



OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS



Traffic in women and girls

Sub-Commission on Human Rights resolution 2002/51

The Commission on Human Rights,

Recalling the United Nations Millennium Declaration, particularly the resolve expressed by heads of State and Government to intensify efforts to fight transnational organized crime in all its dimensions, including trafficking in human beings,

Recalling also all previous resolutions on the problem of the traffic in women and girls adopted by the General Assembly and the Commission on Human Rights, as well as the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others,

Reaffirming the provisions pertaining to the traffic in women and children adopted by the World Conference on Human Rights, the International Conference on Population and Development, the World Summit for Social Development, the Fourth World Conference on Women, the Ninth and Tenth United Nations Congresses on the Prevention of Crime and the Treatment of Offenders, the twenty-third special session of the General Assembly entitled “Women 2000: gender equality, development and peace for the twenty-first century”, the twenty-fourth special session of the General Assembly entitled “World Summit on Social Development and beyond: achieving social development for all in a globalizing world”, the Second World Congress against Commercial Sexual Exploitation of Children and the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance,

Stressing once again the urgent need to eliminate all forms of sexual violence and trafficking, including for prostitution, which both violate and impair or nullify the enjoyment by women and girls of their human rights and fundamental freedoms and are incompatible with the dignity and worth of the human person, through the adoption of effective measures nationally, regionally and internationally,

Recognizing that victims of trafficking are particularly exposed to racism, racial discrimination, xenophobia and related intolerance,

Noting with concern that women and girls are often subject to multiple forms of discrimination on the grounds of their gender as well as their origin, particularly when they are victims of trafficking,

Welcoming the adoption by the General Assembly in resolution 55/25 of 15 November 2000 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 Convention,

Welcoming also the entry into force of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography,

Recognizing the importance of bilateral, subregional and regional cooperation mechanisms and initiatives to address the problem of trafficking in women and children, in particular girls, and taking note of the Convention on Preventing and Combating Trafficking in Women and Children for Prostitution adopted in January 2002 by the South Asian Association for Regional Cooperation; the Declaration on the Fight against Trafficking in Persons and the Initial Plan of Action against Trafficking in Persons (2002-2003) adopted at Dakar in December 2001 of the Economic Community of West African States; the Asia-Europe Meeting Action Plan to Combat Trafficking in Persons, Especially Women and Children, held at Beijing in May 2001; the Europe against Trafficking in Persons Conference of the Organization for Security and Cooperation in Europe, held at Berlin in October 2001; and the Regional Ministerial Conference on People Smuggling, Trafficking in Persons and Related Transnational Crime, held in Bali, Indonesia, in February 2002,

Recognizing also that global efforts, including international cooperation and technical assistance programmes, to eradicate trafficking in persons, particularly women and children, demand strong political commitment by and the active cooperation of all Governments of countries of origin, transit and destination,

Stressing the need for a global approach to eradicate trafficking in women and children and the importance, in this regard, of systematic data collection and comprehensive studies, including on the modus operandi of trafficking syndicates,

Acknowledging the work done by intergovernmental and non-governmental organizations in compiling information on the scale and complexity of the problem of trafficking, in providing shelter for trafficked women and children, and in effecting their voluntary repatriation to their countries of origin,

Recognizing the need to address the impact of globalization on the problem of trafficking in women and children, in particular girls,

Seriously concerned at the increasing number of women and girl children from developing countries and from some economies in transition who are being trafficked to developed countries, as well as within and between regions and States, and acknowledging that the problem of trafficking also includes the victimizing of boys,

Gravely concerned at the increasing activities of transnational criminal organizations and others that profit from international trafficking in women and children without regard to dangerous and inhumane conditions and in flagrant violation of domestic laws and international standards,

Convinced of the need to protect and assist all victims of trafficking, with full respect for their human rights,

Deeply concerned about the unabated use of new information technologies, including the Internet, for purposes of exploitation of the prostitution of others and for child pornography, paedophilia and any other forms of sexual exploitation of children, trafficking in women as brides and sex tourism,

1. *Welcomes* the report of the Secretary-General (E/CN.4/2002/80) on activities of United Nations bodies and other international organizations pertaining to the problem of trafficking in women and girls;

2. *Takes note* of resolution 2001/14 of 15 August 2001 of the Sub-Commission on the Promotion and Protection of Human Rights;

3. *Invites* Governments as well as donors, the Office of the United Nations High Commissioner for Human Rights and international, regional and non-governmental organizations to consider the need for comprehensive anti-trafficking strategies, greater allocation of resources and better coordination of programmes and activities in tackling the problem of trafficking in persons, particularly women and girls;

4. *Invites* human rights treaty bodies, the special rapporteurs and subsidiary bodies of the Commission, the Office of the High Commissioner, other United Nations bodies and international organizations to continue to address within their mandates the problem of trafficking in women and girls, and to share their knowledge and best practices as widely as possible;

