

THE COLLECTIVE SECURITY TREATY ORGANIZATION
THE INTERNATIONAL ORGANIZATION FOR MIGRATION

Proceedings of the International Round Table

**«Enhancement
of cooperation among
the competent bodies
of international universal and
regional organizations in
combating human trafficking»**

May 23-24, Moscow



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universal and regional organizations in combating human trafficking»**

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**Proceedings of the International Round Table
«Enhancement of cooperation among the competent bodies of international
universal and regional organizations in combating human trafficking»**

Moscow, 2012

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E-mail: info@verdy.su www.verdy.su
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ROUND TABLE AGENDA

WEDNESDAY, MAY 23	
09.00 – 10.00	Registration of participants
10.00 – 10.30	Opening of the conference: – From the Collective Security Treaty Organization (CSTO) – From the International Organization for Migration (IOM) – From the UN Office on Drugs and Crime (UNODC) – From the Organization for Security and Cooperation in Europe – From the U.S. Embassy in Moscow
10.30 – 10.50	General Secretary of the Collective Security Treaty Organization Speech
11.20 – 11.50	Presentation on the foreign experience of military training, participants in peacekeeping operations
11.50 – 12.00	Report on the International Organization for Migration (IOM) activities to prevent human trafficking
12.00 – 12.20	Report on the activities of United Nations Office on Drugs and Crime (UNODC) to prevent human trafficking
12.20 – 12.40	Report on the activities of the Eurasian Economic Community on problem-solving and social rehabilitation of human trafficking victims
12.40 – 13.20	The report of the Coordinating Council of Prosecutors General of the states – members of the Commonwealth of Independent States on the state of implementation of the Cooperation program of the states – members of the Commonwealth of Independent States in combating human trafficking for 2011-2013
14.30 – 16.15	Presentations by the representatives of states – the Collective Security Treaty Organization (CSTO) members on the national experiences and perspectives to combat human trafficking – From the Republic of Armenia – From the Republic of Belarus – From the Republic of Kazakhstan – From the Kyrgyz Republic – From the Russian Federation – From the Republic of Tajikistan – From the Republic of Uzbekistan
16.45 – 17.15	Summing up the results of the first day of the round table. Answers to questions

THURSDAY, MAY 24	
10.00 – 10.10	Opening of the second day of the conference
10.10 – 11.20	Presentations by statutory and sectoral cooperation bodies of the CIS with suggestions for improving international cooperation against people trafficking <ul style="list-style-type: none"> – The Executive Committee of the Commonwealth of Independent States – Coordinating Council of Prosecutors General of the participating states of the Commonwealth of Independent States – The Council of the Border Troops Commanders of the Commonwealth of Independent States – Office for the Coordination of the fight against organized crime and other dangerous crimes in the territory of participating states of the Commonwealth of Independent States – Committee of the Heads of Law Enforcement Units of Council of Heads of Customs Services of participating states of the Commonwealth of Independent States – Anti-Terrorism Center of the Commonwealth of Independent States
11.50 – 13.30	Discussion of the draft outcome document of the round table
15.00 – 16.30	Continuation of the discussion of the draft outcome document of the round table
17.00 – 17.30	Adoption of the outcome of the round table
17.30 – 18.00	Closing of the round table: <ul style="list-style-type: none"> – Message from the Secretariat of the Collective Security Treaty Organization (CSTO) – Message from the International Organization for Migration (IOM)

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1. OPENING THE ROUND TABLE



Welcoming remarks of the Collective Security Treaty Organization (CSTO)

Dear participants of the round table!

The Secretariat of the Collective Security Treaty Organization and the Bureau of International Organization for Migration (IOM) in Moscow today gathered at the round table heads of the law enforcement bodies of the participating states of the CSTO involved in combating human trafficking, the representatives of the competent bodies and bodies of sectoral cooperation agencies of the Commonwealth of Independent States, the Eurasian Economic Community, relevant bodies of the United Nations, the Organization for Security and Cooperation in Europe in order to discuss issues and problems, improving of cooperation between the competent authorities of the international universal and regional organizations governmental organizations in the fight against human trafficking.

I think we all understand the extreme importance of the discussed topic in the modern world and the importance of uniting together efforts of international community in the fight against human trafficking. I encourage panelists to share their views on the matter, introduce and discuss the proposals on the algorithm of our further joint specific actions and practical measures and establishing of effective mechanisms of coordination and collaboration.



Neviglas
Gennady Nikolaevich
*Deputy General Secretary of the
Collective Security Treaty
Organization (CSTO)*



IOM • OIM

Welcoming Remarks of the Bureau of International Organization for Migration in Moscow

**Dear Deputy Secretary-General!
Ladies and Gentlemen!**

First of all, on behalf of the International Organization for Migration I would like to welcome all who gathered here in the hall of the round table.

At the same time, taking the advantage of the opportunity, I would like to introduce myself.

My name is Zlatko Zigic. Recently, I was appointed Director of the International Organization for Migration (IOM) Office Moscow. I previously served as regional coordinator of the IOM in Central Asia. I would be happy to use my participation in the forum including as a chance to get to know you personally. We are deeply grateful to you for the fact that despite the tight schedule, you can take part in this event.

Many of you have come from far away to contribute to the improvement of our interaction and share their experiences in dealing with crimes in the field of human trafficking.

For our part, I, together with the CSTO have tried to do all we could to make our joint work proceeded in the most convenient way. In addition, it is gratifying to recognize the important fact that the timing of our forum coincided with a significant date – the 20th anniversary of the signing of the Collective Security Treaty and the 10th anniversary of the decision on the establishment of the Collective Security Treaty Organization (CSTO)

The partnership between the CSTO and the IOM also has its own history. We are proud of our joint work on the migration direction. The legal basis of our cooperation is the Protocol on Cooperation between the CSTO Secretariat and the IOM Administration, which was signed on July 26, 2006. To date, similar international documents of understanding and cooperation were signed by the IOM with such prominent international organizations as the Executive Committee of the CIS Council of the Border Troops Commanders and Eurasian Economic Community.

And just before I visited St. Petersburg, where on May 17th our Director General arrived to sign the Cooperation Agreement between the Interparliamentary Assembly of the CIS and the International Organization for Migration (IOM).

The significance of human trafficking problems is growing.

This fact is reflected in the programs of the International Organization for Migration (IOM) implemented in the states – members of these regional structures. We are set to progressive and dynamic development of our multi-faceted cooperation in this area and further development of its legal basis.

I will talk more on this component of our interaction in my separate report, which will be held later.

However, with considerable experience of working together with the competent authorities and



Zlatko Zigic
*Director of the International
Organization for Migration (IOM),
Mission in Moscow*

representatives of civil society, and international universal and regional organizations, we are always in search for new and topical areas of interaction. In this context, taking into account the formation within the Collective Security Treaty Organization (CSTO) peacekeeping forces, we asked the CSTO Secretariat to include a presentation of the Ministry of Defense of the United States into the agenda of the round table.

In this regard, we welcome Navy Rear Admiral Robert J. Gilbeau who arrived in Moscow from Washington.

He will talk about the experience of preparing U.S. troops to participate in international operations and accepted standards of conduct of operations related to combating human trafficking and prohibition to use services of human trafficking victims.

Also, by the CSTO Secretary General's sanction representatives from statutory bodies and bodies of sectoral cooperation of the CIS and the national authorities invited to this forum will be given the opportunity to "compare notes" in part relating to the status of implementation of the Program of Cooperation of the Member States of the Commonwealth of Independent States in Combating Human Trafficking (2011-2013).

We believe that active and constructive exchange of views on this issue in many ways will further enhance the mutual understanding and cooperation among the competent international universal and regional organizations.

In my opening remarks, I would like to thank the Bureau of International Narcotics and Law Enforcement Affairs (INL) of the United States Department of State for support of proposals of the IOM project "Prevention of human trafficking in the Russian Federation", within the frameworks of which today's event is implemented.

A special word of gratitude I think it is necessary to give to the Resident Legal Advisor of the U.S. Department of Justice at the U.S. Embassy in Moscow Mr. Luke Demboski, who is present here, for comprehensive assistance for the successful execution of the project.

At the conclusion of my first speech I would like to wish all participants of the round table successful and fruitful work. It appears that the program of the meeting will allow maintaining a lively dialogue not only in the courtroom, but in an informal environment – during coffee breaks and lunch.

Good luck!



Welcoming Remarks of the Representative of the UN Office on Drugs and Crime in the Russian Federation

**Dear Deputy Secretary-General, dear participants,
ladies and gentlemen, colleagues!**

On behalf of the UN Office on Drugs and Crime in the Russian Federation (UNODC) I would like to welcome you and express gratitude for the invitation to organizers of this very actual event. I want also to express my greetings and wishes for success on behalf of the Deputy Secretary-General UN, Executive Director of the UN Office on Drugs and Crime, Yuri Viktorovich Fedotov.

The problem of human trafficking and illegal migration is one of the components of the global mandate of the UN Office on Drugs and crime UNODC. Our agency consistently pays great attention to these issues and developing recommendations and measures for the countries – participants of the UN to combat the expressions of international organized crime.

As the only United Nations agency which focuses its work on the issues of criminal justice in relation to the fight against human trafficking and illegal migration, UNODC activities based on the United Nations Convention against Transnational Organized Crime and its protocols on human trafficking.

The UN Office on Drugs and Crime (UNODC) provides practical assistance to states, not only in terms development of the relevant legislation and the creation of a comprehensive national strategies to combat human trafficking, but also helps to raise funds for their implementation. States are provided specialized assistance, including development of local capacity and the provision of practical tools stimulating cross-border cooperation in the investigation and criminal persecution.

In 2000 UN General Assembly adopted the “Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime”. It was a milestone in international efforts to stop human trafficking. As custodian of the Protocol, the UNODC approaches to solving issues related to the human trafficking, in the light of the Global Programme Against Trafficking in Human Beings. To date, the Protocol has been signed and ratified by more than 147 countries; however, the implementation of it is still problematic.

Very few criminals have been convicted, and most of their victims were not identified and did not receive adequate aid. By working to address these issues from the end of 1990, the UNODC has developed and implemented comprehensive strategy that defines mutually supportive character of activity aimed at prevention and control of both human trafficking and smuggling migrants, as well as near-term priorities identified for future actions by the UN Office on Drugs and crime (UNODC) in



**Ibragimov
Vladimir Nikolayevich**
*Head of the UN
Office on Drugs and Crime
in the Russian Federation*

these areas. The new strategy complements the topical programs of the UNODC against transnational organized crime in the period from 2011 to 2013.

During the past 21st Commission on Crime Prevention and Criminal Justice, which took place at the end of April, the UNODC signed a Memorandum of Understanding and Cooperation with the World Tourism Organization. Under the Memorandum, both organizations agree to combine efforts of the international business community in the area of tourism, prevention and combating human trafficking, especially in women and children, and to contribute to the development of fruitful cooperation between the countries in addressing these issues. The same Commission adopted a resolution to eliminate abuse of immigrants, migrant workers and members of their families. The resolution obliges member states to provide the human treatment of all migrants, regardless of their status especially women and children with the full protection of their rights and to take all necessary measures to ensure their safety and dignity.

Speaking about the cooperation between international organizations, I would like to pay particular attention to the tenth Ministerial Conference of the Central Asia Border Security on which an Agreement on closer cooperation in order to combat human trafficking, illegal smuggling of migrants, as well as improvement of border management, taking into account the subject of "overall" corruption which was signed by UNODC Executive Director and the Director-General of the International Organization for Migration (IOM). The agreement is aimed at strengthening coordination, promotion of information exchange and implementation of joint initiatives by the agency. It is based particularly on joint cooperation with the Global Group on migration issues, the Interagency Coordination Group against Human trafficking, Global Initiative and the United Nations Convention to Combat Human trafficking.

The UNODC's Executive Director Y. V. Fedotov noted that this criminal activity with revenue of 1 billion U.S. dollars was a real threat to the stability and security of the international community. This requires a coordinated and specific action, significant response at all levels – national, regional and international, if we are to succeed in this struggle. The UNODC and the IOM are connected by many years of fruitful collaboration, which began in 1996 and enshrined by specific content of the current agreement. In addition, our agency has successfully cooperated with many other leading international organizations, such as FRONTEX, Interpol, the Collective Security Treaty Organization (CSTO), Organization for Security and Co-operation in Europe (OSCE), the European Union (EU) and others.

I would like to emphasize our long and successful partnership with the Collective Security Treaty Organization (CSTO) in the framework of the signed Memorandum. The work to expand the areas of cooperation and fill it with concrete content is constantly going. So, now there is an active work under way aimed at provision of programs to ensure the best training techniques at the center for anti-legal migration under the auspices of All-Russian Institute of Advanced Training of the Russian Interior Ministry in Domodedovo. There is a constant exchange of information on the problem and joint solutions at regional level are developed.

As custodian for the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, UNODC plays a leading role in the promotion and coordination of criminal justice in relation to human trafficking and smuggling of migrants.

The UNODC strategic approach to combating human trafficking and smuggling of migrants is based on the full and effective implementation of the protocols and includes three interdependent and mutually reinforcing components:

- research and awareness raising activity;
- promotion of protocol and capacity building;
- strengthening partnerships and coordination.

The UNODC will publish next Global Report on Human Trafficking in December 2012 and will continue publishing such publications on a biennial basis. Research papers on human trafficking and smuggling of migrants are regularly published. The UNODC is also working to raise awareness on this subject, in particular through the campaign against human trafficking under the “Blue Heart” title. The UNODC is also working with states and particular experts at the working level when it comes to the legal aid, strategic planning and the development of appropriate policies, services, technical assistance to strengthen the criminal justice system, as well as protection and support of victims of human trafficking and smuggled migrants.

The UNODC initiatives to strengthen coordination and partnership are implemented through participation in interagency groups such as ICAT, UN.GIFT and GMG, and the management of the United Nations Trust Fund for victims of human trafficking.

