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Crime prevention and criminal justice

Draft resolution submitted by the President of the General Assembly

**2021 Political Declaration on the Implementation of the
United Nations Global Plan of Action to Combat Trafficking
in Persons**

The General Assembly

Adopts the political declaration entitled “2021 Political Declaration on the Implementation of the United Nations Global Plan of Action to Combat Trafficking in Persons” annexed to the present resolution.



Annex

2021 Political Declaration on the Implementation of the United Nations Global Plan of Action to Combat Trafficking in Persons

1. We, the States Members of the United Nations, reaffirm the United Nations Global Plan of Action to Combat Trafficking in Persons¹ and our commitments made therein, and evince our strong political will to take decisive concerted action to end this heinous crime, wherever it may occur.
2. We recall and reaffirm our commitments to the 2030 Agenda for Sustainable Development,² recognizing its integrated and indivisible nature and acknowledging that the 2030 Agenda includes commitments that relate to combating all forms of trafficking in persons, recognize the importance of partnerships in this regard, and emphasize that the 2030 Agenda and the Global Plan of Action are mutually reinforcing.
3. We reaffirm the crucial importance of universal ratification of the United Nations Convention against Transnational Organized Crime³ 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 taking into consideration the central role of those instruments in the fight against trafficking in persons, and urge Member States that have not yet done so to consider ratifying or acceding to the Convention and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, as a matter of priority. We urge States parties to those instruments to implement them fully and effectively, and welcome the decision of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime to establish a mechanism for the review of the implementation of the Convention and the Protocols thereto.
4. We also reaffirm our recognition that “trafficking in persons” means the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation, which includes, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs, as set forth in the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children.
5. We reiterate that trafficking in persons is a serious crime and a grave offence to human dignity and physical integrity, a violation and abuse of human rights and a challenge to sustainable development and we note that respect for human rights is an important basis of comprehensive anti-trafficking strategies.
6. We reaffirm the importance of universal ratification and implementation of other relevant international instruments that address trafficking in persons, including the Convention on the Rights of the Child⁵ and its optional protocols relevant to trafficking in persons.⁶

¹ Resolution 64/293.

² Resolution 70/1.

³ United Nations, *Treaty Series*, vol. 2225, No. 39574.

⁴ *Ibid.*, vol. 2237, No. 39574.

⁵ *Ibid.*, vol. 1577, No. 27531.

⁶ *Ibid.*, vols. 2171 and 2173, No. 27531.

7. We recall the Global Compact for Safe, Orderly and Regular Migration⁷ and the Global Compact on Refugees,⁸ and take note of Committee on the Elimination of Discrimination against Women general recommendation No. 38 (2020) on trafficking in women and girls in the context of global migration.⁹

8. We reiterate our commitment to prevent trafficking in persons, including through targeted education and awareness-raising campaigns. We welcome the designation of 30 July as the World Day against Trafficking in Persons.¹⁰ We commit to fulfil our obligations and intensify our efforts to prevent and address, with a view to eliminating, the demand that fosters trafficking in persons, especially of women and girls, for all forms of exploitation, and in this regard to put in place or enhance preventive measures, including legislative and punitive measures to deter exploiters, and those who facilitate or profit from the exploitation of trafficking victims, and hold them accountable.

9. We reaffirm our commitment to address the social, economic, cultural, political and other factors that make people vulnerable to trafficking in persons, such as poverty, underdevelopment, irregular migration, statelessness, unemployment, inequality, gender inequality, sexual and gender-based violence, discrimination, including gender and racial discrimination, disability, social and financial exclusion, marginalization, stigmatization, corruption, persecution as well as humanitarian emergencies, armed conflicts and natural disasters. We also reaffirm the crucial importance of addressing negative social norms that sustain gender inequality and discrimination, including the culture of tolerance towards violence against women, youth and children, that make them particularly vulnerable to trafficking in persons. We commit to take strong efforts to include more women in leadership positions and all decision-making processes.

