الخاصة المعنية بالاتجار بالأشخاص، لا سيما النساء والأطفال، جوي نغوزي إيزيلو

إضافة

المشاورة المتعلقة بدور الآليات الإقليمية ودون الإقليمية في الجهود الدولية الرامية إلى التصدي للاتجار بالأشخاص، لا سيما النساء والأطفال*

موجز

عقدت المقررة الخاصة المعنية بالاتجار بالأشخاص، لا سيما النساء والأطفال، جوي نغوزي إيزيلو، يومي ٤ و ٥ تشرين الأول/أكتوبر ٢٠١٠ في داكار، مشاورة متعلقة بدور الآليات الإقليمية ودون الإقليمية في الجهود الدولية الرامية إلى التصدي للاتجار بالأشخاص، لا سيما النساء والأطفال. ويتضمن هذا التقرير معلومات أساسية، وملخصاً للمناقشات التي دارت في المشاورة وللاستنتاجات التي خلصت إليها، والتوصيات التي قدمها المشاركون.

* يُعَمَّم الموجز بجميع اللغات الرسمية. أما التقرير نفسه، الوارد في مرفق الموجز، فيُعَمَّم بالفرنسية وباللغة التي قُدِّمَ بها فقط.

وَضُمَّتِ الْمَشَاوِرَةُ خَبْرَاءَ تَقْنِيَّينَ مِنْ تَسْعِ آلِيَّاتِ إِقْلِيمِيَّةٍ يُمَثِّلُونَ قَارَاتِ الْعَالَمِ الْخَمْسِ كُلِّهَا بِمُحَدِّثِ تَبَادُلِ الْأَفْكَارِ بِشَأْنِ الْإِتْجَاهَاتِ الْحَالِيَّةِ وَالْمَمارِسَاتِ الْحَسَنَةِ وَالتَّحْدِيَّاتِ الْقَائِمَةِ وَالْعِبَرِ الْمُسْتَخْلَصَةِ فِي سِيَاقِ مَكَاْفَحَةِ الْإِتْجَارِ بِالشَّخْصِ عَلَى الْمُسْتَوَى الْإِقْلِيمِيِّ. وَاتَّفَقَ الْخَبْرَاءُ فِي أُمُورٍ مِنْهَا أَنَّ التَّنْسيقَ الْفَعَالَ بَيْنَ مَخْتَلَفِ مَبَادِرَاتِ مَكَاْفَحَةِ الْإِتْجَارِ وَتَوْطِيدِ أَوَاصِرِ التَّعَاوُنِ بَيْنَ جَمِيعِ الْجِهَاتِ الْفَاعِلَةِ الْمَشَارِكَةِ فِي مَكَاْفَحَةِ الْإِتْجَارِ بِالشَّخْصِ ضَرُورِيَّانِ لَزِيَادِ الْمَوَارِدِ الْمَتَّاحَةِ إِلَى أَقْصَى حَدٍّ وَتَقْلِيصِ الْإِزْدَوَاجِ إِلَى أَدْنَى حَدٍّ وَتَخْفِيفِ مَا تَتَحَمَّلُهُ الدُّولُ مِنْ عِبَاءٍ نَاجِمٍ عَنْ عِدَدِ الطَّلِبَاتِ الَّتِي يَتَعَيَّنُ عَلَيْهَا الْإِسْتِجَابَةُ إِلَيْهَا. وَأَعْرَبَ الْمَشَارِكُونَ بِالْإِجْمَاعِ عَنِ التَّزَامِهِمْ بِمَوَاصِلَةِ التَّعَاوُنِ فِيمَا بَيْنَهُمُ وَالْعَمَلِ مَعَ مَنْظُومَةِ الْأُمَمِ الْمُتَّحِدَةِ وَالْجِهَاتِ الْمَعْنِيَةِ الْآخَرَى، بِمَا فِيهَا الْمَجْتَمَعُ الْمَدِينِي، مِنْ أَجْلِ تَعْزِيزِ وَحَمَايَةِ حَقُوقِ الْإِنْسَانِ لِلْأَشْخَاصِ الْمُنْتَجَرِ بِهِمْ.