I hope that today’s round table will serve not only as the platform for exchange of experience and mutual gaining of expertise in this field, but also will promote the development of concrete steps to achieve real and tangible results in the fight against this evil.

I would like to thank you for your attention and wish all roundtable participants success!



Welcoming Remarks of the Representative of the Organization for Security and Co-operation in Europe

Dear Deputy Secretary-General Distinguished colleagues,

First of all, let me express my gratitude to the CSTO Secretariat and the IOM-Moscow Office for the opportunity to be here and to welcome the participants of the Round table. This is definitely a new step forward on the way to the eradication of modern-day slavery, and I am delighted to greet the CSTO as a partner of the global and regional anti-trafficking community. Our partnership with the IOM has a long record, and we do much more together than just cross-participation in each other's anti-trafficking fora. Supported by the Memorandum of Understanding, we do have joint projects and develop both - our bilateral co-operation and our collaboration under the Alliance against Trafficking in Persons - an innovative platform for over 30 International Organizations and NGOs promoting advanced human rights based and comprehensive approach to this global scourge. The fight against trafficking in human beings, an integral part of organized crime, a new transnational threat, and furthermore, a gross violation of human rights and fundamental freedoms, remains of a special relevance to the OSCE Concept of Common and Comprehensive Security, and thus is one of the OSCE's priorities.

At the OSCE we assess human trafficking as a criminal phenomenon of a massive scale, affecting millions of men, women and children exploited in forced labour (be it in construction, agriculture, garment, fishing, mining, hospitality and tourism sectors, or domestic servitude), in forced prostitution and pornography, in trafficking for the removal of organs, illegal adoption, forced marriages, in forced begging and in committing some other offences (like selling drugs or stolen items), and many other forms. The gap between the estimation of trafficked victims and the amount of actual criminal cases globally shows that modern-day slavery is still a very high profit - low risk crime. Under the impact of the global financial crisis it has become integrated into the world economy due to the increased demand for cheap and unprotected labour as a precondition for "survival by all means".

Human trafficking is not about morals - it is about the rule of law and human security. It hampers economic growth, fuels corruption, is linked to other multiple crimes, such as money laundering, human smuggling, documents fraud, tax evasion, and it undermines human development throughout the OSCE area, CSTO member States being a part of it. As a consequence of the significant amount of illicit proceeds originating from trafficking in human beings, drug trafficking and other criminal activities, illegal markets are increasing their role in the globalized economy. Trafficking in human beings is becoming an inexhaustible source of profits which are constantly reinvested in all kinds of other criminal activities, including drug trafficking and trafficking in weapons. This is the new profitable renewable business for criminal networks. Our challenge is to prevent it, combat it, and ultimately to eradicate it.



Gracheva Vera Georgievna
*Senior Adviser
Office of the Special Representative
and Co-ordinator for Combating
Trafficking in Human Beings,
OSCE Secretariat on behalf of Dr.
Maria Grazia Giammarinaro OSCE
Special Representative and Co-ordinator
for Combating Trafficking in
Human Beings*

What is more alarming is that funds from trafficking in human beings are potential sources of income for terrorism. Recruitment of young people, even children, trafficked for exploiting them in terrorist operations, was confirmed by experts in Geneva (27-28 May 2010). Terrorist groups indoctrinate their victims into becoming suicide bombers out of the most vulnerable layers of the population, affected by conflicts - children who lost their parents, widows, other family members desperate in their grief and losses.

But human trafficking hits not only the most vulnerable - women, children, especially orphans or unaccompanied children "on the move", unemployed or disadvantaged in terms of education, or social status, migrants and members of their families, persons belonging to minorities, disabled and aged people, or asylum seekers, no, many other, "normal" persons get victimized through false promises and subtle, sophisticated coercion or debt bondage, or just get kidnapped to be exploited in any of the areas mentioned above.

The losses related to trafficking for the states, societies and trafficked persons themselves are tremendous - social exclusion and stigmatization, health often ruined for lifetime, social injustice, economic poverty trap, and also often - further discrimination. To prove it, to show the real damage, my Office has started a research on worst forms of trafficking amounting to torture. Experts do know the amount of efforts (and resources) needed to rehabilitate victims of torture, especially children. Furthermore, in October 2012 we will conduct an Alliance against Trafficking in Persons Conference dedicated to An Agenda for Prevention: Non-Discrimination and Empowerment, with a view to showcase discrimination, based on race, ethnicity, national origin, migration status, gender and "otherness" as a vulnerability factor. We would strongly encourage the CSTO and the IOM to contribute to this forum.

We have to confess that challenges in front of the OSCE participating States are serious and do require better international, regional and national co-operation and coordination. The root causes of modern-day slavery are still there - poverty, marginalisation of vulnerable groups, inequality, huge disparity between prosperous economies and countries with extremely low level of living, frozen conflicts, lack of employment opportunities, discrimination (including gender discrimination) and violence, social turmoil - all those are push factors causing flows of labour migration, increasing flows of refugees, pressing the economies in the countries of destination. Restrictive migration policies, intolerance towards labour migrants - often as an initial state response to these challenges - actually serve to the benefit of the traffickers and make our common cause harder to achieve.

Furthermore, in addition to the extremely lucrative nature of the crime which hampers the identification of victims and THB-related cases, the modus operandi of traffickers is constantly evolving, and we have to change our perception of linkages between trafficking and smuggling. For a number of years we were underlining how important it was to differentiate between the victims of trafficking and irregular migrants to ensure proper assistance and protection to those trafficked. Recent studies show that the situation is much more complicated. Victims of trafficking may voluntarily decide to leave his/her country, become a victim of smuggling, and only once arrived in the destination country, become exploited by those enforcing an artificial debt. A connection between the exploitation and transfer phases T may not be necessarily be identified, and the attention should be shifted from the "transfer" of victims to their "receipt" - which must

be seen as receipt of a work performance exacted in coercive or abusive situations. This approach fully complies with the definition of the Palermo Protocol.

Another new important aspect relates to the traffickers' growing use of subtle forms of coercion to control and dispose of people; psychological dependency in cases of domestic servitude, and the withholding/non payment of wages in labour trafficking cases. Workers are induced to stay in their exploitative situation even when they are not paid for months, as they are afraid of losing everything if they leave and they have no other option but to submit to their exploiter.

To sum up, the States' response should meet the new challenges deriving from the massive scale of the crime especially in the growing field of labour exploitation, the international nature of criminal

In a June 2008 UNDP report, the UN estimated that four billion people live outside the protection of the rule of law. Those are potential and actual victims of trafficking whose rights are not recognized or enforced. <<http://www.undp.org/legaleinpo/vcrment;report/>>, accessed 31 August 2010, pp. 14, 16

networks and the increasing trend towards reinvestment of proceeds of crime and money laundering. Criminal assets should be confiscated and used to secure the protection of victims' rights, and in particular to make their right to obtain compensation a reality. In other words, it is imperative to find, freeze and forfeit the proceeds of crime. This requires the use of financial investigation on a routine basis as well as on a large scale. This requires decisive improvements in law enforcement and judicial co-operation, especially between the country in which exploitation takes place, and the country of origin where profits are reinvested.

Finally, we all agree that the contribution of the victim is absolutely essential for successful prosecution. How to achieve it? The vast majority of the victims are scared to co-operate with the law enforcement, they are threatened by their exploiters, they are traumatised, both psychologically and physically, and need to regain trust in the rule of law. This is why the protection of victims' rights must be ensured before, during and after criminal proceedings not only to comply with a clear obligation under international human rights standards, but also to promote successful investigation and prosecution. Let me underline: assistance to the presumed victims of trafficking should be unconditional and independent of their readiness to co-operate with the law enforcement simply because they are the victims of the crime, and the States have obligations under the international human rights law to provide this assistance and protection. Furthermore, we are confident that the victims of trafficking should not be penalised for the offences committed because they were compelled to. This is the so called non-punishment clause which makes it possible for the victim to co-operate with the state authorities without fear of deportation or, even worse, their own prosecution. We have no other ways to encourage trafficked person to trust and rely on the authorities.

Let me add that we, the OSCE, are ready to contribute to the capacity building of national structures and provide our assistance in strengthening international law enforcement, judicial and prosecutorial co-operation between the OSCE participating States, thus bringing together the CSTO structures and relevant officials and their partners from other OSCE regions - to share best practices, exchange experience and seek for better solutions to meet the challenge of THB as a transnational threat and gross human rights violation. We do have the international legal framework needed (the UN Convention against Transnational Organized Crime and its Supplementing Protocols, and Second Optional Protocol supplementing the Council of Europe Convention on Mutual Legal Assistance), we do have the CIS coordinating structures, including the CIS Coordinating Council of Prosecutors General, and national structures with excellent record of anti-trafficking prosecution. A network of national prosecutors could become a first step in this direction.

I look forward to working with the CSTO Secretariat and with all of you and offer my support in this critical effort to improve our common security, to protect human dignity, fundamental rights and freedoms and ensure justice for all. By concluding, let me cordially congratulate the CSTO on the occasion of its 20th Anniversary and sincerely wish all the best in your endeavours.



Welcoming Remarks of the Representative of the Embassy of the United States in Moscow

As we speak, millions of people around the world are trapped in modern slavery – as sex slaves or as victims of forced labor. This is an intolerable situation in a modern world.

As a prosecutor, I look at this issue through the eyes of a law enforcement person, as someone who tries to arrest and convict the perpetrators and to help the victims. We have learned that fighting human trafficking requires a comprehensive and victim-centered approach, including law enforcement trained to identify victims, cooperation with the business community and civil society to aid in finding these well hidden schemes, referral networks to connect victims with police and with shelters and medical services, a commitment by the government to provide such services, witness protection, immigration support so that witnesses will not be deported before they can testify, strong legislation with serious penalties, and support to transition victims back to health and to their home countries.



Luke Dembosky
*Resident Legal Advisor of the U.S.
Department of Justice
at the U.S. Embassy in Moscow*

In November, we held the Russian-American Trafficking in Persons Forum in Moscow. This was attended by several high-level Russian and American officials, including Russia's Human Rights Ombudsman Vladimir Lukin and the U.S. Ambassador on Trafficking in Persons Issues, Luis CdeBaca. We resolved to work together and to increase our respective efforts to fight modern day slavery.

The US is committed to keeping this issue not only in our national conscience, but also in the international conscience. One example is the annual Trafficking in Persons Report, which we use as a tool to evaluate what we and others might do to improve our response to this serious problem.

We were delighted when Russia made a commitment in the CIS in December 2010 to develop a national TIP plan of action and take other vital steps in this fight. We look forward to the completion and implementation of this plan, and to working as a partner with Russia and the other countries represented here as we fight human trafficking together. Because we have representatives from several other countries here today, we extend this invitation to work together with your countries on this important issue.

Thank you very much to IOM and to the CSTO for organizing this important conference, and for the invitation to speak to you.

2. SPEECH OF THE DEPUTY SECRETARY GENERAL OF THE COLLECTIVE SECURITY TREATY ORGANIZATION



Speech of the Deputy Secretary General of the Collective Security Treaty Organization Neviglas G.N.

In recent years, one of the most important issues of concern of the world public has become human trafficking problem. It is perceived as a modern form of slavery in which people are forced to work with violations of laws set by international and national human rights.

After a long period of neglect and indifference, the world becomes aware of the reality of this ugly phenomenon. The fact that people are hunting for people to get the material benefits, receives a strong negative assessment in society and in the media. Parliaments shall take the necessary strict laws. Law enforcement and judicial systems are aware of their responsibility in the fight against slavery, engaging prosecution and making convictions in an increasing number of cases. Civil society mobilizes public support and resources to help the victims. There is a clear link between human trafficking, illegal migration and national security. Numerous studies show that criminals recruit their victims among the most socially vulnerable groups of population.

In the arsenal of criminals there is a set of criminal methods to subdue and psychologically affect their victims.

Among the root causes and social factors that contribute to human trafficking are poverty, limited access to productive employment, limited access to social security system and other resources of human development, low level education, the difference in the level of development between countries and so on. But at the same time, it would be wrong to say that only this group of citizens gets into the network of traffickers. Human trafficking as a crime is topical issue for society. Any person engaged in employment illegally, without the needed social protection is at risk to become a victim of labor-exploitation which is can be considered as slavery. Moreover, the economic difficulties make people engage into risky behavior, and so they create conditions for criminal activity for human traffickers.

In many cases, human trafficking is based on illegal migration. Illegal migrants in modern society are a special risk group: they "drop out" of the legal field and therefore are at the mercy of the employer and the shadow criminal structures involved in illicit labor. Obviously, the right of these workers is not protected. Such exploitation can be considered as valid modern version of the slave trade.

It is important to emphasize that human trafficking is a type of organized crime. To confront traders of the so called "human commodity" – means to fight with organized crime groups and thereby to strengthen the state and collective security. And, given the international nature of this crime, it can only be won by consolidated efforts of states and international organizations.

Now this topic is actively developed by the Organization for Security and Cooperation in Europe (OSCE), the Council of Baltic Sea States (CBSS), the International Organization for Migration (IOM), the Office of the High Commissioner for Refugees (UNHCR), the UN Office on Drugs and Crime

(UNODC), the structures of other international organizations. Active work in this regard is conducted within the Commonwealth Independent States (CIS). CSTO member states signed the main international documents which form the basis of the formation of a comprehensive international approach to the rights of men, women and children, including measures to combat illegal human trafficking, the protection of its victims and the punishment of those involved in this criminal activity.

On this basis there is an active process of improving national legislation. Developed and implemented appropriate and integrated public programs. Formed interagency government commissions and working groups. The target profile structures are formed within the police. This work is carried out actively in all the states – members of the CSTO.

The CSTO in the framework of the mandate is facilitating collaboration and coordination between the competent law enforcement bodies of the CSTO member-states.