10. We express our serious concern over the significant and enduring trafficking of women and children, recognize that trafficking in persons disproportionately affects them, and call upon Member States to enact or update national laws and establish comprehensive policies, programmes and other measures that provide for the protection of trafficked women and children from revictimization and appropriate assistance and protection in the best interests of the child. We stress the importance of coordinating both national and international cooperation to enhance the positive effects of all anti-trafficking efforts.

11. We express grave concern that the coronavirus disease (COVID-19) pandemic has exacerbated existing situations of vulnerability to trafficking in persons, including in digital contexts, increasing the number of individuals at risk, exposing victims to bigger challenges due to either abandonment or increased confinement by traffickers, reduced access to assistance, and the restricted or complete lack of ability to either work or return home, making their living conditions unbearable. We recognize the need to place increased priority and urgency on prevention, planning and coordination, both national and international, to mitigate the impact of emerging and ongoing challenges on trafficking responses and that more global efforts are needed to combat discrimination against people vulnerable to trafficking in persons, particularly migrants, who are more vulnerable to exploitation and trafficking with the outbreak of the pandemic. We note with concern that sexual and gender-based violence increased globally during the pandemic, and commit to intensifying efforts to eliminate all forms of violence against all women and girls in public and private spheres, including trafficking in persons for sexual exploitation and abuse and forced labour.

⁷ Resolution 73/195, annex.

⁸ *Official Records of the General Assembly, Seventy-third Session, Supplement No. 12 (A/73/12 (Part I) and A/73/12 (Part II))*, part II.

⁹ CEDAW/C/GC/38.

¹⁰ See resolution 68/192.

12. We express solidarity with and compassion for victims and survivors, call for full respect of their human rights, and, recognizing their role as agents of change in the global fight against trafficking in persons, acknowledge the need to incorporate their perspective and experience in all efforts to prevent and combat trafficking in persons. We aim to actively involve victims of trafficking in persons in designing, implementing, monitoring and evaluating such efforts. We will provide victim-centred and trauma-informed care, assistance and services for their recovery and rehabilitation, access to health, including sexual and reproductive health-care services and mental health and psychosocial support services, and, working with civil society and other relevant partners, monitor and regularly assess such assistance, with the input of victims, and seek to enhance the provision of long-term support and reintegration, including protection and assistance. We will ensure that victims are treated with respect and dignity and are not inappropriately penalized or adversely affected by laws, policies and other actions taken by government authorities and communities for acts that they commit as a direct consequence of their trafficking situation.

13. We commit to undertake appropriate measures to facilitate access to justice and protections for victims of trafficking in persons that should not be conditional on their participation in criminal proceedings, taking into account national legislation. We will seek to ensure that laws and policies are in place to alleviate reliance on victims' testimonies, including the use of digital evidence, financial records or other evidence, as appropriate. Where the victim's testimony is necessary, we will ensure that protections are in place for the victims, having regard to their specific vulnerabilities. We also commit to take steps to ensure that effective remedies, including for damage suffered, are available. We also commit to intensify our efforts, subject to our national laws, rules and regulations, to implement the principle of non-punishment of victims of trafficking, which should apply to unlawful activity that a victim of trafficking in persons has been compelled to be involved in as a direct consequence of their trafficking situation and for all types of punishment, including criminal, civil, administrative and immigration offences. We commit to provide appropriate responses to trafficking in persons situations, including through proactive and fair identification procedures, and access to effective remedies for victims who have been unjustly penalized for illegal acts committed in connection with their victimization.

14. We affirm our commitment to protect the privacy and identity and ensure the safety of victims of trafficking in persons before, during and after criminal proceedings and to protect immediate family members and witnesses, as appropriate, from retaliation by traffickers by ensuring their safety in accordance with articles 24 and 25 of the United Nations Convention against Transnational Organized Crime.