Annex

Report of the Special Rapporteur on trafficking in persons, especially women and children, Joy Ngozi Ezeilo, on the consultation on the role of regional and subregional mechanisms in international efforts to counter trafficking in persons, especially in women and children

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I. Introduction

1. The consultation on the role of regional and subregional mechanisms in international efforts to counter trafficking in persons, especially in women and children was held in Dakar on 4 and 5 October 2010 and focused on effective ways of tackling trafficking in persons at the regional and subregional level through collaborative, innovative and human rights-based approaches.
2. Convened at the initiative of the Special Rapporteur,¹ the consultation provided the first opportunity for technical experts from nine regional mechanisms representing all five of the world's continents to come together to share current trends, good practices, challenges and lessons learned with their counterparts from other regions as well as with the Special Rapporteur and United Nations observers.²
3. At the consultation a forward-looking approach was adopted, building on the recommendations of the Special Rapporteur's 2010 report to the Human Rights Council (A/HRC/14/32), on the theme of regional and subregional action to counter trafficking in persons. This facilitated not only sharing of practical experiences and lessons learned, but also discussions of possible ways forward in further strengthening the contribution of regional mechanisms to the global response to trafficking in persons in a way that that is both effective and serves to promote and protect the human rights of trafficked persons. In this regard, all participating experts expressed the wish and the will to continue to engage with each other, the United Nations system and other stakeholders, including civil society, to promote and protect the human rights of trafficked persons.

II. Context

4. The Special Rapporteur has long maintained that, in order to effectively address the serious challenge to humanity posed by the phenomenon of trafficking in persons, better cooperation among countries of origin, transit and destination is required. In this regard, she has notably stressed her conviction that regional and sub-regional mechanisms "play a key role in providing a response that is both multilateral and sufficiently close to countries' realities and the specificities within a certain region" (A/HRC/14/32, para. 2). In her above-mentioned report to the Human Rights Council, she noted an extraordinary number of encouraging and innovative anti-trafficking initiatives taken by regional mechanisms, as well as a number of areas of concern requiring attention.
5. She has equally stressed the vital importance of adopting a victim-centred, human rights-based approach in any efforts aimed at tackling trafficking in persons, and has repeatedly highlighted the Recommended Principles and Guidelines on Human Rights and Human Trafficking issued by the Office of the United Nations High Commissioner for Human Rights as providing a reference point in this regard for States and other actors.
6. It was against this backdrop that the Special Rapporteur convened the consultation, in recognition of the unique position of regional mechanisms at the interface of international action and local realities. Notably, this consultation brought together for the first time the nine regional mechanisms representing all five of the world's continents to specifically discuss and share information on the implementation of their anti-trafficking policy and practices. The annex to the present document contains the agenda of the

¹ The consultation was organized by the Office of the High Commissioner for Human Rights in collaboration with its West Africa Regional Office.

² See list of participating organizations at www2.ohchr.org/english/issues/trafficking/consultations.htm.

consultation and all other background documents of this consultation are available from www2.ohchr.org/english/issues/trafficking/Dakar_consultation_oct2010.htm.

III. Overview of discussions

7. The consultation was officially opened by the Minister of Human Rights of Senegal, Coumba Gaye, who highlighted some of the national efforts to curb the trafficking phenomenon in Senegal, including in cooperation with other countries in West Africa.

8. The agenda of the consultation was formulated to revolve around issues that are of vital importance from a human rights point of view and in which the regional mechanisms appeared to play a particularly pertinent role.

9. Discussions addressed: the normative and institutional frameworks adopted by regional and subregional systems to support anti-trafficking work; regional perspectives on the prevention of trafficking and the protection of trafficked persons; and innovative forms of cooperation and partnership between regional mechanisms and between these and other stakeholders, with a particular focus on how regional mechanisms might complement and add value to efforts being made at international, national and local levels.