The complex operational and preventive measures and special operations to combat illegal migration and human trafficking under the code name “Nelegal”, which are held for the seventh consecutive year, pay particular attention to the fact that the role of identification and deterring of criminal activity of traffickers and play more and more important role.

As part of the operations we provide the coordination and cooperation of the internal affairs and security agencies, migration and border services and involve the structures of financial intelligence of the CSTO member states. We have achieved good results in this regard.

During the period of the “Nelegal-2011” operation 114 criminal cases of human trafficking, most of which is excited in the Republic of Uzbekistan were commenced.

During the operations there are also enough of criminal cases commenced for organization of illegal migration, which under certain conditions could be qualified as human trafficking. For example, underground Vietnamese garment production identified in the Russian Federation.

But we cannot be happy with that due to the extent and at the same time deep latency of this phenomenon. We will continue strengthening efforts of law enforcement agencies of the CSTO member states, providing them with real practical cooperation.

It is to this end, we have organized and carried out a working meeting of heads and specialist of units of ministries of Internal Affairs (police) of the CSTO member states to combat human trafficking in December 2010.

The participants of the meeting recognized the importance of establishing a working relationship between the heads and employees of search operations and investigative units in the interstate and regional levels in order to exchange operational information, experience and best professional development based on specific cases.

After the meeting, they agreed to take the necessary steps to enhance interaction of regional units, especially in border areas. I believe that we will continue the practice of holding such meetings.

At the same time, I would like to inform the participants of the round table that we have reached the stage of completion of the agreement with the CSTO member states. This agreement concerns the issue of creation of the Working Group against terrorism, extremism and organized crime, in which we will also create a mechanism for cooperation and coordination among law enforcement agencies involved in the fight against human trafficking.

Finally, the evidence of our continued attention to this issue is the very fact of today’s conduct of our round table between the Secretariat of Collective Security Treaty Organization (CSTO) and the Office of the International Organization for Migration (IOM) in the Russian Federation.

In this context, I should mention about our steadily developing working contacts in combating illegal migration and human trafficking, and other areas with a number of international organizations. First of all, as I just said, this is the International Organization for Migration (IOM).

During the period following the signing of the Protocol on Cooperation between the Secretariat of Collective Security Treaty Organization (CSTO) and the International Organization for Migration

(IOM) in July 2006 in Moscow almost all CSTO member states have close and mutually beneficial, dynamically developing relations with relevant regional bodies of the International Organization for Migration (IOM).

According to information received from the CSTO member states – the IOM is considered as the most active and effective partner in combating illegal migration and human trafficking.

One of the main forms of cooperation with the IOM structures is the joint project activities.

The Ministry of Internal Affairs of the Republic of Belarus, which is the head governmental body for cooperation between the Republic of Belarus and the International Organization for Migration (IOM), has successfully implemented two international technical assistance projects:

“Capacity Building of the Republic of Belarus in Migration Management Process (Russ, abbr. MI-GRABEL)” and “Combating Human Trafficking: the Republic of Belarus” total budgets of which amounts to more than 4 million U.S. dollars.

A Training Center for Specialists in the Fight against Illegal Migration and Human Trafficking has been established in the Republic of Kazakhstan with the technical support of the International Organization for Migration (IOM) under the auspices of the Karaganda Juridical Institute of MIA of Kazakhstan.

In the Kyrgyz Republic IOM implements measures, assisting Republic in such areas as the improvement of the legal framework for labor migration and the fight against human trafficking, reform of the passport and visa systems, provision of equipment to international checkpoints.

In the Russian Federation, IOM Moscow has successfully completed large-scale project “Prevention of Human Trafficking in the Russian Federation” which was funded by the European Union.

Expert capacities of the IOM were attracted by the CSTO Secretariat for providing support to the Parliamentary Assembly of the Collective Security Treaty Organization (CSTO) in efforts to improve and harmonize national legislation of the CSTO member states in the fight against illegal migration in accordance with the principles and norms of international law.

Cooperation with the UN Office on Drugs and Crime (UNODC) in terms of the struggle against human trafficking. Representatives of the UNODC participated in the CSTO meeting for combating illegal migration (Russ. abbr. KSBNM) to discuss the organization and conduct of the CSTO joint preventive operations and special operations to counter illegal migration, including human trafficking, code-named “Nelegal-2011”. This year, representatives from UNODC will take part in “Nelegal-2012” operation as observers.

Currently, the sides are discussing the organizational issues on usage of interactive learning system modules based on the computer technologies at the CSTO educational institution – the All-Russian Institute of Advanced Training of the Russian Interior Ministry in Domodedovo when it comes to training representatives from the CSTO member states including those involved in the fight against illegal drug trade and human trafficking, developed by the UNODC.

The CSTO Secretariat suggests further pursuing and developing working contacts with experts from the IOM, the UNODC, and the structures of other international organizations.

Dear participants of the meeting!

Organizing this round table, we would like to, as diplomats say, “compare notes” in the fight against modern slavery with the competent authorities of the CSTO international universal and regional organizations, as well as work out recommendations for improving the work both at the national level and interstate aspect.

Thank you for your attention.

3. REPORT ON INTERNATIONAL EXPERIENCE IN TRAININGS FOR MILITARY PERSONNEL PARTICIPATING IN PEACEKEEPING OPERATIONS.



Speech of the Rear Admiral Robert J. Gilbeau, Commander for U.S. Defense Contract Management Agency, International

U.S. Department of Defense (DoD) Zero TIP Policy

- ◆ TIP DoD Instruction issued 16 Feb 2007 and reissued 15 Sep 2010 incorporated:
- ◆ DepSecDef – January 30, 2004 --four objectives:
 - Education of all Service members and DoD civilians
 - Increased efforts by command and military police authorities
 - Incorporation of provisions in overseas service contracts that prohibit any activities on the part of contractor employees
 - Systemic method for evaluating
- ◆ SecDef – September 16, 2004
 - Commanders at all levels ensure TIP training
 - Commanders work with Host Nation law enforcement to identify trafficking
 - Commanders be vigilant to terms and conditions of employment for individuals employed by contractors in the area of operation (prevent involuntary servitude and debt bondage)

Preventative Measures:

- ◆ Do not purchase sex
- ◆ Do not get involved with forced labor
- ◆ Do not be complicit or turn a blind eye to TIP if peers are involved
- ◆ Educate peers about TIP
- ◆ Take and promote DoD TIP Awareness Training
- ◆ Avoid establishments that show indicators of TIP

Reactive Measures: What to do in case you detect a trafficker or TIP victims - Warning:

If you detect a TIP situation, do not get directly involved. Your actions may worsen the situation for victims.

- ◆ Report TIP situations to your chain of command
- ◆ Note any indicators you observe (e.g. location, people involved, etc)
- ◆ U.S.: In emergency cases call military police or 911 if in the U.S.
- ◆ U.S.: nonemergency or to report tips, call 1-888-3737-888
- ◆ Overseas: use emergency or hotline number posted by your command
- ◆ Report suspected establishments involved in TIP to your command so they can be placed off limits

Implementing Training Programs

- Core awareness training module for all military & DoD civilian and DoD civilian contract personnel serving overseas
- Awareness training given via Services' knowledge-on-line systems
- Overseas Combatant Commands provide theater/country specific training
- The general awareness Power Point presentation, the Interactive multimedia module, and the Senior leader's module for active duty military are all available on line.
- Law Enforcement computer based module and Power Point presentation

Legal Prohibition on Prostitution

On October 14, 2005, President Bush signed E.O. 13387 "2005 Amendments to the Manual for Courts-Martial, United States that enumerates the Article 134, UCMJ, offense of "Patronizing a Prostitute":

"(b)(2) Patronizing a Prostitute

(a) That the accused had sexual intercourse with another person not the accused spouse;

(b) That the accused compelled, induced, enticed, or procured such person to engage in an act of sexual intercourse in exchange for money or other compensation; and

(c) This act was wrongful; and

(d) That, under the circumstances, the conduct of the accused was to the prejudice of good order and discipline in the armed forces or was of a nature to bring discredit upon the armed forces"

MEJA

- DoD civilian and civilian contract employees are not subject to the UCMJ *
- They come under the "Military Extraterritorial Jurisdiction Act"
- DoD Instruction 5525.11, "Criminal Jurisdiction Over Civilians Employed By or Accompanying the Armed Forces Outside the United States, Certain Service Members, and Former Service Members" (Available at <http://www.dtic.mil/whs/directives/>)
- New language was added to the fiscal 2007 Defense Authorization Act "Paragraph (10) of section 802(a) of title 10: "United States Code (article 2(a) of the Uniform Code of Military Justice), is amended by striking 'war' and inserting 'declared war or a contingency operation'."

DoD Contractors

Federal Acquisition Regulation (FAR) TIP rule

((a) Prohibit contractors, contractor employees, subcontractors, and subcontractor employees from—

(1) Engaging in severe forms of trafficking in persons during the period of performance of the contract;

(2) Procuring commercial sex acts during the period of performance of the contract; or

(3) Using forced labor in the performance of the contract;

(b) Require Contractors and Subcontractors to notify employees of the prohibited activities described in paragraph (a) of this section and the actions that may be taken against them for violations; and (c) Impose suitable remedies, including termination, on Contractors that fail to comply with the requirements of paragraphs (a) and (b). **(FAR 22.1703)**

Trafficking in Post-Conflict and Humanitarian Vulnerability

TIP is being added to DoD Directive 5132.03 "DoD Responsibilities Relating to Security Cooperation," Directs TIP be integrated into post conflict and humanitarian aid planning and programs.

New US Legislation– Child Soldier Prevention Act

Units should conduct training on the applicable sections of the AR 190-8 to ensure proper handling of enemy casualties and prisoners who may in fact be considered children.

Evaluation

DoD Inspector General’s office conducts DoD wide evaluation of the TIP program Reports are available at (<http://www.dodig.mil/Inspections/IE/Reports.htm>)

The evaluation focused on: Law enforcement effort; Leadership involvement; Orientation programs; Ensuring they contain a TIP component; Services and Combatant Command; Inspectors General TIP evaluation programs.

- Evaluate Component compliance and performance
- Educate, Incorporate, Evaluate - validate Service reviews of CTIP program implementation
- Policy development and implementation
- Training completion
- Contracts language
- Interagency group involvement

4. REPORT OF THE INTERNATIONAL ORGANIZATION FOR MIGRATION (IOM) ON PREVENTION OF HUMAN TRAFFICKING



Report of the International Organization for Migration (IOM) on prevention of human trafficking by Zlatko Zigić "On the IOM activities aimed at prevention of human trafficking in the CSTO member-states"

Ladies and Gentlemen, once again I would like to say to you good day!

Before I get into my main report on the IOM activities aimed at prevention of human trafficking in the CSTO member-states, it seems to me reasonable to start by providing a brief overview of what the International Organization for Migration IOM does in this regard globally.

The International Organization for Migration (IOM) is the leading inter-governmental organization working in the field of migration, it was founded in 1951. The IOM currently includes one hundred forty-six states – another thirteen states along with numerous international and non-governmental organizations have an observer status.

The number of member- states increases annually.

We have more than four hundred and fifty offices in over one hundred countries around the world.

The International Organization for Migration (IOM) activity aims at ensuring the humane and orderly management of migration and the search for practical solutions to migration problems, one of which is human trafficking.

To date, we have implemented more than eight projects in more than one hundred countries, as well as provided assistance to tens of thousands of victims of human trafficking.

In a given direction of our activity the IOM works closely with the competent units of universal and regional international organizations, representatives of which are also present at this forum.

Taking into account the situation with human trafficking, which has developed as a result of socio-economic changes in the former Soviet space in the last two decades, the IOM adequate measures have been taken in order to assist the new independent States to end it.

The (IOM missions, acting in almost all member states of CSTO, EurAsEC and the CISs, have established and actively develop relations of cooperation and understanding, implementation of relevant international documents.

As you all know, today it is hard to find an area of human activity, in which migration component would be absent.

Contemporary challenges and threats also include this component.

Unfortunately, the understanding of the fact that modern-day slave trade is not only a source of profit from the sexual operation, but also a threat to the security of states of origin, transit and destination of "human commodity" was not formed at once.

The situation prevailing at that time in the member-states of the Collective Security Treaty Organization, is no exception to this sad rule.

In this regard, the IOM missions operating on their territory prepared and implemented complementary programs to combat human trafficking and to help victims of this category of crime.

These programs, or, as we call them, the projects, are complementary auxiliary component supporting comprehensive efforts of the State structures and civil society to eradicate human trafficking, and eliminate its negative consequences.

In the preparation and implementation of our programs, we are guided by specific needs of providing aid formulated by our partners from the competent bodies and non-governmental organizations.

In this context, we can not overlook the importance of maintaining a constructive dialog with the representatives of judiciary, the legislature and the executive powers and various governing bodies in the CSTO member-states.

An important role in understanding the condition and prospects of our cooperation is also played by regularly conducted research works, carried out with the participation of reputable scientists and practitioners.

One of the main instruments to help us to set priorities in the preparation and implementation of our projects, to date, was the Program of Cooperation Among the Participating States of the Commonwealth of Independent States in Combating Human Trafficking, which was launched in 2007.

I am sure that an expert of Scientific and Methodological Center at Coordinating Council of Prosecutors General of CIS Member States, Mr. Vinokourov, who is present here, will talk about this Program in more detail.

We are proud that the IOM experts took part in the preparation of the current program for 2011-2013, and the IOM has been mentioned in it as a co-executor of some items of the aforementioned program.

Now we are cooperating in development of the draft of a new program for the period 2014 – 2018.

By the way, we are also actively share this positive experience with our colleagues from other international organizations, in particular the Organization for Security and Co-operation in Europe (OSCE), which has very successfully conducted a round table on human trafficking and promoting the adoption of model laws in this area for states – members of the Commonwealth in St. Petersburg on April 18 this year in conjunction with the Interparliamentary Assembly of the CIS.