5. *Urges* Governments to take appropriate measures to address the root factors, including external factors, that encourage trafficking in women and children, in particular girls, for prostitution and other forms of commercialized sex, forced marriages and forced labour, so as to eliminate trafficking in women, including by strengthening existing legislation with a view to providing better protection of the rights of women and girls and to punishing perpetrators, through both criminal and civil measures;

6. *Also urges* Governments to adopt or strengthen legislative or other measures, such as educational, social or cultural measures, including through bilateral and multilateral cooperation, to discourage the demand that fosters all forms of exploitation of persons, especially women and children, and that leads to trafficking;

7. *Calls upon* Governments to criminalize trafficking in women and children in all its forms and to condemn and penalize traffickers and intermediaries, while ensuring protection and assistance to the victims of trafficking with full respect for their human rights;
8. *Encourages* Governments to take steps to ensure for victims of trafficking respect for all their human rights and fundamental freedoms, including taking steps to ensure that all legislation related to combating trafficking is gender-sensitive and provides protection for the human rights of women and girls and against violations committed against women and girls;
9. *Calls upon* Governments to ensure that the treatment of victims of trafficking, especially women and girls, as well as all measures taken against trafficking in persons, in particular those that affect the victims of such trafficking, are consistent with internationally recognized principles of non-discrimination, including the prohibition of racial discrimination and the availability of appropriate legal redress;
10. *Encourages* Governments to conclude bilateral, subregional, regional and international agreements to address the problem of trafficking in women and children, in particular girls;
11. *Urges* Governments to consider signing and ratifying the United Nations Convention against Transnational Organized Crime and the protocols supplementing the Convention, particularly the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children;
12. *Also urges* Governments to consider signing and ratifying the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child, as a matter of priority, and to consider signing and ratifying the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women, the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography and the 1999 Convention concerning the prohibition and immediate action for the elimination of the worst forms of child labour (No. 182) of the International Labour Organization;
13. *Invites* Governments to encourage Internet service providers to adopt or strengthen self-regulatory measures to promote the responsible use of the Internet with a view to eliminating trafficking in women and children, in particular girls;
14. *Encourages* the business sector, in particular the tourist industry and Internet providers, to develop codes of conduct, with a view to preventing trafficking in persons and protecting the victims of such traffic, especially those in prostitution, against gender-based and racial discrimination and promoting their rights, dignity and security;
15. *Encourages* Governments, in cooperation with intergovernmental organizations and non-governmental organizations, to undertake information campaigns, targeted at women and girls, aimed at clarifying opportunities, limitations and rights in the event of migration so as to enable women to make informed decisions and to prevent them from becoming victims of trafficking;
16. *Calls upon* concerned Governments to allocate resources, as appropriate, to provide comprehensive programmes designed to heal and rehabilitate into society victims of trafficking, including through job training, legal assistance and health care, and by taking measures to cooperate with non-governmental organizations to provide for the social, medical and psychological care of the victims;
17. *Requests* Governments to establish comprehensive policies, programmes and other measures, including through the collection of quantitative and qualitative data, to prevent victimization of women and girls and to protect victims of trafficking from revictimization;
18. *Urges* Governments to provide or strengthen training for law enforcement, immigration and other relevant officials in the prevention of trafficking in persons which should focus on methods used in preventing such trafficking, prosecuting the traffickers and protecting the rights of victims, including protecting the victims from traffickers; the training should also take into account the need to consider human rights and child-and-gender-sensitive issues and it should encourage cooperation with non-governmental organizations, other relevant organizations and other elements of civil society;

19. *Takes note* of the establishment of the Intergovernmental Organization Contact Group on Trafficking and Migrant Smuggling, under the coordination of the Trafficking Adviser of the United Nations High Commissioner for Human Rights and co-chaired by the Office of the United Nations High Commissioner for Refugees and the International Labour Organization, which brings together representatives of the major Geneva-based intergovernmental organizations working on trafficking, as well as relevant non-governmental organizations, for cooperation and collaboration on the issue of trafficking;

20. *Invites* the United Nations High Commissioner for Human Rights, in cooperation with participating organizations of the Contact Group, to brief delegations and other interested parties on the Office of the United Nations High Commissioner for Human rights Trafficking Programme and the activities of the Contact Group during the fifty-ninth session of the Commission;

21. *Requests* the Secretary-General to provide the Commission, at its fifty-ninth session, with an update on the report on activities of the United Nations bodies and other international organizations pertaining to the problem of trafficking in women and girls;

22. *Decides* to continue its consideration of this question at its fifty-ninth session under the appropriate agenda item.

51st meeting

23 April 2002

[Adopted without a vote.

E/2002/23 - E/CN.4/2002/200, see chap. XII.]