A. Normative and institutional frameworks

10. After an introductory presentation³ by the Special Rapporteur framing the discussions within the perspective of a human rights-based approach to tackling trafficking in persons, the participants presented how their respective mechanisms had sought to integrate such an approach in their work, through normative instruments, institutional arrangements, work plans and programmes.

11. These presentations covered a number of structures and initiatives that had been recently launched in various regions.⁴ Regarding the African region, the ongoing process (African Union Commission Initiative against Trafficking, AU.COMMIT) of launching regional workshops on operationalizing the African Union Ouagadougou Action Plan to Combat Trafficking in Human Beings, Especially Women and Children and a corresponding monitoring and evaluation tool in each of the African subregions was explained. At the African subregional level, a number of policy initiatives to complement those at the African Union level were explained, including the Economic Community of West African States (ECOWAS) Plan of action against trafficking in persons (2008–2011), the recently adopted ECOWAS Policy on Protection and Assistance to Victims in Trafficking of Persons, the soon-to-be-launched ECOWAS standard operating procedures for the protection of trafficked persons and the joint plan of action between ECOWAS and the Economic Community of Central African States (ECCAS).

12. Regarding the European region, the mechanism recently established to evaluate the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings was described. Consisting of a technical pillar (Group of Experts on Action against Trafficking in Human Beings, GRETA) and a political pillar (through the Committee of the Parties), this mechanism provides for information-gathering visits by

³ See presentations from www2.ohchr.org/english/issues/trafficking/consultations.htm.

⁴ More detailed information on this may be found in the document “Summary of Regional and Sub-Regional Structures and Initiatives to Counter Trafficking in Persons” from www2.ohchr.org/english/issues/trafficking/Dakar_consultation_oct2010.htm.

GRETA to countries having ratified the Convention, although the group had yet to conduct its first country visit at the time of the consultation.⁵ Regarding the European Union subregion, a presentation was made on the main framework that is to govern the future anti-trafficking work of the European Union. This framework, it was noted, would consist of legislation through the directive on preventing and combating trafficking in human beings, and protecting victims,⁶ and a strategy on fighting trafficking in human beings. Once adopted, these instruments will replace those currently in force, namely the 2002 Council framework decision on combating trafficking in human beings and the 2005–2010 action plan on trafficking respectively. Plans to appoint a European Union anti-trafficking coordinator and to launch a website intended to serve as a one-stop shop for anti-trafficking practitioners were also presented.⁷

13. In the Middle East and North Africa region, the regional work plan the Arab initiative to combat trafficking in persons launched by the League of Arab States in March 2010 was described, along with plans to establish a unit to monitor the phenomenon of trafficking in this region and to serve as a hub for the exchange of information and experiences. Regarding the Americas region, the 2010–2012 Work Plan against Trafficking in Persons in the Western Hemisphere adopted by the member States of the Organization of American States in June 2010 was described, along with trends and routes, accomplishments, and challenges faced by the countries of the Americas in preventing and combating trafficking in persons.

14. During the ensuing discussions, the participants identified early lessons that might be drawn from the establishment of regional monitoring mechanisms and their features. They also discussed the extent to which it might be possible to assess the impact of regional and subregional action plans, as well as any methods that had proven to be effective in conducting such assessments.

15. Representatives from the different regional mechanisms discussed the concept of a human rights-based approach in relation to trafficking in persons and how such an approach could be translated into practice. It was agreed that human rights – and their progressive realization – needed to be at the centre of efforts to tackle trafficking in persons if such efforts were to be effective in the long term.

16. The participants also noted that joint political commitment of the member States (as expressed e.g. through a non-binding memorandum of understanding) to cooperate and coordinate in good faith towards jointly agreed goals was important in translating regional plans into concrete actions.

⁵ GRETA has since the consultation conducted its first three country visits, to Cyprus (in October 2010), Slovakia and Austria (both in November 2010).