This allowed us to use this resource, and to maintain a constructive dialogue with the competent authorities of the Collective Security Treaty Organization (CSTO) at the multilateral and bilateral levels.

A striking example of this was our joint research work on the preparation of comprehensive comparative legal analysis of the legislation of the CSTO member states in combating illegal migration and human trafficking.

The objectives of this work were: to assist states – members of the Collective Security Treaty Organization (CSTO) in the development of unified approaches to the issues of human trafficking, as well as assistance in unification and systematization of national acts of the CSTO member states in this field on the basis of universally recognized international legal instruments and standards.

According to the results of this study, concrete proposals and recommendations to bring the national legislation into conformity with international obligations and ways of harmonization and mutual rapprochement of the laws of the CSTO member states in these areas were developed.

The combination of accumulated knowledge and experience of IOM in the prevention of human trafficking and high anti-crime capacity and political will of the CSTO member states could only lead to synergies in the fields of fight against modern form of slave trade.

In this regard it the idea of Mr. Nikolai Bordyuzha, Secretary General of CSTO that “...the IOM is distinguished by the depth of knowledge in migration processes, their “pressure points” and the CSTO has an effective mechanism of “exposure” to those “pressure points”...”, which was put for-

ward by him six years ago, at the signing ceremony of the Protocol of cooperation between our two organizations is still very significant.

This thought does not cease to be relevant today.

Our missions in Armenia, Belarus, Kazakhstan, Kyrgyzstan, Russia, Tajikistan, and program of the IOM office in Uzbekistan are dynamically and progressively developing bilateral cooperation with the competent authorities and civil society in these countries in terms of assistance in the following fields:

- Improvement of the legislation;
- Exchange of experience and training;
- Improving the technological infrastructure of units to combat human trafficking;
- Conducting information campaigns, work of the hot lines;
- The return of the victims of this crime to their homeland and their reintegration into society, and the establishment and operation of shelters and rehabilitation centers for victims of human trafficking.

It would require a whole day of our round table for a detailed description of the activities of each mission in combating human trafficking.

In a view of the limited time given to my speech, I decided to talk about the most important elements of a fundamental nature.

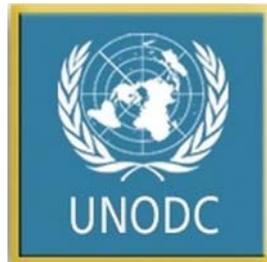
However, I would like to hope that some parts of our cooperation will be mentioned by the representatives of the states – members of the Collective Security Treaty Organization (CSTO) and other international organizations.

In addition, you can get familiar with this information by visiting our websites, and by also reading materials provided on CDs by us.

In conclusion I would like to reiterate our continued commitment to comprehensive development and improvement of bilateral and multilateral cooperation in combating human trafficking and providing assistance to victims and the willingness to joint implementation of new initiatives.

Thank you for your attention!

5. UNODC REPORT



Alexander Semenyuk
Specialist on strategic analysis
UNODC

Report on UNODC activities on combating human trafficking

The Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, was adopted by General Assembly resolution 55/25. It entered into force on 25 December 2003. It is the first global legally binding instrument with an agreed definition on trafficking in persons. The intention behind this definition is to facilitate convergence in national approaches with regard to the establishment of domestic criminal offences that would support efficient international cooperation in investigating and prosecuting trafficking in persons cases. An additional objective of the Protocol is to protect and assist the victims of trafficking in persons with full respect for their human rights.

Since the adoption of the Protocol, while there has been progress in the number of ratifications (currently 147 State Parties) generating amendments to national legislation, there has been less evidence of its effective implementation. The majority of States Parties to the Protocol have adopted at least a minimal legislative and institutional framework to ensure such implementation, however, in view of the varying capacity of Member States to fully implement existing or future measures in the areas under discussion, more concerted efforts have to be made to help Member States in need to develop effective and multidisciplinary anti-trafficking strategies and build dedicated and sustainable resources to implement such strategies. All CIS countries have ratified the Protocol.

UNODC supports Member States to implement the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (hereinafter Trafficking in Persons Protocol), supplementing the United Nations Convention against Transnational Organized Crime (UNTOC) in order to prevent and prosecute the crime, protect the rights of people who fall prey to the criminals who commit the crime, and promote cooperation to these ends.

- On 30 July 2010, GA Resolution A/RES/64/293, entitled United Nations Global Plan of Action against Trafficking in Persons was adopted. The actual Global Plan of Action is an annex to the resolution.
- The Global Plan of Action has a broad application. The plan contains primarily points of action to be undertaken by Member States, supported by international organizations, civil society, the private sector, the media, and concerned citizens.
- Among other things, GA Resolution A/RES/64/293 established the United Nations
- voluntary trust fund for victims of trafficking, especially women and children and provides the mandate for UNODC to produce biannual Global Report on Trafficking in Persons.

Since the 1990s, UNODC has been providing technical assistance in the field of strengthening the criminal justice response to human trafficking and migrant smuggling. In 2012, UNODC continues to carry out technical assistance activities to prevent and combat trafficking in persons and the smuggling of migrants in more than 80 countries in Africa, Asia, Central and Eastern Europe, the Middle East and Latin America. UNODC's strategic areas of technical assistance include:

UNODC produced a series of awareness-raising material such as the training film *Affected for Life* and recently launched the Blue Heart Campaign that is a global awareness raising initiative to fight human trafficking and its impacts on society. The Blue Heart Campaign raises awareness of the problem and inspire those with decision-making power to effect change.

UNODC believes that data on the extent and nature of the complex crime of trafficking in persons are crucial to the design and implementation of effective countermeasures. The assessment and research activities conducted by UNODC on trafficking in persons and related activities have contributed to improving the knowledge of shortcomings in the implementation of the Trafficking in Persons Protocol.

- A Global Report on Trafficking in Persons launched in 2009 by the United Nations Office on Drugs and Crime (
- UNODC) offers a global assessment of the scope of human trafficking and what is being done to fight it. Based on data gathered from 155 countries, it includes an overview of trafficking patterns; legal steps taken in response and regional and country-specific information on reported cases of trafficking in persons, victims, and prosecutions, including countries of Eastern Europe and Central Asia.
- UNODC will publish the next Global Report on Trafficking in Persons in December 2012, and biennially thereafter, in line with aforementioned Global Plan of Action.

In order to address the lack of comprehensive national legal frameworks, UNODC provides legislative assistance in many countries of the world. Such assistance includes the following:

- assessment of existing and relevant legislation;
- legal reviews of the gaps between existing legislation and Protocol obligations, and consultation with and advising of multiple parties on implementation;
- support for the adoption of necessary legislation.

UNODC is currently finalizing the legislative assessment of the legislation on TIP (and SOM) of the 5 Central Asian countries (under GLOT55 project aiming to promote the implementation of TIP and SOM Protocols. The workshop should take place later this spring.

- In 2009, we finalized a Model Law Against Trafficking in Persons. The Model Law provides a comprehensive set of provisions, dealing with all relevant issues, and flexible enough to meet the special needs of a diverse range of legal systems. It also takes into account relevant provisions of international instruments. [Is available in Russian and was provided for copying to a Participant's CD]
- UNODC, together with UN.GIFT and the Inter-Parliamentary Union developed a Handbook for Parliamentarians to combat trafficking in persons. The Handbook is intended to inspire them to enact sound laws and adopt good practices that will strengthen national responses to human trafficking. The Handbook also contains a compilation of international laws and good practices developed to combat human trafficking and offers guidance on how national legislation can be brought in line with international standards. It outlines measures to prevent the commission of the crime, to prosecute offenders and to protect its victims.

UNODC works closely with national authorities in developing policies and action plans against trafficking in persons and technical assistance was provided in the establishment of relevant infrastructure including in the Black Sea Region.

- Pursuing an effective partnership approach, UNODC and Black Sea Economic Cooperation Organization (BSEC) have developed in 2007-2008 a regional project in order to take a significant step forward in strengthening the criminal justice response to trafficking in persons in the Black Sea region. A Regional Action Plan was put in place to help the BSEC Member States to enhance their cooperation in the field of Criminal Justice Response to Human Trafficking, as a framework for regional cooperation towards a more effectively prevention and investigation of human trafficking, increased prosecution and conviction of traffickers, and adequately support and protection of victims and witnesses of trafficking.
- In terms of publications, UNODC developed recently the International Framework for Action to Implement the Trafficking in Persons Protocol and updated the Toolkit to Combat Trafficking in Persons that will soon be launched in its third edition. The International Framework for Action is a technical assistance tool that supports United Nations Member States in the effective implementation of the Trafficking in persons Protocol supplementing the United Nations Convention against Transnational Organized Crime and proposes general measures that can be taken in order to more effectively address these challenges.
- UNODC, in the framework of the Global Initiative to Fight Human Trafficking (UN.GIFT) has developed the Needs Assessment Toolkit on the Criminal Justice Response to Human Trafficking. The main objective of the toolkit is to guide the assessors in gathering and analyzing information pertaining to a country's criminal justice response to human trafficking.

In terms of technical assistance for the criminal justice response, UNODC published an Advanced Training Manual for Criminal Justice Practitioners. The manual is composed of 26 modules that address each phase of criminal justice response to trafficking in persons, from identification of victims through investigations and prosecutions of traffickers to the protection of victims. Each module is designed to stand alone in meeting the specific needs of a particular phase of criminal justice response it seeks to address. The modules address areas such as: use of informants in TIP investigations, financial investigation in TIP, interviewing child victims etc.

UNODC also launched a first aid kit aimed to be used by first responders to identify, detect TIP and assist victims of trafficking in persons.

Victim protection and support is a central component of technical assistance projects carried out by UNODC.

- Legal assessment and best practices training: UNODC recently launched a regional Project aimed at strengthening the capacity of the Central Asian Republics (Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan) to identify, protect and assist victims of human trafficking and smuggled migrants -especially women and children, in partnership with NGO and other Civil Society actors, mainly by providing legal drafting support focusing on protection of Victims' rights, developing operational standards for law enforcement personnel on victim identification and conducting training on best practices, and developing a Partnership Plan for effective cooperation among Government, NGO and civil society actors. Expected outcomes include: i) improved legal rights of Victims and witnesses; (ii) strengthened ability of criminal justice practitioners to identify, protect and assist Victims; (iii) enhanced cooperation among Government, NGO, and civil society actors in assisting and protecting Victims; and (iv) increased number of Victims identified, protected and assisted.
- Promotion of law enforcement – NGO cooperation: UNODC and the Council of the Baltic Sea States Task Force on Trafficking in Human Beings (CBSS TF-THB) has recently successfully completed the joint "Regional Project on Fostering Non-Governmental Organization (NGO) -

Law Enforcement Cooperation in Preventing and Combating Human Trafficking in, from and to the Baltic Sea Region." The key component of the project was the research conducted between April and November 2009 that aimed to help lay the foundation for targeted and consistent approaches in the provision of assistance and protection to victims of human trafficking through improved cooperation among State actors and civil society organizations. The result of the research carried out is the publication of a comprehensive regional assessment report entitled "Human Trafficking in the Baltic Sea Region: State and Civil Society Cooperation on Victims Assistance and Protection".

International Cooperation

Bringing together main players involved in investigation, prosecution, adjudication of TIP and assistance/protection of victims (Central Authorities, investigators, prosecutors, judges, NGOs) from origin and main transit and destination countries.

- The Regional Office for Central Asia of UNODC (UNODC ROCA) organized Annual Inter-regional Workshops on promoting law enforcement and judicial cooperation among source, transit and destination countries in response to human trafficking in Central Asia. Such workshops aimed to promote international cooperation among law enforcement, prosecutorial and judicial authorities against trafficking in persons in Central Asia and to contribute to the improvement of the domestic anti-human trafficking legislation of the participating countries in order to bring it into closer compliance with the United Nations Convention against Transnational Organized Crime and its protocols.
- UN.GIFT was launched in March 2007 by the International Labour Organization (ILO), the Office of the United Nations High Commissioner for Human Rights (OHCHR), the United Nations Children's Fund (UNICEF), the United Nations Office on Drugs and Crime (UNODC), the International Organization for Migration (IOM) and the Organization for Security and Cooperation in Europe (OSCE). One of the current activities of UN.GIFT includes a Joint Programme for Central Asia on Reducing Human Trafficking in Central Asia through a stronger emphasis on legal labour migration.
- The Alliance Against Trafficking in Persons is a broad international forum which aims at combining the efforts of all relevant interlocutors to prevent and combat human trafficking. Participants in the Alliance include numerous national authorities, regional, international and intergovernmental, as well as non-governmental organizations.
- The Global Migration Group (GMG) is an inter-agency group bringing together heads of agencies to promote the wider application of all relevant international and regional instruments and norms relating to migration, and to encourage the adoption of more coherent, comprehensive and better coordinated approaches to the issue of international migration.
- ICAT: Established by General Assembly resolution, ICAT aims to improve coordination and cooperation between UN agencies and other international organizations to facilitate a holistic approach to prevent and combat trafficking in persons, including protection of and support for victims of trafficking. UNODC is the agency entrusted with the coordination of ICAT

6. THE EURASIAN ECONOMIC COMMUNITY (EURASEC) REPORT



Rudick Alexander Fedorovich

*Deputy Head of the Department the EurAsEC Secretariat
Integration Committee,*

*Executive Secretary of the Council on Migration
Policy under the EurAsEC Integration Committee*

ACTIVITIES OF THE EURASIAN ECONOMIC COMMUNITY TO ADDRESS LEGALIZATION OF LABOR MIGRATION AND OBJECTIVES OF SOCIAL PROTECTION MIGRANT WORKERS

Dear participants of the round table!

Before describing the work carried out within the framework of the Eurasian Economic Community Development Cooperation in the field of migration policy I consider it necessary to brief you about our organization.

In October 2000 in Astana the heads of five countries: Belarus, Republic of Kazakhstan, the Kyrgyz Republic, the Russian Federation and the Republic of Tajikistan signed an agreement on establishment of the Eurasian Economic Community.

