

COUNCIL MONITOR

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COUNCIL UPDATE – ITEM 3, TRAFFICKING IN PERSONS HUMAN RIGHTS COUNCIL, 10TH SESSION 12 MARCH 2009

Overview	1
Presentation by the Special Rapporteur.....	1
Interactive dialogue	2
Further information.....	2

Overview

On 12 and 13 March, the Special Rapporteur on trafficking in persons, especially women and children, Ms Joy Ngozi Ezeilo, presented her first report and engaged in an interactive dialogue with the Human Rights Council (the Council). Several States expressed support for the Special Rapporteur and her work. However, there were mixed reactions to one of her recommendations to create a global action plan to combat trafficking in persons.

Presentation by the Special Rapporteur

The Special Rapporteur on trafficking in persons, Ms Joy Ngozi Ezeilo, presented her first report to the Council after taking up her mandate on 1 August 2008.¹ She underlined that trafficking in persons represents a serious challenge and requires a concerted international assessment and response through genuine multilateral cooperation. The Special Rapporteur stated that her mandate covers all forms of trafficking and that she while focusing on trafficking in women and children would also address areas that have not previously been examined. She underscored that the absence of reliable data is a major obstacle to tackling human trafficking. There is therefore a need for strengthened information sharing between States and for close international cooperation as trafficking is largely a cross-border phenomenon. The Special Rapporteur highlighted that trafficking must be addressed through multilevel approaches and not just as a criminal or border-control issue. She also stated that there is a need for people-centred strategies that address the situation of victims and empowering them to speak out while tackling the many root causes of trafficking. She stated that strategies to tackle the problem rests on ‘five P’s’ and ‘three R’s’: protection, prosecution, punishment, prevention and promotion (of international cooperation; and redress, rehabilitation and reintegration of victims. The Special Rapporteur recommended that States ratify the *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children* and the *International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families*. She also urged to work toward a global plan of action to combat trafficking. Finally, she announced her upcoming visits to Belarus and Poland in May 2009.

¹ A/HRC/10/16.

Interactive dialogue

Several States expressed their support for the Special Rapporteur.² Many States endorsed the Special Rapporteur's call for strengthened international cooperation to fight trafficking in persons.³ Pakistan (on behalf of the OIC) called for global solutions. Nigeria and Pakistan (on behalf of the OIC) stated the need for enhanced information sharing between States. Australia and Norway supported the Special Rapporteur's focus on systematic data collection. Several States underlined the need to address the root causes of trafficking.⁴ In this regard, Pakistan (on behalf of the OIC) stated that demand in receiving countries is creating trafficking, while the Russian Federation stated that all States are equally responsible. Thailand stated that trafficking is linked to illegal migration and smuggling.

Some States also noted with interest the 'five P's and three R's' put forward by the Special Rapporteur.⁵ Egypt and Bangladesh stated that the recommendations made by the Special Rapporteur were important and interesting and required further study. In this context some States welcomed the idea of a global action plan to combat human trafficking,⁶ while Australia said that it did not support the call for an action plan that had been made by the African Union and endorsed by the Special Rapporteur as it would divert resources. It asked the Special Rapporteur to comment on this issue. The Czech Republic (on behalf of the EU) also expressed reservations about the effectiveness of a global action plan. Egypt stated that it would like to see such an action plan adopted by the General Assembly.

The Czech Republic asked how a future model law on anti-trafficking to be developed by the Special Rapporteur could take account of differences in legislative systems. The Special Rapporteur replied that she will draw heavily on existing international standards in the development of such a model law.

Israel stated that several of its recommendations on trafficking to other States made in the context of the universal periodic review (UPR) had been rejected. The Special Rapporteur in her replies noted that the UPR is an important opportunity to monitor trafficking.

Liechtenstein invited the Special Rapporteur to focus on certain categories of victims. It also urged greater focus on domestic trafficking and asked the Special Rapporteur how she would address this issue. Liechtenstein also suggested that the Special Rapporteur should call for ratification of the *Convention on the Elimination of All Forms of Discrimination against Women* and the *Convention on the Rights of the Child*.

Finally, several States also spoke of their national measures to combat trafficking.⁷ Qatar noted that it is considering ratifying the *Palermo Protocol*. Japan announced that it is ready to receive a visit by the Special Rapporteur later this year.

In her replies, the Special Rapporteur also reiterated that she intends to work with all relevant international, regional and national stakeholders in fulfilling her mandate; that national action plans are key to dealing with the situation of victims; and that fighting trafficking requires broad legal reform and a focus on the rights of victims. Finally, she urged States to respond to her questionnaire.

Further information

For further information on the Council, please consult the following resources:

² Egypt, Philippines, Russian Federation.

³ Egypt, Qatar, Thailand, Spain, China.

⁴ Egypt, Pakistan (on behalf of the OIC), Nigeria, Russian Federation, Bangladesh.

⁵ Pakistan (on behalf of the OIC), Japan.

⁶ Egypt, Russian Federation, Belarus.

⁷ Egypt, Nigeria, Costa Rica, Qatar, Indonesia, Japan, Thailand, Israel, United Arab Emirates, Spain, Tanzania, Norway.

- Web site of the International Service for Human Rights, providing up-to-date information before, during and after sessions of the Council: <http://www.ishr.ch/council>. During the session, ISHR will provide information about the Council's proceedings on a regular but not daily basis. You can subscribe to receive alerts of our publications by sending an email to information@ishr.ch.
- Web site of the Office of the High Commissioner for Human Rights (OHCHR) on the 10th session of the Human Rights Council: <http://www2.ohchr.org/english/bodies/hrcouncil/10session>. For direct access to reports considered, check <http://www2.ohchr.org/english/bodies/hrcouncil/10session/reports.htm>.
- More informal documents and draft resolutions are available on the 'OHCHR extranet' at <http://portal.ohchr.org/portal/page/portal/HRCExtranet>. Username: 'hrc extranet' Password: '1session'.

NGOs and human rights defenders seeking more specific information or individual advice on the Council session, please contact the ISHR secretariat by email or phone at +41 (0) 22 919 71 00.

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