⁶ An amended version of the draft directive was adopted through a vote of the European Parliament on 14 December 2010 resulting in 643 votes in favour, 10 against and 14 abstentions. The Directive will be legally binding for European Union member States, except the United Kingdom and Denmark in accordance with the Protocol (No. 21) on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice and the Protocol (No. 22) on the position of Denmark annexed to the Treaty on European Union and the Treaty on the Functioning of the European Union (Lisbon Treaty). For the final text, see <http://www.europarl.europa.eu/oeil/file.jsp?id=5849482>.

⁷ A European Union Anti-trafficking Coordinator has since been appointed, and the website launched. See <http://europa.eu/rapid/pressReleasesAction.do?reference=IP/10/1763&format=HTML&aged=0&language=EN&guiLanguage=en>.

B. Prevention

17. In the area of prevention, the participants agreed that continued efforts were needed to clarify definitions and terminology used in the area of trafficking, both among States and within society at large. Examples were mentioned of failures by State agents to react appropriately to trafficking cases owing to a lack of such understanding, and corresponding failures among members of civil society to exercise necessary vigilance owing to a lack of understanding or acknowledgement of the risks associated with trafficking. Societal attitudes, such as those adopted towards children, men, women or certain categories of workers, were raised as issues needing to be addressed in that regard. The participants also stressed the need to include the perspective of those closest to local realities, and notably that of trafficked persons themselves, in formulating effective and appropriate responses in the area of prevention and other areas. In that regard, the participants also identified the need to recognize the heterogeneity of trafficked persons, including in terms of their wishes, and resist one-size-fits-all solutions.

18. The participants were also encouraged to discuss whether and how regional mechanisms might contribute to promoting safer migration avenues as a trafficking-prevention measure. In that regard, a presentation was made describing a project launched by the African Union Commission and the European Commission to facilitate dialogue on the Africa-European Union Partnership on Migration, Mobility and Employment, which aims at “comprehensive responses to migration and employment challenges with a focus on creating more and better jobs for Africa and facilitating mobility and free movement of people in Africa and the EU and better managing legal migration between the two continents.”⁸ The project, which is implemented by a consortium of three organizations⁹ under the supervision and guidance of a steering committee led by the African Union Commission and the European Commission, foresees a number of concrete initiatives in both trafficking and migration-related areas. Planned initiatives described in relation to prevention of trafficking include: the establishment of an African Remittances Institute; the organization of regional and subregional multi-stakeholder forums on employment, social protection and labour migration; and the creation of an observatory on migration through a network of research centres and independent researchers to produce reliable and harmonized data on migration.

19. The participants highlighted a number of good practices in the field of prevention. These included conducting monitoring and evaluation research, using models and methodologies that have proven to be effective in other fields, such as sentinel surveillance techniques employed in public health programmes. The practice among several regional mechanisms of continually integrating research findings into prevention programmes with a view to formulating more appropriate, nuanced and targeted prevention messages was mentioned as another potentially effective strategy.

20. A number of important lessons learned emerged from the session. It was noted, for example, that before deciding how to tackle the varying manifestations of the problem of trafficking in persons in a particular context, it was necessary to form a clear picture of its nature, scope and causes, including “push” and “pull” factors. In that respect, experiences shared appeared to point to a continuing need for a more nuanced understanding of the problem and related trends, as exemplified by a study conducted in the Greater Mekong region indicating that, contrary to the assumptions of some prevention programmes,

⁸ See www.africa-eu-partnership.org/partnerships/migration-mobility-and-employment-0.

⁹ The International Centre for Migration Policy Development, the International and Ibero-American Foundation for Administration and Public Policies and the African Institute for Economic Development and Planning.

increased levels of income and education in some cases resulted in a higher rather than lower risk of being trafficked. Other lessons learned identified include the following:

(a) There is a continuing need to refine and better target the messages conveyed through prevention campaigns, including through the use of impact assessments and research focused on how different levels of society (family, peers, wider society) influence choices that eventually lead to the increased vulnerability of certain persons to being trafficked. Education at all levels, including factual information on the conditions facing migrant workers, should be explicitly recognized as a prevention measure;

(b) There is also a need to identify in each region the structure best placed to coordinate and/or conduct research needed to inform policies and interventions within the region, and follow up to ensure that findings are translated into action. In that regard, it was recognized that the most effective solution could vary between contexts (possibilities identified in that regard included: regional mechanism secretariats performing this function themselves; cooperation with civil society and academic institutions; and the setting up of regional observatories);

(c) Protocols allowing for freedom of movement within regions may contribute to preventing trafficking, provided that they are fully implemented and that there is recognition that such arrangements cannot in themselves prevent all forms of trafficking.