Thus, the legal formalities were completed and new international organization, which has become a full subject of international relations, was established.

Today there are more than 200 international papers adopted within the frameworks of the Eurasian Economic Community (conventions, treaties, protocols, etc.) related to various areas of cooperation. Moreover, almost a third of them in one way or another connected with the social sphere including labor migration.

Concluding the introductory part, I would like to emphasize that the recent integration of innovation born in the Community, namely the establishment and functioning of the Customs Union, the formation of the legal framework of the Common Economic Space, the beginning of preparation work on the creation of the Eurasian Economic Union, lead to conclude that our organization is on the right path and its potential future developments are favorable.

These conclusions are based not only on the analysis of the results achieved, but in large degree – on considerable political and economic potential of the EurAsEC member states, and on the desire of the EurAsEC countries to further deepen many-sided integration.

As already mentioned the EurAsEC, together with the resolution of basic economic problems, attaches great attention to issues of integration cooperation in social and humanitarian sphere and including in the field of labor migration.

It should be noted that, in accordance with the priorities of the EurAsEC development, one of priority tasks facing the Eurasian Economic Community, is a formation of common labor market as the main elements of the fully functional Common Economic Space, which primarily provides a free movement of labor.

That is why this situation is reflected in the concept of co-coordinated social policy of the states – members of the EurAsEC approved by the EurAsEC Interstate Council (heads of government) in April 2007.

In order to speed up the formation of a common labor market EurAsEC Interstate Council also approved the concept of creating interstate database of migrant workers – citizens of states – members of the Eurasian Economic Community in December 2009 on the basis of which the EurAsEC interstate target program "Inter-State database of migrant workers – citizens of states – members of the Eurasian Economic Community" is being developed

Formation and, subsequently, support of the aforementioned Database will help systematize data on migrant workers which will greatly reduce the amount of illegal annual migration.

In order to give systematic character to activity of cooperation with the states – members of the Eurasian Economic Community in terms of migration policy, the main directions of the Community in the field of migration and the related Action Plan implementation for the 2011-2012 and subsequent years have been approved by the decisions of the EurAsEC Integration Committee (at the level of deputy prime ministers).

In particular, the Plan provides for a set of measures aimed at deepening integration of the EurAsEC member states in migration, namely:

- Coordination of the activity in formation of coordinated migration policy;
- Cooperation in the field of preventing and combating illegal migration, and on the issues of return of illegal immigrants to the states of permanent residence;
- Cooperation in the field of labor migration and on the formation of a common EurAsEC labor market;
- Cooperation in the harmonization and improvement of the national legislation governing migration policy;
- Cooperation in the field of improving the level of training, retraining and qualification of personnel responsible for migration policy issues in authorized executive bodies of the states – members of the Eurasian Economic Community;
- Cooperation on the issues of tolerance towards migrants and their adaptation in the receiving states, the activation of outreach activities within the EurAsEC, and improving informational support for migrant workers in order to improve their legal culture, the formation of an attitude of respect to the law, language and culture of the host country;
- The creation and improvement of the information exchange between the governmental executive bodies of states – members of the Eurasian Economic Community;
- Cooperation with international organizations and their representative offices in regards of the formation and improvement of migration policy, including the International Organization for Migration (IOM), the International Labor Organization (ILO), the Organization for Security and Co-operation in Europe (OSCE), United Nations Development Program (UNDP) and others.

Since labor migration has multivector character than the corresponding proposals aimed at improving migration laws, in our opinion should also be of integrated nature.

Their implementation will help solve the main problem: maximum liberalization of legislation for the purpose of building a migration policy in accordance with the basic international conventions and other instruments adopted in the field, aimed, above all, at legalizing employment of migrants, and protecting their legal rights and the rights of members of their families throughout the migration cycle.

Now, let me briefly talk about the analysis of international agreements on labor migration, developed or under development at the moment within the EurAsEC.

As I mentioned above international instruments were conceptual in nature that is why they were the basis for the development of specific treaties governing this way or another working activity of migrant workers, these include in particular:

- Agreement on cooperation to combat illegal labor migration from third countries;
- Agreement on the Legal Status of Migrant Workers and Members of their Families;
- Agreement on how to investigate accidents occurred with the citizens of one country – the Eurasian Economic Community in carrying out work in the territory of another country – a member of the Eurasian Economic Community;
- An agreement on mutual recognition of the medical report on the state of health of a migrant worker in the states – members of the Eurasian Economic Community.

It should be noted that the first two instruments were developed within the framework of the Common Economic Space legal database and extend so far only to citizens of member states of the Customs Union, namely Belarus, Kazakhstan and Russia.

The two agreements have been signed by the heads of governments of these countries in November 2010, and ratified by national parliaments and entered into force on January 1 this year.

And if the first of them, which is more general in nature, is mainly determines patterns of collaboration between the parties to combat illegal labor migration, the second, which is on the legal status of migrant workers and their family members, is in our opinion, a breakthrough.

The Article number 2 not only determined the legal status of migrant workers and members of their families, but, most importantly, specified the procedure for migrant labor and in some ways has settled issues related to their social protection.

However, in accordance with Article 3 the activities associated with the involvement of labor workers in by the employers the territory of the State of employment is carried out without taking into account the employment restrictions for the protection of the national labor market, and migrant workers do not need permits for work in the territories of the Parties.

In other words, migrant workers in the territory of the State of employment during their work, in fact, have all the rights as citizens of the state of employment.

It is significant that, in accordance with Article 4 the employment relationship with employers are formalized by the conclusion of an employment agreement. This is important since only the employment agreement, designed in accordance with the law of the state implies the inclusion of provisions on social protection to migrant workers.

In addition, the agreement provides for the norm (Article 8), to provide migrant workers with the possibility to sign a new employment agreement in the event of early termination of the employment agreement, including with another employer in the manner and under the conditions provided by the legislation of the state of employment.

However, his rights in connection with the early termination of the employment agreement are governed by the laws of the state of employment.

The agreement also partly regulates issues of social protection of migrant workers and members of their families.

Thus, under Article 11 migrant workers get the social security (social insurance) other than pensions, in accordance with legislation of the state of employment.

In addition, Article 12 establishes the right of migrant workers' children to attend pre-school facilities, and receive education in accordance with the laws of the state of employment. Article 13 gives migrant workers and members of their family the right to receive appropriate free ambulance (emergency) medical care and other medical care in accordance with the laws of the state of employment and international treaties.

Agreement (Article 14) also provides for other rights of migrant workers and members of their family, as follows:

- The right for the import and export of goods for personal use, in accordance with the laws and manner of the state of employment;
- The right for possession, use and disposal of their property in accordance with the legislation of the state of employment;
- The right to perform any actions which do not contradict the laws of the state of employment on their own with respect to any of their property, including to alienate their property for the benefit of others, transfer rights of possession, use and disposition of property remaining the owner of it, give the property as collateral and to burden it with other ways, and to use it otherwise;
- The right to transfer the property in trust;
- The right for the protection of property in accordance with the law of the state of employment;
- The right to freely transfer funds earned in the manner provided by the legislation the state of employment and other international agreements, participants of which are both parties.

In conclusion, the following should be noted.

We are not saying that the agreement is comprehensive and complete. But its implementation in the future, we believe, will allow extending its provisions including with regard to the regulation of social protection benefits both to migrant workers themselves and their families based on monitoring and analysis.

And a few words about the projects agreements that are currently in various stages of readiness.

This, above all, an Agreement on how to investigate accidents occurred at production facilities involving the citizens of one country – member of the Eurasian Economic Community in carrying out work on territory of another country – member of the Eurasian Economic Community.

Agreements are subject to regulation by the social relations associated with investigation of accidents that have occurred with the citizens of one country – member of the Eurasian Economic Community in carrying out work on territory of another country – member of the Eurasian Economic Community.

It should be emphasized that, in contrast to a similar document signed in the framework of the CIS, this international agreement is to set out the investigation procedure of accidents involving citizens engaged in labor activities not only in the corresponding period of the business trip, but also self-employed, and employed through the organized recruitment of labor.

This fact is very important in view of the increasing amounts of annual labor migration between the EurAsEC member states and the resulting formation of a common EurAsEC labor market.

The draft agreement is designed to meet the generally accepted norms of international law, its provisions are consistent with the principles and commitments of the States – members of the Eurasian Economic Community in this field.

The document has been approved by the decision of the EurAsEC Integration Committee in January of this year, it is currently in the states, where it undergoes the domestic harmonization procedure.

And the second – An agreement on mutual recognition of the medical report on the state of health of a migrant worker in the states – members of the Eurasian Economic Community.

The draft agreement is designed to allow for further collaboration in the public health protection field, it suppose to create favorable conditions for the movement of labor forces on the territories of the EurAsEC, combining the efforts of the Eurasian Economic Community in solving the problems of health care to migrant workers.

The document:

- defines a consistent list of diseases that are dangerous to others (Annex 1);
- approves the form of a medical report (Appendix 2);
- fixes order of medical examination of the state of health of migrant workers (Annex 3).

In addition, it is expected that the competent authorities of all parties in the health protection field will come up with a single list of Healthcare institutions (organizations) which may issue a medical report on the health state of a migrant worker recognized by the competent authorities of all parties when formalizing of the pre-licensing documents for carrying out their work.

Implementation of the agreement will make possible:

Making medical reports on the health of migrant workers by the competent health care authorities for each of the parties according to a single form, which will be valid for three months from the date of issue, in accordance with the rules of the medical examination of health of the migrant worker in the states members of the Eurasian Economic Community and which will be recognized by the competent authorities of the other states, which will enable to process permits and to carry out labor activity on the territory of the other state.

At the moment the draft agreement is being finalized by experts of the parties with subsequent offer to consider it by the Eurasian Economic Community institutions.

Conclusion

Dear participants of the round table!

In today’s globalized world and economic integration states pay particular attention to the problems of mass migration, mainly related to the job search. And in this regard, most attention should be paid to issues related to social protection of migrant workers and members of their families.

Therefore, the topic of this meeting is not just of a practical nature, it is very important and relevant.

In conclusion, I would like to wish us all fruitful work and good results.

Thank you for your attention.

7. REPORT OF THE COORDINATING COUNCIL OF THE CIS PROSECUTORS GENERAL



Vinokurov

Sergey Ivanovich

*Leading research fellow at Research Institute
of the Academy of the Prosecutor
General's Office of the Russian Federation*

Program of Cooperation among Participating States of the CIS in Combating Human Trafficking for 2011-2013”

It has been almost year and a half since the approval of the “Program of Cooperation Among Participating States of the CIS in Combating Human Trafficking for 2011-2013” by the Council of Heads of Member-States of the CIS. It is now time to summarize some of the results of implementation of the aforementioned program. In general, we can say that for most items there are of positive developments and trends.

Strengthening of the legal framework for the fight against human trafficking has been continued. Thus, the national law “On Combating Human Trafficking” was adopted in Ukraine in 2011. A similar national law passed in early 2012 in the Republic of Belarus. Comments to the two models of laws for the states – members of the CIS countries “On Combating Human Trafficking” and “On assistance to victims of Human Trafficking” have been prepared.

In most of the CIS countries vigorous implementation of practical activities in the framework of national plans (programs) to counter human trafficking has been continued.

Significant attention was paid to the improvement of measures to help victims of human trafficking. For example, since January 1, 2012 the Republic of Moldova provides free legal assistance to victims of human trafficking. Similar measures, although in a more limited scale are implemented in other states of the Commonwealth. There is a positive experience of specific practical measures to combat human trafficking and other directions of this criminal activity.

However, despite some successes and achievements in combating human trafficking, it should be noted that there is no reason to rest on our laurels, to stop in our fight against human trafficking. We have a large amount of work ahead of us which has not yet been implemented, we will have to implement some unconditional measures and finish this work.

In the absence of the possibility of a detailed analysis of the entire list of unfulfilled so far program activities; let's focus on some of the complex issues demanding the immediate solution.

1. First of all, it should be noted that there is still no decision on implementation of clause 4.1. of the Program for a unified interstate coordination Authority on human trafficking, which consists of the national coordinators of the states – members of CIS on these issues.

The lack of such a coordinating body makes it difficult to promote a unified, common approaches and solutions to many pressing problems of joint organization of work of states – participants of the CIS countries to combat human trafficking.

2. Major obstacle in improving the efficiency of prosecution of human traffickers in criminal proceedings is the fact that there us no uniform understanding and interpretation of the contents of the

terms and concepts, as well as the qualified characteristics of the offenses related to human trafficking.

Given the above-mentioned discord in investigative and forensic practices it would be, as it seems, very appropriate for the higher national courts of the CIS member states to give clarifications and interpretations of the most complex and controversial law enforcement practices in cases of human trafficking. By the way, similar recommendation can be found in clause 1.4 of the aforementioned program.

However, to our knowledge, only the Supreme Court of the Republic of Uzbekistan adopted a relevant resolution of the Plenum in 2009, which gave the most important clarifications to the courts and other law enforcement agencies on the interpretation of any legal concepts and indications for this category.

3. As we know, human trafficking is the most concentrated and vivid expression of modern evil. It is a challenge to the civilized world, to all mankind.

In a certain sense, we can explain and understand the specific facts of committing most serious common crimes: murder, causing grievous bodily harm to human health, and others, often because the offenses are committed under the influence of human emotions, negative emotions, deformed feelings, intoxication, etc.

It is quite another thing when we talk about human trafficking; it is deliberate, prudent, cynical, criminal activities carried out on a regular basis in the form of criminal business in order to get huge profits.

The most disgusting and dangerous here is the fact that the efforts of human traffickers in this criminal business fit well in market relations, discrediting them, as the human being in the system of social relation becomes the subject (object) of trade and exploitation.

That's why human trafficking is unacceptable, intolerable, and its control should be strong and aggressive.