15. We reaffirm our commitment to continue our efforts to criminalize trafficking in persons in all its forms, and to strengthen cooperation and coordination among Member States in countries of origin, transit and destination in order to disrupt and dismantle criminal networks involved in such crimes, including through, inter alia, the enhancement of information-sharing with full respect for domestic law and mutual legal assistance and extradition in combating crimes that might be connected with trafficking in persons, such as money-laundering, corruption, illicit financial flows, the smuggling of migrants, the trafficking in illicit drugs, and all forms of organized crime. We commit to enhancing the capacity of law enforcement and criminal justice systems to identify, investigate and prosecute cases of trafficking in persons, and analyse financial flows to detect those criminal networks in collaboration with financial institutions. We also commit to developing and strengthening national referral mechanisms and to use available technology to sustain victim referrals and services and to identify, seize and forfeit ill-gotten gains of those criminal networks. We further commit to strengthening the capacity of criminal justice practitioners,

including law enforcement officials, prosecutors, judges and correction and probation officers, and to enable a victim-centred, age- and gender-sensitive approach to care and assistance of victims, that takes into consideration disability and trauma and that addresses the specific needs of women, youth and children.

16. We are seriously concerned that the scale of global resourcing to fight trafficking in persons does not match the scale of the challenge and in this regard:

(a) We reaffirm our strong support for the United Nations voluntary trust fund for victims of trafficking in persons, especially women and children, established in accordance with the Global Plan of Action, aimed at providing victims of trafficking in persons with humanitarian, legal and financial aid through established channels of assistance, such as governmental, intergovernmental and non-governmental organizations, and we invite all stakeholders to contribute to the trust fund, including through the announcement of pledges at the quadrennial high level appraisals of the Global Plan of Action;

(b) We acknowledge the need to provide sufficient, reliable, sustainable and predictable resources for national trafficking in persons strategies;

(c) We stress the need to intensify international cooperation, including capacity-building, exchange of best practices and know-how and technical assistance, especially for least developed and developing countries, including small island developing States, aimed at strengthening their ability to prevent all forms of trafficking and address the special needs of victims, including supporting their development programmes and to strengthen their criminal justice systems;

(d) We encourage relevant entities and bodies of the United Nations system to provide assistance to Member States, upon request, including through training and capacity-building of relevant authorities in the provision of post-trauma counselling, and gender- and age-sensitive and victim-centred mental health and psychosocial support services for the recovery and reintegration of victims;

(e) We acknowledge the need for public-private partnerships to prevent and detect trafficking in persons, recognizing the important role played by financial institutions, and take note with appreciation of the initiatives of Member States to contribute to the global fight against trafficking in persons.

17. We reiterate, in the strongest terms possible, the importance of strengthening collective action by Member States to end trafficking in persons, including through regional, subregional and cross-regional mechanisms, and through partnerships and initiatives with the United Nations system and other relevant stakeholders, including, inter alia, regional and international organizations, the private sector, the media, academia, parliamentarians and civil society, including non-governmental organizations, academic institutions and faith-based organizations, as well as national human rights institutions, where they exist, with regard to the Paris Principles.¹¹ We will promote multi-stakeholder partnerships and engage the private sector and civil society, in developing and implementing relevant sustainable initiatives to prevent and combat trafficking in persons. We take note of the work of the Special Rapporteur on trafficking in persons, especially women and children, and the Special Rapporteur on contemporary forms of slavery, in combating trafficking in persons, and welcome their continued efforts to support the implementation of the Global Plan of Action and the present political declaration.

18. We also reiterate the need to continue to enhance the overall organization and coherence in the global efforts of the United Nations system to respond to trafficking in persons, especially in ensuring support to Member States. In this regard, while

¹¹ Resolution 48/134, annex.

recalling that the Inter-Agency Coordination Group against Trafficking in Persons was established to foster coordination and cooperation among relevant United Nations system entities and other international organizations involved in combating trafficking in persons, with the United Nations Office on Drugs and Crime as its coordinator, we urge the Secretary-General to continue efforts to strengthen coordination within the United Nations system and to inform Member States thereof through existing reporting channels.