C. Protection

21. In the area of protection, it was recognized that the role of regional mechanisms was relatively limited, consisting primarily of standard development, monitoring the implementation of member States' obligations under regional instruments and developing tools and analyses to support member States in that regard.

22. During the discussions at the session, the participants identified and evaluated measures that could be taken to promote and/or consolidate the elaboration and promotion of tools designed to increase the protection of trafficked persons and the relevance of such tools across regions and contexts.¹⁰ The role that regional mechanisms might play in strengthening practical cooperation for protection, notably with and among providers of support and services to trafficked persons was also discussed. The participants also addressed ways in which regional mechanisms could ensure that trafficked women are not stigmatized, through awareness-raising activities or measures to promote safe migration, and that the views of trafficked persons, including children, were taken into account in anti-trafficking policies and programmes.

23. A number of good practices were identified during the discussions. Among those, efforts to mainstream gender-sensitive and child-centred approaches at regional and national levels – in full recognition of equality before the law and the prohibition of discrimination – were underlined as crucial in anti-trafficking work. In addition, it was noted that the best interests of the child, as a well-established human rights principle, should be taken into account in any action concerning presumed trafficked children. The need to use the concept of a “presumed trafficked person” as a way to counteract the well-documented difficulties involved in systematic identification of trafficked persons was also noted.

¹⁰ For a draft compendium of tools developed at the regional level, see <http://www2.ohchr.org/english/issues/trafficking/consultations.htm>.

D. Cooperation and partnerships

24. In the area of cooperation and partnerships, the participants stressed that a prerequisite to effective and wider cooperation was effective coordination at the national and regional levels through structures such as focal points, rapporteurs or coordinators. It was further noted that, for such coordination functions to be exercised effectively at the regional level, regional mechanisms needed to be equipped with a certain level of authority vis-à-vis States, such as a power to issue compulsory requests for information. One participant highlighted in that regard the difficulty of effectively monitoring the practices of and collecting accurate data from member States when they did not submit the required reports, or failed to use standardized formats to document their activities.

25. The participants highlighted the role of civil society and other actors, including parliamentary bodies, in providing input and following up on recommendations made to States by regional mechanisms. In that regard, it was noted that regional mechanisms needed to coordinate among themselves and with other actors, both to ensure the optimal use of limited resources and avoid overlapping and contradictory messages that could lead to “monitoring fatigue” or “standard-shopping” among States. To that end, the participants stressed the need for enhanced coordination and recognition of complementarities among all stakeholders and for networks through which the designated focal points of the different regional mechanisms could share information and experiences.

26. A number of good practices were identified in the area of cooperation and partnership. The need to involve all relevant sectors of government at the appropriate level and civil society, including community-based organizations and the private sector, in anti-trafficking interventions was especially noted. Effective and meaningful participation of all categories of trafficked persons, a well-established human rights principle, was highlighted as crucial in determining both general policy and individual cases. Regular consultation with civil society organizations on policies and strategies alongside any involvement of such organizations in implementation was also recognized as generally valuable to regional mechanisms. Also noted was the need to strengthen practical cooperation with civil society organizations and United Nations agencies with respect to their complementary roles, such as promoting the possibility for NGOs to act directly on behalf of trafficked persons to obtain reparations. The discussions also pointed to the fact that regions could not solve the problem of trafficking by acting in isolation; hence coordination of efforts and sharing of methodologies among regions was seen as imperative.