However, despite the urgency, importance and resonance of human trafficking we should not forget that this kind of crime is transnational in its nature and often organized crime is only part of the whole crime itself.

So, as it has long ago been said, without addressing common issues, we would constantly encounter them when it comes to a resolution of some particular issues.

I mean the well-established international principle formulated as “The rule of law in the fight against human trafficking”. In this regard, it is important to find out what is the very concept of the “rule”. Etymologically it means the primacy, the rule of law. So, the State, as the creator of the law, becomes a subject to it and should certainly comply with the requirements of this law.

And what is the focus (addressee) of the rule of law, in other words, whom that LAW must protect and defend? And here we are inevitably going to face the necessity of the right decision on the selection of priorities for such protection.

Now the principle of parity (equality) of the rights, freedoms and legitimate interests of the person (human being and citizen) dominates. And rightly so, is certainly true, but, in our view, it is only applicable to law-abiding citizens.

When the offense or a crime is committed, then we face an entirely different situation, and including in the field of human trafficking.

It seems impossible to talk here about the above-mentioned parity, as we face an entirely different, specific relationship. They are caused by the fact that in case the crime is committed there is no bilateral (as is customary to believe nowadays) relationship, that is, between the state and the offender (trafficker), but three sided: between the victim – the state – a criminal. In this case, the basic element of the whole legal structure is the figure of human trafficking victims (complainant).

The core group of this triad of relationships is formed between the human trafficking victims and the state.

And here the victim has the right to claim from the state (for example, compensation for damages, including moral damage, punish the guilty party, prevent similar violations in the future, etc.), and the government acts as the necessarily party which should perform and realize just demands of the victim.

In this regard, the requirements of victims of human trafficking are not only feasible, reasonable and legitimate but they are objectively dictated by the rule of law itself on which we are talking here at the moment.

That is why the government can not unilaterally arbitrarily on trumped grounds or guided by some expediency withdrew from the implementation of their responsibilities in relation to the victim.

Moreover, it is wrongly, in our opinion, to consider separate, episodic actions by authorities to assist victims of human trafficking as a manifestation of a certain grace, good will and charity. In fact, it is the duty of the state, which, having a powerful arsenal of different kinds of forces, means and methods, including the differently shaped regulatory restrictions, could not ensure the safety of the citizen, which became the victim of human trafficking.

4. The problem of providing adequate comprehensive assistance to victims of human trafficking should be called as a central, crucial, but very difficult and costly. Currently, the main global, universal international legal document indirectly regulating this area is the Charter of Fundamental Principles of Justice for Victims of Crime and Abuse of Power, adopted on 29.11.1985. However, the legal significance of this Declaration significantly decreases by the fact that it is a recommendation, as it was adopted by resolution by the UN General Assembly, and therefore not legally binding to the states.

Given the aforementioned, it would be appropriate to consider the development of independent UN convention on the protection and rehabilitation of victims of human trafficking through appropriate procedures at the global level.

Thus, the problem of the protection of victims of crimes within the mandatory conventional format would, in our view, allow fundamentally changing attitude of the international community to provision of assistance to victims of crime, including ones who suffered from human trafficking.

In addition to the Convention (as an integral part of it) a special protocol to prevent violations of right of the victims of human trafficking can be developed.

5. The most complex and challenging issues to combat human trafficking should include the lack of unified approach to understanding and legislative definition of a list of offenses that constitute the area of human trafficking at the states – members of the CIS. Most states limit the scope of the specified crimes directly by crimes named respectively as "human trafficking" or "the use of slave (forced) labor".

Some states included crimes of sexual exploitation of victims of human trafficking (involvement into prostitution, organization of the brothels, etc.), as well as circulation of pornographic materials or items in this list.

At the same time, the list of offenses that are closely related to human trafficking and referred to it is much broader according to international law. The above-mentioned violations can be grouped into nine relatively independent but closely related segments. They are:

- a) the purchase and sale of human beings or other related actions (exchange, gift, transfer as a payment of a debt, etc.);
- b) keeping human beings in captivity (due to kidnapping or deprivation of liberty) for mercenary purposes (usually for ransom);
- c) the application of practices similar to slavery (violent marriage, such as child who has not attained the age of marriage, bigamy or polygamy, etc.);
- d) sexual exploitation of human beings (including pornography);
- e) the organization of illegal migration, committed for exploitation of human beings, as well as labor exploitation of human beings;

- f) forcible removal or illicit extraction and turnover (gaining, storage, use), as well as trade in organs and (or) tissues or cells of human beings;
- g) sale of children (including under the guise of commercial adoption);
- h) any form of criminal exploitation of children and minors, including in criminal or other anti-social activities;
- y) modern non-traditional forms of exploitation of human beings (“surrogate motherhood”, illegal (forced) use in biomedical experiments, tests, etc.)

Thus, the unification of approaches of the CIS member states to the definition of list of crimes that constitute human trafficking will:

- ensure consistency of approach in understanding the phenomenon of trafficking in human beings and all its criminal manifestations (segments);
- provide a much more realistic picture of the crime;
- enable comparison of the results achieved, identify registration of these crimes;
- set priorities, forces, means and methods of combating human trafficking, as well as key issues for improving the activity.

6. Critically assessing the status and prospects of combating human trafficking in the member states of the CIS, it should be noted that there are a number of problems to be solved. On these problems it is advisable to concentrate in the future.

6.1. In particular, not all the CIS member states have adopted national laws as well as national action plans to combat human trafficking and providing assistance to victims so far.

6.2. Inter-agency coordination mechanism for the prevention of human trafficking, involving when possible representatives of non-governmental organizations providing assistance victims of trafficking has not been widely established at the national level yet.

It is appropriate to draw attention to paragraph 4.4 of the program, in which a wide range of mutually beneficial actions, including interaction between law enforcement bodies and international and non-governmental organizations in combating these crimes, and provision of practical assistance to victims of trafficking people is described.

6.3. The vast majority of Prosecutors General of the Commonwealth, according to the material submitted, does not clearly consider the coordinating role of prosecutors in the fight against human trafficking. However, the importance of purposeful organizing role of prosecutors in combating human trafficking and further improve the efficiency of the work in all the member-states of the CIS should be noted.

In view of the above-mentioned it would be appropriate to task the CIS Prosecutors General Coordination Council to develop methodological recommendations on the coordination of the fight against crimes in the field of human trafficking by the Prosecutors’ offices of the countries of the Commonwealth of Independent States.

6.4. It should also be noted that not all of the Prosecutors’ offices of the CIS countries created special structures to combat human trafficking. At the same time it appears that this is an important issue, indicating the extent of the knowledge of states and their law enforcement agencies of the importance of active struggle, including by means of prosecution response, with such a large-scale, multinational kind of organized crime, which is human trafficking.

Furthermore, the lack of such specialization is perpetuating an extremely high latency of this type of crime, the formation in the prosecutors of including of deceptive appearance of a well being when assessing the state of crime in this area.

7. Shortcomings of organizational and methodological character should also be noted among the most pressing problems in the criminal prosecution of human trafficking.

7.1. Thus, the analysis of the practice shows that the primary means of proving the criminal activities of traffickers are testimony of victims and witnesses. Similar proofs are often vulnerable in view of active resistance from the perpetrators and their relationships. Often compromising, threats

of physical violence, resulting in the injury are used. They often change previously given testimony at the preliminary evidence to the contrary, leading to partial or complete destruction of evidentiary basis of prosecution. Hence we have the symbolic punishment measures to the guilty parties, and in a significant number of cases we get verdict of not guilty.

In connection with this the pressing problem the active use of search operations using the entire arsenal of modern equipment in order to record the criminal activity of human traffickers and identify criminal acts is the priority. Here it is appropriate to refer to international legal component which contains specific instructions on the feasibility of using special intelligence activities in the fight against transnational organized crime.

Thus, Article 20 of the UN Convention against Transnational Organized Crime (2000), devoted to special methods of investigation, points directly to the preferred sequence of the use of such investigative steps, as controlled delivery, electric and other kinds of surveillance, undercover operations. With this "States participants" are encouraged to conclude, when necessary, appropriate bilateral and multilateral agreements or arrangements for using such special investigation in the context of cooperation at the international level."

7.2. Another unsolved topical problem is omission of institute of confiscation of traffickers' income from illegal activities.

While there is an apparent paradox: As one of the most profitable types of transnational organized crime, human trafficking actually have freed from application of property sanctions to traffickers. This is evidenced by the analysis of existing practice.

Thus, the study of more than 200 criminal cases and materials, qualified in 2005 – 2010, under articles 127.1 (human trafficking) and 127.2 (use of slave labor) of the Criminal Code of the Russian Federation shows that only in rare cases, the court applied the confiscation of traffickers' income. It is obvious that this kind of practice should not exist.

While many thousands of victims are in dire need of effective assistance, and the state faces an acute shortage of financial means for providing such assistance, the criminals do not have any financial losses, thereby multiplying the proceeds of crime.

In this connection it is necessary to radically change the approach to identifying, tracking, seizing and confiscating traffickers' income. And achieving this is possible including when effective operations by financial intelligence bodies which would be able to provide parallel financial investigation of financial transactions of traffickers will be launched in the format of the CIS countries.

In this regard, we hope that the appearance of an important new body of industry cooperation will provide a solution to the above-mentioned problem and put a reliable barrier to the turnover of illegal income of traffickers and ensure the completion of state-endowment to provide appropriate assistance to victims of human trafficking.

In addition, it is appropriate to consider applying to human traffickers (within the framework of new approaches to the global protection of victims of human trafficking) positively proven provisions of Article 20 of the UN Convention against Corruption (from 31.10.2003) on withdrawals of income of the convicted trafficker, if this person can not reasonably substantiate the source of their illegal enrichment.

Only some of the urgent problems to combat human trafficking were mentioned above. In fact, there are many more, and constructive discussion of them require much more time. I hope that in the future there will be an opportunity to discuss them in detail.

Let me thank you for your patience and attention to my address.

Thank you.

8. MESSAGE FROM THE REPUBLIC OF ARMENIA



Akopyan Ashot Sourikovich

*Deputy Head of the department for the investigation of
particularly important cases of the Main Investigation Department
of the Police of the Republic of Armenia*

Dear colleagues, representatives of international universal and regional organizations involved in combating human trafficking

Organization involved in combating human trafficking as a form of modern slavery, in international definition, in the Republic of Armenia was established in 2002. In order to effectively conduct combat with this phenomenon, which is considered a disaster of the XXI century, the Government of the Republic of Armenia has approved and implemented the following measures aimed at preventing human trafficking: the conception for illegal movement of people from the Republic of Armenia and human trafficking and the National Program of activities for the period 2004-2006 aimed at the Prevention of the Illicit movement of people from the Republic of Armenia and trafficking, and then the Government of the Republic of Armenia approved and implemented National Program aimed at organization of measures aimed at combating exploitation of people in the Republic of Armenia for 2007-2009 and a timetable for its implementation.

In order to conduct a more effective fight against human trafficking on November 20, 2008 the Government of the Republic of Armenia adopted a national mechanism (order) of redirection of the human trafficking victims. The latter defines a system of cooperation with which governments fulfill their responsibilities towards the rights of the human trafficking victims, in its activities implementing the strategic cooperation with civil society.

From the very beginning of the combat against human trafficking constructive approach was based on Approval of cooperation between all the agencies and relevant parties which were dealing with this phenomenon and its consequences, considering cooperation as the best means of ensuring the effectiveness of the relations and targeted governance funds and capabilities.

Of course, the basis of all the steps taken by our state in this regard in the legal sense, it is the integration of the international cooperation, which is also the key to improving the effectiveness of the combat against human trafficking.

To date, the Republic of Armenia has adopted all the international and regional legal instruments to combat human trafficking.

The legal combat against human trafficking, carried out in the country against the criminal activity at the initial stage was less effective that it is now due to a particular imperfection of the legislation and the lack of experience of combat in this area.

After 2007, the measures aimed at strengthening combat against human trafficking in Armenia can be considered a turning point, as from this period the legislative measures which have been taken, structural reforms in the criminal proceedings, reforms of professional work, providing services to victims of human trafficking, as well as measures to raise public awareness with the aim of its

prevention led to major positive results were carried out. In this sense it is noteworthy that the particular importance was given to the implementation of a centralized prosecution of this criminal activity, which made it possible to accelerate the improvement of mechanisms to combat this new criminal phenomenon involving narrow specialists.

Department for crimes against the person was established in November 2007, under the auspices of the Office of the Prosecutor General of the Republic of Armenia. This body became responsible for implementation of supervision of the legitimacy of the primary investigation of criminal cases involving human trafficking. At the same time recognizing that the decentralized preparation of investigation materials on trafficking and decentralized criminal investigations can not positively influence the nature of identification of this kind of crime, the efficiency of investigation, development and implementation of a uniform criminal policy in this area. A specialized unit was established under the main department for combating organized crime of the Police of the Republic of Armenia, and the investigation of criminal cases of the aforementioned nature was exclusively centered in the Department for the investigation of particularly important cases of the Main Investigation Department of the Police of the Republic of Armenia.

Legislative changes made in the past four years based on international experience, studying the conventions, in its unity were focused on the following:

1. To consider human trafficking transportation, transfer, move, hide, or obtaining a child (person under 18) for the purpose of recruitment and those wholly or partially deprived of opportunities of awareness of the nature and importance of the act because of mental disorders even in cases when they are not associated with making impact, violence or other kinds of impacts mentioned in the law.
2. To consider tougher sanctions for human trafficking in terms of imprisonment and as an additional penalty – seizure of property.
3. To work out issue on exemption from criminal liability of the victims of human trafficking.

These problems are now completely resolved. There were numerous legislative changes aimed at improving the criminal procedures for prosecution of human trafficking, and each time they addressed issues arising during the criminal practice, at the same time the implementation of international legal commitments of Armenia was ensured. In this respect the system and complete solution of the problem was the implementation of the package of changes to the Criminal Code of Armenia which took place on March 30, 2011.