19. We recognize the important role played by the Inter-Agency Coordination Group against Trafficking in Persons in the United Nations system, and recognize with appreciation the ongoing efforts of its member entities to respond to trafficking in persons. We invite the Coordination Group to continue to increase its activities related to the implementation of the Global Plan of Action and, to that end, to incorporate aspects of the 2030 Agenda for Sustainable Development relevant to preventing and combating trafficking in persons and to continue to advance the coordination of future activities and avoidance of duplication of efforts. We encourage the Coordination Group to continue to expand its membership to include international intergovernmental entities that have a role in addressing trafficking in persons in all regions.

20. We reaffirm the central role of the work of the United Nations Office on Drugs and Crime in the global fight against trafficking in persons, particularly in providing technical assistance to Member States, upon their request, to implement the United Nations Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, by making use of existing capacity-building tools, lessons learned from Member States and expertise available in other international organizations.

21. We will endeavour to provide unearmarked extrabudgetary resources for the offices of the United Nations system which are mandated to combat trafficking in persons, consistent with their rules and procedures.

22. We reiterate the need for improved data collection and analysis of trafficking in persons, disaggregated by sex, age and other relevant factors, including the form of exploitation, and using systematic and consistent criteria, to effectively counter trafficking in persons. We thus recognize the importance of improved data collection by national authorities and will enhance international cooperation to this end, including through capacity-building, financial support and technical assistance. We will do so consistent with our national legislation on data protection, if applicable, and our respective international obligations related to privacy.

23. We acknowledge the importance of the biennial *Global Report on Trafficking in Persons*, prepared by the United Nations Office on Drugs and Crime pursuant to the Global Plan of Action, and request the Office to continue to collect information on patterns, forms and flows of trafficking in persons, at the national, regional and international levels, in a balanced, reliable and comprehensive manner, to be published in the *Global Report*, and in ongoing research to estimate the prevalence of trafficking in persons, in close cooperation and collaboration with Member States.

24. We evince our strong political will and commitment of financial resources to effectively address trafficking in persons in all circumstances, including in situations of armed conflict, natural disasters and humanitarian emergencies, while fully respecting the humanitarian principles for humanitarian action. In this regard:

(a) We recognize that refugees and migrants in large movements face greater risk of trafficking in persons, including forced labour. We will work to prevent trafficking among those affected by displacement, and provide support for victims, including through targeted measures to identify victims or those at risk of trafficking

in places of first arrival as well as throughout their journey. We reiterate our commitment to take steps to address the particular situations of vulnerability of women and children during the journey from point of origin to place of arrival, including their potential exposure to trafficking in persons, including through the development of age- and gender-responsive policies and programmes;

(b) We commit to intensify our efforts to prevent irregular migration and create and strengthen pathways for safe, orderly and regular migration to reduce the exposure of people on the move to trafficking in persons, and in this regard recall our respective commitments to the Global Compact for Safe Orderly and Regular Migration, including discretionary measures such as access to residence or work permits, humanitarian visas, family reunification and private sponsorship, as applicable;

(c) We encourage the training of humanitarian and peacekeeping personnel to be deployed in humanitarian emergencies and peacekeeping operations on responding to trafficking in persons and on gender expertise, child protection and sexual exploitation and abuse. We encourage relevant entities and bodies of the United Nations system to train their personnel and to build their technical capacity to assess situations and respond to instances of trafficking in persons in armed conflict and humanitarian emergencies, and to work together to identify, prevent and respond effectively to victims.

25. We express our deep concern about the increasing links between armed groups, including terrorist groups, and trafficking in persons, involving the coercion of victims, in particular women and girls, into forced marriages, sexual slavery, forced pregnancy, forced labour, domestic servitude and sexual exploitation, and subjecting men and boys to forced labour or act as combatants.