IV. Conclusions and recommendations

27. **Having taken stock of progress made in terms of strategies and initiatives to tackle trafficking in persons in the different regions, several participants noted the degree to which the issues faced were similar across regions and types of mechanisms, while both local conditions and the most effective response in a given context tended to vary significantly. In that context, it was highlighted that, in addition to promoting the international legal and political instruments, it was important to capture the specificities of the different regions in implementing measures to address trafficking in persons. This was borne out by several examples shared by the participants of innovative and context-appropriate solutions found at the local level and, in some cases, shared across the subregions and regions.**

28. **The participants agreed that standard-setting – notably through international and regional human rights instruments – had been a significant driver of progress made thus far. Furthermore at the technical level, the specificities and complexities**

faced in the different regions should be taken into account in implementing the international standards. It was also noted, however, that in many cases resources and capacities were not currently sufficient to allow for comprehensive integration of a human rights-based approach into all levels of action.

29. Furthermore, it was also noted that additional efforts might be required in some cases to obtain the buy-in necessary at both political and technical levels to implement regional and national action plans in a way that was both effective and respectful of human rights. Jointly owned monitoring and evaluation plans that included specific achievable goals and corresponding measurable indicators were seen as vital in this regard, not least to strike a balance between the need to maintain momentum and the aforementioned risk of contributing to “monitoring fatigue” among States.

30. The participants agreed on the need for – and benefits of – enhanced coordination, cooperation and partnerships at all levels, and stressed the need to move to the next level through implementation and careful monitoring of agreed work plans and programmes. In that regard, the sharing of innovative solutions to the different challenges faced within the regions was particularly appreciated, as was the sharing of effective implementation models and methodologies for measuring impact.

31. The exchange of experiences also revealed that, despite the progress and lessons learned, the efforts to effectively combat trafficking in persons continued to be hampered to some extent by a number of challenges. Among the major challenges raised by the participants from different regions were the collection of reliable and uniform data from member States on actions taken (e.g. the number of trafficked persons identified or the number of residence permits issued to trafficked persons), and related challenges posed by a lack of uniformity in States’ legal systems, legislation and definitions used. Other challenges included: a lack, in some instances, of adequately structured and resourced institutional frameworks; a lack, in many instances, of effective instruments for coordination and exchange; inadequate understanding of the specific challenges to be tackled and the persistence of a number of misconceptions and false assumptions; and an absence of sustainability caused, *inter alia*, by a lack of sustainable funding bases which hampered many programmes and projects, including ones having achieved demonstrated impact and results.

32. Looking ahead, the participants acknowledged the added value of the mandate of the Special Rapporteur, particularly in terms of its function as a catalyst for regional mechanisms, and its potential to mobilize the political commitment and will that are essential preconditions to effective implementation of a human rights-based response.

33. The participants discussed a number of recommendations and points for action as follows:

(a) Interventions to address any of the dimensions involved in trafficking in persons must be based on solid data and methodologically sound research. In this regard there is a need to promote more effective methods of collecting, analysing and sharing data (both on the phenomenon of trafficking and on the efforts by States and other actors to tackle it), as well as jointly owned and appropriate monitoring and evaluation instruments to measure progress and take corrective action where needed. Further empirical research, notably impact assessments, is also needed to dispel myths and assumptions and inform strategies and interventions. In this regard, there is also a need to identify in each region the structure best placed to coordinate and/or conduct the research needed to inform policies and interventions within the region and follow up to ensure findings are translated into action;

(b) Adequate allocation of human, financial and material/technical resources at all levels, including the grassroots level, and capacity-building, where needed, are prerequisites to building a more effective, human rights-based response to trafficking in persons within the regions. In this regard, there is a need to identify, explore and pool available resources to actualize effective service delivery;

(c) Institutional structures that are adequate and appropriate to each context are needed to allow for effective coordination, both within and among mechanisms. In this regard, it may be seen as generally preferable to reinforce existing structures rather than recreate them, as such a proliferation might bring the risk of diluting both resources and impact;

(d) In terms of entrenching a human rights-based approach, it might be necessary in some cases to ground anti-trafficking efforts more firmly in a broad-based political and institutional human rights platform;