In 2009 the progress of the Republic of Armenia in this regard was noted in an annual report published by the U.S. State Secretariat, the country from a list of specially controlled countries of the third group went up to the second group of the countries without control.

Returning to the problems of the initial investigation of this type of crime, it is necessary to note that the investigation of this nature of crimes has some difficulties that can be explained primarily due to the fact that in some cases trafficking situation is itself registered abroad, this is especially true in cases of external trafficking where there is the need for the investigation. Within the frameworks of legal assistance the Republic of Armenia seeks to address this issue, but it is not always possible. In particular, the study of criminal cases indicates that the overwhelming number cases occur in the United Arab Emirates, however the Memorandum on mutual legal assistance was signed with this country, but assistance sent to law-enforcement agencies in terms of prosecution of this kind of crimes within the country for a long time remain unanswered or responses to this kind of offers are incomplete.

Also many cases of trafficking are registered in Turkey, during the investigation of these crimes the above-mentioned problems are more than obvious, due to the lack of diplomatic relations with this country.

However, none of the cases of a criminal nature failed, with the maximum efforts of the primary investigation bodies it became possible to provide justification charges imposed on the accused in

these cases. As a result of the effective prosecution actions judgments of conviction in this kind of cases were possible.

Another factor contributing to the complexity of the detection and investigation of human trafficking crime is changeable position of the crime victims. Sometimes by efforts of the perpetrators or their families, the victims for various reasons change their point of view, deny their earlier reporting of a crime. Such reports make it possible from the first moment after receiving information on the crime to initiate all necessary legal proceedings promptly for a comprehensive study data set forth by the victims, and the justification of evidence charges. As a result of such tactics it has also become possible to uncover cases of illegal influence on participants in the judicial process and to bring those responsible to justice.

The reason is that in order to establish the necessary link with the victims of each manifestation of human trafficking cases the particular importance is given to active cooperation with community organizations dealing with this issue. Through this cooperation the victims have been redirected to community organizations, implementing this activity, where they received psychological assistance, also they were given security and protection from potential negative influence.

Given the fact that according to paragraph 2 of Article 12 of the Council of Europe “On fight against human trafficking” our country is committed to properly secure and protect victims of human trafficking, and the majority of protection means for participants in the judicial protection of process, set out in Part 12 of the Criminal Code of the Republic of Armenia, have no clear application of mechanisms. At the moment the establishment of separate specialized units on maintenance of protection of persons participating in the hearing, and in the first place – the victims under the Police of the Republic of Armenia is being discussed.

Traffickers try to legalize the income earned by human trafficking, in many cases, in particular they try to hide the true source of that income. In this respect, human trafficking is closely connected with money laundering crimes and is a preceded crime. One of the priorities of law enforcement agencies involved in cases of human trafficking is also providing expertise with due depth of the circumstances of legalization of the income earned by human trafficking. The indicator of this activity is probably the presence of judgments of conviction in several cases with a combination of offenses on trafficking and money laundering.

In the fight against trafficking great importance is attached to raise awareness to people about this phenomenon. Although the results of the work carried out in this direction are already visible, but work to raise awareness should continue and have to be constant and widespread. The effectiveness of this work can significantly contribute to the development and implementation of training programs, to highlight the issues of human trafficking in secondary schools.

Studies show that such programs have been integrated especially in high schools, but given that not all students go on to high school, discussions on integration of these programs in all the major schools, without exception, are underway. We need to improve the teaching of the real situation, so that they were not of the formal character but truly provided basic knowledge about this phenomenon among students.

In recent years our country has been witnessing widespread of information technology, so in order to prevent new manifestations of human trafficking with application of these technologies, especially among minors, at the moment relevant parties discuss the issue of control functions of the internet clubs operating in the country.

Awareness-raising works need special activation towards prevention of labor trafficking. In a large number of the population of Armenia there are people leaving the country for seasonal work. As a rule, people who have no work are quickly lured by the offers from their fellow-employers from other countries and go to the employer with a rough idea of this work and salary. Studies of cases of labor trafficking show that before leaving specific agreements with the employer on many issues such as who will bear the expenses associated with road, accommodation, food, etc are not reached. And

will these expenses be deducted from their earnings. Also the issues related to living conditions, working hours, which subsequently provides grounds for abuse by their employers are not specified. These cases should be no different, and labor relations should be clearly defined, and labor contract should be negotiated prior to leaving. The problem is of interstate nature and can not be regulated by legal acts acting only in Armenia.

We assume that only with the assistance of the International Labor Organization and other international organizations, related to this problem it would be possible to implement specific measures for the development and introduction of appropriate legal acts to reduce the risk of exposure to human trafficking in this area.

9. MESSAGE FROM THE REPUBLIC OF BELARUS



Gavrilov

Alexander Vladimirovich

*Head of the Department for Drug Control and
Combating Human Trafficking at Criminal Police
of the Internal Affairs of the Republic of Belarus*

Ladies and Gentlemen!

Human trafficking, unfortunately, continues being an actual problem for most member states of the Collective Security Treaty Organization (CSTO), and the Republic of Belarus in this regard is no exception.

The Republic of Belarus is primarily a country of origin of the so-called “human commodity”. In order to use people for sexual exploitation traffickers traffic people mainly to EU countries, the Middle East and in some regions of the Russian Federation, and for labor-exploitation, as a rule, to Russia.

Given the urgency of the problem, the Republic of Belarus ratified the United Nations Convention against Transnational Organized Crime and its additional protocols in 2003. Moreover, Belarus is party to all universal UN conventions on combating human trafficking. For a short period a considerable amount of work to improve and to harmonize national legislation with international standards has been conducted in the country.

In March 2005, Presidential Decree that addressed the key positions in the areas of employment and training of citizens abroad, international adoption cases, and activities of marriage, model and travel agencies has been signed.

In August 2005, Presidential Decree, to regulate the term “victim of human trafficking” and to identify measures for the protection and rehabilitation of victims of human trafficking has been signed.

Amendments and additions to the Criminal Code of Belarus in 2005 and 2008 have been made. Currently, the country has six corpus delicti criminalizing human trafficking and related offenses (maximum penalty for this kind of crimes is imprisonment for a term up to 15 years with confiscation of property), these are:

- 1) Article 171 “Use of prostitution or employment for the purposes of creation prostitution”;
- 2) Article 171 “Involvement in prostitution or forcing to continue prostitution activity”;
- 3) Article 181 “Human trafficking”;
- 4) Article 181 “Use of slave labor”;
- 5) Article 182 “Abduction” (if actions are taken in order to exploit people);
- 6) Article 187 “Illegal actions aimed at employment of citizens abroad (if these actions have led to the exploitation of people abroad)”

Some kind of a result of legislative activity in this area was the adoption of the Law "On Combating Human Trafficking" on January 2012. This law was worked out on the initiative of the Ministry of Interior Affairs of the Republic of Belarus.

Law compiled all the regulations of the Republic of Belarus in this field and during its preparation all previously worked out positive practices and trends in development of such crime and international experience in the fight against human trafficking were taken into account.

The Republic of Belarus is implementing a national action plan to combat human trafficking, in the form of the state program.

Currently the third State program for 2011-2013 is underway.

More than 20 public bodies, as well as the media, international organizations and public governmental associations are involved in combating human trafficking in a country.

National coordinator of this activity is the Ministry of Interior affairs of the Republic of Belarus, the structure of which is a specialized service, which includes three levels: republican, regional and district.

The Minister of the Interior Affairs of the Republic of Belarus is the National Reporter on the above-mentioned issue.

The Academy of the Ministry of Interior of the Republic of Belarus for law enforcement agencies conducts preparation of experts on fight against human trafficking since 2005.

Since 2007, there is a Public International Center for training, retraining, preparation of personnel in the field of migration and human trafficking which has been established with the assistance of the International Organization for Migration (IOM). This institution is the base institution on the profile training of the states – members of the Commonwealth of Independent States.

Special attention in the Republic of Belarus is paid to dissemination of information and conduct of prevention campaigns.

The website of the Ministry of Internal Affairs of the Republic of Belarus (www.mvd.gov.by) publishes informational analytical review of the measures taken in the country to combat human trafficking, as well as national and international legislation, statistics and other useful information.

In the field of rehabilitation of the victims of human trafficking, we have created a system in which the victims can appeal for help either in the state structures, or in non-governmental organizations, or in the rehabilitation center under the International Organization for Migration.

Among the government targets the rehabilitation and social reintegration of human trafficking victims assigned to the Ministry of Labor and Social Security the Republic of Belarus, the Ministry of Education the Republic of Belarus and the Ministry of Health the Republic of Belarus.

The Ministry of Labor and Social Security the Republic of Belarus provides various services aimed at rehabilitation of human trafficking victims of 18 years old or older.

The Ministry of Education of the Republic of Belarus provides various rehabilitation services to human trafficking victims aged from 3 to 18.

The Ministry of Health of the Republic of Belarus provides various rehabilitation services to children aged up to three years (trafficking in children of this age in Belarus has not been identified).

The mechanism to assist victims of human trafficking is also enshrined in the legislation level. The rehabilitation of human trafficking victims of the following types of free-reimbursable public assistance is offered:

- 1) the provision of temporary accommodation, including rooms and food;
- 2) legal aid, including free legal assistance provided by the Bar Association;
- 3) health care;
- 4) psychological assistance;
- 5) finding families to minor victims of human trafficking or placing them in the care of other family or children's foster homes;
- 6) assistance in finding a permanent job.

In addition, within the framework of criminal proceedings by the court decision the victim receives compensation from traffickers for the damage caused by the crime (the civil action procedure).

It should be noted that the vast majority of trafficking victims received assistance at the Rehabilitation Center under the International Organization for Migration (IOM) (about 90% of which have been identified by the Ministry of Internal Affairs of the Republic of Belarus as specialized units during operative search activity).

In 2009-2010, the possibility of creating a compensation fund in Belarus for victims of trafficking has been studied, but this idea for some reason we had to abandon.

An alternative was found in the form of social assistance to the victims of human trafficking.

Law “On combating human trafficking” provides for the possibility of payment of one-time social assistance to the victims of human trafficking.

Great importance in the fight against human trafficking is the position of the international community.

Belarus actively puts forward proposals to combat modern-day slavery in the international arena. During the Summit of Heads of State and Governments in September 2005, which was held in New York, the President of the Republic of Belarus spoke on an initiative to expand efforts to combat human trafficking, particularly in dealing with the demand for “human commodity” at the UN platform. In the development of this initiative, the UN General Assembly adopted the Global Plan of Action to Combat Human trafficking on July 30, 2010.

State authorities of Belarus established cooperation with such international governmental organizations, as the United Nations Development Program (UNDP), the International Organization for Migration (IOM), the Organization for Security and Cooperation in Europe (OSCE), the UN Children’s Fund and others.

Interaction and coordination of government agencies with non-governmental organizations is part of international technical assistance.

Successful combat of human trafficking is also built on the interaction between the law-enforcement agencies of countries of origin, transit and destination.

The Ministry of Internal Affairs of the Republic of Belarus established direct contacts with law enforcement bodies of the European Union, the Middle East and the Commonwealth of Independent States.

Belarus has international agreements exclusively on combat human trafficking with some countries such as the Republic of Turkey, which essentially exceeds the level of law enforcement practices.

As an example: in April 2011, law enforcement agencies of Belarus arrested two Belarusian citizens, who for the last few years have been constantly sending younger counterparts to Turkey for prostitution.

One of those arrested resided in the territory of the Republic of Turkey permanently, where she would look for customers for girls and would organize meetings, while taking away from them 50% of received cash for this kind of services. The second one played different role, her role was finding and recruiting girls for subsequent exploitation. During periodic visits to Belarus this criminal, who permanently resides in Turkey, was closely in contact with an accomplice and assisted her in selection and export of new “workers” for prostitution abroad. In total, the investigation found that 20 girls have been sexually exploited. At this moment these traffickers convicted and serving time in prison.

Let me note that the major forms of trafficking in Belarus are trade of human beings for sexual and labor exploitation. In addition, there are single cases of human trafficking for the purpose of removal of organs for transplantation. Human trafficking in Belarus can also be divided into categories for human trafficking related to sending the victims abroad and within the state. I would like to note that in our country the main source of information about the facts of human trafficking is the information obtained in the course of operational-search activities.

At present Belarusian law enforcement agencies are primarily working to identify victims who have been exploited 3-5 years ago. As for the actions of modern traffickers we try to suppress when they try to export people from the country, and then check them for involvement in crimes of the past.

Thus, in the course of search operations in March 2012, supply chain of Belarusian girls to Germany was shut down. The Belarusian citizen entered into a criminal agreement with the citizens of Russia and Germany permanently living in Hamburg. Upon their request, he recruited two girls in Minsk to work as prostitutes in illegal brothels in Germany, and for every one of them he was promised the reward of 1,000 Euros. After that, citizens of Germany came to our country by car to transport them to the place of exploitation.

When they tried to export these girls abroad three traffickers were detained.

Currently criminal charges were filed, the investigation is underway.

Along with the suppression of interstate human trafficking law enforcement authorities of Belarus are monitoring the situation in the country, detaining pimps included in the criminal groups.

At present the trend of adjustment of human trafficking by traffickers, and those who control the activities of prostitutes in which increasingly sophisticated and highly secret schemes with a clear separation of roles and responsibilities are applied is alarming. Criminal acts are becoming more latent, their identification, prevention and investigation becomes increasingly complex.

Prostitutes control schemes over the Internet and usage of electronic money have proliferated. As a result, there are cases when from the time of receiving the information on the criminals to their apprehension in the act and criminal prosecution we have to spend a few months of hard work.

The realities of our time are the fact that foreign citizens arrive in Belarus with purpose of sex tourism.