26. We note with concern the increasing misuse of information and communications technologies, in particular the Internet, to facilitate various aspects of trafficking in persons, including advertising, grooming, recruitment, control, financial transactions and various forms of exploitation, including online child sexual exploitation and the production and distribution of child pornography and other child sexual abuse material. We also emphasize the importance of countering such misuse while respecting human rights and fundamental freedoms, in accordance with our obligations under international law. In this regard:

(a) We call for the strengthening of law enforcement digital expertise and capacity to conduct proportionate, lawful, accountable and necessary investigations in cyberspace, including the dark web, and seize associated electronic evidence. We encourage the appropriate use by law enforcement of technology-based solutions that address the global scope of trafficking in persons;

(b) We further encourage the appropriate use of technology and innovative tools by practitioners and central authorities to increase international and cross-border cooperation in criminal matters. We recognize the need for ethical use of technology by law enforcement, consistent with human rights obligations;

(c) We call for effective partnerships among the public sector, civil society, academia and the private sector, including technology companies, to enhance innovation, cooperation and the use of technology to combat trafficking in persons.

27. We recognize the need for a multidisciplinary approach, based on respect for all human rights, to combating trafficking in human organs and trafficking in persons for the purpose of organ removal. We reaffirm our commitment to prevent and combat trafficking in persons for the purpose of organ removal. We condemn the involvement of criminal groups and unethical medical personnel in trafficking in persons for the purpose of organ removal. We commit to adopting ethical and transparent regulations

governing organ donations, strengthening legislative frameworks, including by reviewing, developing or amending them, as appropriate, to prevent and combat trafficking in persons for the purpose of organ removal and trafficking in human organs, including the criminalization of these practices and provisions to ensure the accountability of the perpetrators, and to resource such efforts, including the ready provision of effective and needs-based victim protection and health services. We call for better coordination and collaboration between criminal justice actors and medical professionals, and strengthened capacity and skills to proactively identify and investigate these cases.

28. We reaffirm the importance of taking measures to prevent and combat trafficking in persons in supply chains, including deterring and penalizing fraudulent and abusive recruitment practices. We encourage Member States, multilateral organizations and the private sector to adopt ethical and transparent practices in their procurement and supply chains, and strongly urge them to regularly disclose and provide further access to relevant information on these practices. We are mindful of the need to ensure that all actors in global supply chains, including intermediaries, who purchase or benefit from the labour of trafficking victims, are to be held accountable, including through sufficiently stringent sanctions, through adoption and enforcement of appropriate legislation and practices. In this regard, we recall the United Nations Guiding Principles on Business and Human Rights.¹² We also emphasize the need to establish firewalls between immigration checks and labour inspections, and/or to ensure that labour inspections are conducted in such a way that does not put potential victims of trafficking in fear of immigration authorities or offences. We stress the importance in implementing labour standards improving government procurement practices in efforts to promote decent work and the need to develop awareness-raising and educational programmes in partnership with civil society and the media to counter any acceptance of the use of forced labour and exploitation in the production of goods. We also urge the Secretary-General to ensure that all United Nations procurement does not contain goods and services produced by trafficked persons.

29. We acknowledge that the gaps between the Global Plan of Action and its implementation by Member States should be closed, and recognize that arrangements are needed to ensure the systematic follow-up to and review of all of the commitments we are making at the present high-level meeting, including in the quadrennial high-level meetings of the General Assembly to appraise progress achieved in the implementation of the Global Plan of Action. We will also promote the development of clearer analysis of successful counter-trafficking responses, and assessment and evaluation frameworks that include consideration of how laws, policies or practical measures affect victims of trafficking in persons.

¹² Guiding Principles on Business and Human Rights: Implementing the United Nations “Protect, Respect and Remedy” Framework (A/HRC/17/31, annex).