(e) There is a need, within many regions, to further harmonize legislation and standards in key areas to facilitate cooperation in those areas;

(f) Cooperation and coordination of actions to end human trafficking across, but particularly within, the regions is essential and requires deepened coordination between mechanisms, especially subregional ones belonging to the same region;

(g) Cooperation and partnerships across regions can usefully be strengthened and need to be based on the principles of complementarity and equal partnership. In this regard, lessons learned and good practices (including models and instruments) can usefully be shared across, as well as within, regions, but such models and instruments often need to be adapted to local realities rather than directly transposed as blueprints;

(h) Protection of trafficked persons should include efforts to foster and ensure cooperation with relevant authorities including asylum, migration and border authorities as well as with the Office of the United Nations High Commissioner for Refugees, to ensure that trafficked persons are properly identified, and that those who are, or may be, in need of international protection are referred to the competent authorities and have access to adequate procedures for the examination of their claims in an “age and gender-sensitive manner”. Trafficked persons, or persons who are at risk of being trafficked, whose claims fall under the 1951 Convention relating to the Status of Refugees should be recognized as refugees and afforded the corresponding international protection, including protection against refoulement to a place where they would be subjected to persecution. Those who do not qualify as refugees but who fear being subjected to other human rights violations or ill-treatment such as torture, or other cruel, inhuman or degrading treatment or punishment upon return, should be afforded the corresponding protection in line with international human rights law and standards;

(i) Continued efforts are needed to strengthen and refine the integration of perspectives that are sensitive to both gender and age considerations;

(j) There is a need for sustainably funded compensation schemes for trafficked persons, coupled with effective arrangements for transnational granting of compensation to trafficked persons who have been repatriated or resettled;

(k) The participants unanimously agreed that information-sharing and exchanges of views among technical experts from regional mechanisms, such as those that took place during this consultation, were of great added value and held significant potential for enhanced cooperation and partnership, and the identification of ways

forward at different levels. The consultation was seen as a valuable exercise in terms of taking stock of trends and challenges and identifying the general direction forward. In that regard, the participants recommended that such consultations should continue in some form at regular intervals and focus on one specific issue at a time. In that respect, effective strategies for collection of quality data to inform public policy was identified by several participants as an area that was both vital and in which regional mechanisms working together were ideally placed to contribute to international efforts. Other possible topics suggested for in-depth discussions include: ways of clarifying, strengthening and harmonizing legal frameworks especially the key elements in the legal definition of the offence of trafficking in persons; a victim-centred and human rights-based approach to criminal justice with a particular focus on protection of trafficked persons; effective forms of technical cooperation and partnerships; and trafficking-related trends and modus operandi between regions. It was also noted that such consultations, if continued, should be inclusive of other regional and subregional mechanisms and should take into account the differences in structures, membership and modalities between different mechanisms;

(1) Regardless of whether the format of the consultation might be replicated for future consultations among representatives of regional and subregional mechanisms, the participants recommended that exchanges of practical information, including activities under way, good practices and lessons learned, should take place through regular contact, for example, via email exchanges.

Appendix

Agenda of the consultation on the role of regional and subregional mechanisms in international efforts to counter trafficking in persons, especially in women and children

4–5 October 2010

Ngor and Diarama Complex, Dakar, Senegal

Monday, 4 October 2010

9.00 – 9.30 Opening ceremony

Chair:

Human Rights Minister of Senegal, Coumba Gaye

Address:

Mahamane Cissé-Gorou, Regional Representative for West Africa,
Office of the High Commissioner for Human Rights, Dakar

Opening remarks and meeting objectives:

Joy Ngozi Ezeilo, Special Rapporteur on the human rights aspects of the
victims of trafficking in persons, especially women and children

Goodwill message:

Adrienne Diop, Human Rights Commissioner, ECOWAS

Keynote address:

Human Rights Minister of Senegal, Coumba Gaye

9.30 – 10.00 *Tea break*

10.00–13.00 **Session 1: Normative and institutional frameworks**

Facilitator:

Chantel Kapp-Marais, African Union Commission

10.00-10.30 *A human rights-based approach to trafficking in persons and its
translation into norms and practice*

(Joy Ngozi Ezeilo and Nicolas Le Coz, GRETA)

10.30-10.40 *Regional experiences with the establishment and assessment of work
plans*

(Bernard Ngamo Kameni, ECCAS, Souad Sayhi, League of Arab States,
and Matt Friedman, United Nations Inter-Agency Project on Human
Trafficking – UNIAP)

10.40-11.00 *The establishment and features of monitoring bodies*
(Nicolas Le Coz, GRETA)

11.00-11.15	<i>Case study: West Africa</i> (Saddikh Niass, OHCHR)
11.15-11.45	<i>Training and other forms of cooperation and mutual assistance</i> (Tour de table)
11.45-12.45	<i>General discussion on lessons learned and challenges</i>
12.45-13.00	<i>Wrap-up</i>
13.00 – 14.30	<i>Lunch break</i>
14.30 – 18.00	Session 2: Prevention
	<i>Facilitator:</i> Fernando Garcia-Robles, Organization of American States (OAS)
14.30-15.00	<i>Integrating information on root causes into prevention programmes</i> (Fernando Garcia-Robles, OAS, and Matt Friedman, UNIAP)
15.00-15.20	<i>Regional approaches to safe migration as a prevention measure</i> (Chantel Kapp-Maraïs, African Union Commission)
15.20-16.00	<i>Ensuring impact and a human rights-based approach in Awareness Raising</i> (Tour de table)
16.00 – 16.15	<i>Tea break</i>
16.15-17.45	<i>General discussion on lessons learned and challenges</i>
17.45-18.00	<i>Wrap-up</i>

Tuesday, 5 October 2010

8.30 – 12.30	Session 3: Protection of victims of trafficking
	<i>Facilitator:</i> Ruth Pojman, Organization for Security and Co-operation in Europe (OSCE)
8.30-9.00	<i>Regional approaches to protection, recovery, redress and reintegration</i> (Matt Friedman, UNIAP; Claudia Lam, Council of Europe, and Olatunde Olayemi, ECOWAS)
9.00-9.30	<i>Protection of specific groups: gender-sensitive perspectives and child-centered approaches</i> (Fernando Garcia-Robles, OAS; Chantel Kapp-Maraïs, African Union Commission; Matt Friedman, UNIAP)
9.30-10.00	<i>Practical cooperation, partnerships and tools for protection</i> (Gert Bogers, European Commission; Matt Friedman, UNIAP)
10.00 – 10.15	<i>Tea break</i>
10.15-12.15	<i>General discussion on lessons learned and challenges</i>
12.15-12.30	<i>Wrap-up</i>
12.30 – 14.00	<i>Lunch break</i>

14.00 – 17.00 **Session 4: Strengthening regional mechanisms: towards a system for enhanced cooperation and partnerships**

Facilitator:

Matt Friedman, UNIAP

14.00-14.30 *Cooperation between regional mechanisms*
(Bernard Ngamo Kameni, ECCAS, and Olatunde Olayemi, ECOWAS, and Ruth Pojman, OSCE)

14.30-15.00 *Cooperation with Civil Society and Private Sector*
(Fernando Garcia-Robles, OAS, and Claudia Lam, Council of Europe)

15.00-15.20 *Innovative forms of cooperation*
(Bernard Ngamo Kameni, ECCAS, and Gert Bogers, European Commission)

15.20-16.20 *General discussion on lessons learned and challenges*

16.20-16.30 *Wrap-up*

16.30 – 16.45 *Tea break*

16.45-18.00 **Session 5: Conclusions and next steps**

Facilitator

Joy Ngozi Ezeilo, Special Rapporteur

16.45-17.15 *Overview of main conclusions from the consultation*
(Facilitators)

17.15-17.50 *Proposals and other recommendations*
(Tour de table)

Closing remarks:

Joy Ngozi Ezeilo, Special Rapporteur