As an example, a citizen of one of the countries of the Middle East, who for five years was involved in the organization of sex tours for wealthy citizens of Arab States, was detained in June 2011 in Minsk. For these purposes he rented several cottages in a suburb of Minsk, where he would meet and accommodate foreigners who allegedly came for tourism proposes. To provide sexual services for a fee, he maintained constant contact with 20 prostitutes. Currently this case is under investigation.

The recent global trend of development of the problem of child pornography has not spared the Republic of Belarus, however it has not received widespread in our country.

Anticipating the possibility of growth of crimes of disseminating child pornography in Belarus, including on the Internet, the Ministry of Internal Affairs of the Republic of Belarus initiated the introduction of a separate crime into the Criminal Code of the Republic of Belarus, which implied criminal responsibility for child pornography.

As a result, since December 2008, there is Article 343 in Belarus, which has the sanction of imprisonment for the term of up to 13 years with confiscation of property.

In addition, since 2012 government decree provides a definition of the concept of "child pornography", which greatly facilitated the work on proving the existence of images of children in pornographic materials.

As an example, an offender, who made pornographic materials depicting minors using the Internet detained in January 2012 in Minsk. He signed up in one of the popular social networks creating fake profile of a minor girl. In the same network he would get acquainted with the real under-age girls using various schemes, posing as the girl, he would ask them to perform actions of sexual character (for self-satisfaction) in front of the web-camera. At the same time, he would show the victims these pornographic videos, which allegedly showed a girl, on behalf of whom he spoke. With the help of computer technology, he recorded and stored the resulting pornographic videos.

Four victims were found in this criminal case. The offender was arrested; the criminal case was submitted to the court.

Summing up, I would like to draw attention to the fact that the problem of human trafficking in the Republic of Belarus is resolved by a complex of comprehensive measures which cover every respect of it. Created mechanism against the “modern slavery” is efficient and can provide security of the population of the country.

Measures taken in Belarus allowed reducing human trafficking sufficiently.

However the prostitution is still at a fairly high level. Therefore, all the concerned bodies, both international and national should meet and share experiences because goodness knows no limit.

Our country is open for cooperation, we are pleased to learn from the positive experiences of many our foreign colleagues and share our own experience with them.

10. MESSAGE FROM THE REPUBLIC OF KAZAKHSTAN



***Summary of report by Omarbekov E.B.
Chief of the Department for Organized Crime Control
at the Committee of Criminal Police
of the Ministry of Internal Affairs of the Republic of Kazakhstan***

Dear participants of the meeting!

Dear colleagues!

First of all, on behalf of the Ministry of Internal Affairs of the Republic of Kazakhstan I would like to express our gratitude to our colleagues for their warm welcome and hospitality, as well as nice arrangements made for our work.

Protecting the rights and interests of its citizens, without a doubt, is the main priority for all countries, and Kazakhstan in this area is no exception. According to Constitution of the Republic of Kazakhstan, our country is a democratic, secular, legal and social state which highest values are human being, his life, rights and freedoms.

The problem of human trafficking is a modern form of slavery, infringing to the most basic human rights and freedoms.

Human trafficking brings huge profits to the criminal underworld, and gives the appearance and expansion of new organized groups that have become transnational.

The specificity of this type of crime in Kazakhstan is characterized by the fact that we are the country of origin, destination and transit of trafficked persons.

This problem is quite understandable and has objective reasons, such as:

- open borders between the Republic of Kazakhstan and the CIS countries;
- increased migration flows both between the CIS countries and within Kazakhstan;
- a favorable geographical and economic situation of the country;
- globalization of transnational crime and increasing its capacity in terms of organization of sustainable channels of delivery of the so-called "human commodity".

The present speech on the national experience in the field of combating human trafficking is structurally divided into several sections: the state measures, legislative base, prosecution, prevention, protection of the victims of human trafficking people and staff training.

1. PUBLIC MEASURES IN COMBATING HUMAN TRAFFICKING

To date, for an effective response to this phenomenon in the country, a certain mechanism has been working, its elements include:

1. Interdepartmental Commission for the fight against illegal exporting, importing and trafficking in human beings (hereinafter referred to as IC), which is working since 2003.

The Commission consists of representatives from 14 state agencies (at Deputy Minister and the heads of department level), two international (the Organization for Security and Co-operation in Europe (OSCE), the International Organization for Migration (IOM)) and three non-governmental organizations, the working body is the Ministry of Justice of the Republic of Kazakhstan.

2. Units to combat human trafficking created in 2004 within the Ministry of Internal Affairs of the Republic of Kazakhstan in order to identify, prevent, combat and solve crimes in the given sphere.

3. The Center for training specialists in the fight against illegal migration and human trafficking, established in 2005 under the auspices of Karaganda Academy of MIA of Kazakhstan named after B. Beisenov.

4. The current crisis centers and shelters for the protection and rehabilitation of victims of human trafficking.

2. LEGISLATION

In Kazakhstan, the responsibility for the crimes of human trafficking is stipulated in the following articles of the Criminal Code:

- Article 113 “forcible removal or unlawful removal of human organs and tissues” which prescribes punishment of imprisonment for a term of seven up to ten years with deprivation of the right to occupy certain positions or engage in certain activities for up to three years or without it;
- Article 125 part 3 paragraph b “kidnapping for purposes of exploitation of the kidnapped person” which prescribes punishment of imprisonment for a term of ten to twelve years with confiscation of property or without it;
- Article 126 part 3 paragraph b “illegal deprivation of liberty for the purpose of illegally exploiting of the person kidnapped” which prescribes punishment of imprisonment for a period of five up to ten years with confiscation of property or without it;
- Article 128 of “human trafficking” which prescribes punishment of imprisonment for a term of seven up to fifteen years with confiscation of property;
- Article 132-1 “enticement of a minor into prostitution” which prescribes punishment of imprisonment for a term of seven up to ten years;
- Article 133 “trafficking in minors”, which prescribes punishment of imprisonment for a term of twelve to fifteen years with confiscation of property;
- Article 270 “involvement in prostitution”, which prescribes punishment of imprisonment for a term of three up to seven years;
- Article 271 “organization or running brothels for prostitution and pimping” which prescribes punishment of imprisonment for up to five years.

Time does not stand still, methods and means used by criminals are changing and improving, in this regard, to ensure decent counteracting the Ministry of Internal Affairs of the Republic of Kazakhstan (the development body) in conjunction with the concerned government agencies has prepared the law “On amendments and additions to some legislative acts of the Republic of Kazakhstan on combating human trafficking”, providing a number of amendments to existing laws, including the provision of victims of human trafficking with free legal services, namely the representation of the interests by lawyers in the investigation and criminal cases in court.

In order to ensure international cooperation among countries of abduction, recruitment, transit and the use of slave labor Kazakhstan acceded to such Conventions as:

- The United Nations Convention on Slavery of 1926 (the Act of 2008);
- The International Convention for the Suppression of the Traffic in Persons and of the Exploitation of pro-Constitution of Others of 1949 (the Act of 2005);
- Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery from 1956 (the Act of 2008);

- The International Labor Organization (ILO) Convention on the Abolition of Forced Labor of 1957 (the Act of 2000);
- The International Convention on the Elimination of All Forms of Discrimination against Women of 1979 (the Act of 1998);
- The International Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment of 1984 (the Act of 1998);
- The UN Convention on the Rights of the Child of 1989 (the Act of 1994);
- The Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms
Child Labor Act 1999 (the Act of 2002);
- The United Nations Convention against Transnational Organized Crime of 2000 (The Act of 2008);
- The Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (the Act of 2008);
- The Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime (the Act of 2008)

Also a number of international instruments on mutual legal assistance and legal relations, both bilaterally and multilaterally have been signed:

In 2009:

1. Agreement between the states – members of the Commonwealth of Independent States on exchange of information in the field of the fight against crime on May 21, 2009.
2. Agreement between the Government of the Republic of Kazakhstan and the Government of the French Republic on cooperation in the fight against crime on October 6, 2009.
3. Agreement between the Government of the Republic of Kazakhstan and the Government of the Italian Republic on cooperation in combating organized crime, illegal traffic in narcotic drugs, psychotropic substances, precursors and chemicals used to produce them, terrorism and other kinds of crimes on November 5, 2009.

In 2010:

1. Agreement between the Government of the Republic of Kazakhstan and the United Arab Emirates on cooperation in combating organized crime, terrorism, illicit trafficking in narcotic drugs, psychotropic substances and their precursors and analogues, and other types of crimes on May 13, 2010.
2. Cooperation agreement between the governments of the Shanghai organization on cooperation in the fight against crime on June 11, 2010.
3. Agreement between the Government of the Republic of Kazakhstan and the Government of the Kingdom of Saudi Arabia on cooperation in the fight against terrorism, organized crime, illicit trafficking in narcotic drugs, psychotropic substances and their precursors on September 28, 2010.
4. Cooperation agreement between the Ministries of Internal Affairs (MIA) (police) of the states – members of the Commonwealth of Independent States on combating human trafficking on September 2010.

In 2011:

1. Cooperation Agreement between the Ministry of Internal Affairs of the Republic of Kazakhstan and the Ministry of Internal Affairs of the Republic of Belarus on May 25, 2011.
2. Cooperation Agreement between the Ministry of Internal Affairs of the Republic of Kazakhstan and the Ministry of Internal Affairs of Ukraine on November 24, 2011.

3. Agreement between the Government of the Republic of Kazakhstan and the Government of the Kingdom of Spain on cooperation in the fight against crime on June 17, 2011.

In the current year:

At the moment there are 14 drafts, including with foreign countries at the consultation stage – ten with foreign countries and four with the CIS countries.

These agreements regulate direct cooperation with foreign law-enforcement agencies in solving crimes, including cases related to human trafficking, by:

- The exchange of operational and investigative, operational referential, forensic and archival information;
- The execution of requests and orders;
- Conducting search operations and investigations not requiring warrants from the prosecutor’s office, large-scale preventive operations and special operations.

Much work in this field is also carried out by the Government of Kazakhstan, which implements gradual adoption of national action plans to combat and prevent crimes related to human trafficking (hereinafter referred to as the Action Plan).

At present, under consideration for the approval of the Office of the Prime Minister of the Republic of Kazakhstan there is a successor Action Plan for 2012-2014 (previous action plans were active in the period 2004-2005, 2006-2008, 2009-2011), foreseeing the improvement of legislative and institutional framework, including that has been envisaged by the Program of cooperation among the participating states of the CIS in combating human trafficking in 2011-2013.

In order to prevent and highlight problems among the population the Media plan for information propaganda is carried out, within the framework of which a joint work with the media (issue television programs, videos, participate in interviews, publication of articles, placement of information on its website, the production and distribution of information materials in various educational institutions) is conducted.

Also governmental authorities are taking steps within the framework of HASKH44 project “Strengthening capacity of Central Asian nations to protect victims of human trafficking and smuggled migrants, especially women and children, and help them in collaboration with non-profit organizations and civil society” initiated by regional office of the United Nations Office on Drugs and Crime (UNODC).

The project will implement the following measures:

- Advanced training of police officers, staff of governmental and judiciary bodies;
- The signing of a memorandum of cooperation with the United Nations Office on Drugs and Crime;
- Attracting international experts to assess the situation in Kazakhstan and participation in the development of activities to improve legislation;
- Facilitating access and improving quality of services provided in shelters and centers for victims, training of personnel.

3. PROSECUTION

Main methods of detection and prevention of crimes related to human trafficking are carried out by the bodies of internal affairs in accordance with national law, international acts as well as international legal instruments (programs) of the CIS (Commonwealth of Independent States), the EU (European Union), the CICA (Conference on Interaction and Confidence Building Measures in Asia) and the Collective Security Treaty Organization (CSTO).

Measures for the identification and disclosure of crimes related to human trafficking, involving the relevant bodies are accepted on a continuous basis quarterly, and the targeted Republican operative-preventive activities such as “STOP traffic”, “Nelegal” (hereinafter referred to as the OPE) are conducted.

In 2011, as a result of measures taken by the internal affairs bodies 287 criminal cases were commenced, 184 of which are cases for organizing or maintaining premises for organization of prostitution and pimping, 25 cases of human trafficking, 23 cases of kidnapping for the purpose of exploitation of human beings, 22 for involvement in prostitution, 21 cases for trafficking of minors and 12 cases for unlawful deprivation of liberty for the purpose of exploitation.

In 2011, 84 victims of trafficking were identified, including six foreign citizens.

For the year (not including Article 271 of the Criminal Code), the court considered – 46 criminal cases in which 20 judgments involving 37 persons to various penalties with terms from 8 months to 17 years in prison were rendered.

Over the passed period of this year 101 criminal cases were commenced (statistics for the four months), as follows:

- 12 cases for trafficking, including one for trafficking in minors (all concerning sexual exploitation);
- 3 cases for kidnapping for the purpose of exploitation;
- 2 cases for unlawful deprivation of liberty for the purpose of exploitation;
- 10 cases for involvement in prostitution;
- 3 cases for enticing a minor into prostitution;
- 71 cases for pimping and operating a brothel.

27 victims, including three foreign nationals (two of Uzbekistan, one of Russia) were identified.

Two criminal cases involving five persons sentenced to various prison terms from 5 to 7 years in prison are considered

Under consideration (excluding Article 271) there are six criminal cases, the others on the investigation stage.

The analysis confirms the prevalence of domestic human trafficking in the country.

As for the external traffic, our female compatriots are often taken out for the purpose to be sent in the CIS countries, Turkey, the United Arab Emirates and the People's Republic of China, and in the territory of our country the citizens of the countries of Central Asia are exploited.

For example, officers of Department for Organized Crime Control under the Department of Internal Affairs of the Almaty region arrested organized crime criminal groups, including one woman who for the past eight years (from 2004 to 2011) was involved in human trafficking, including in minors, involving them in prostitution, illegal detention and the organization and maintaining of illegal brothel for prostitution in one of the hotel complexes, located at the Almaty-Bishkek highway.

Among the victims there is a citizen of the Kyrgyz Republic.

A criminal case under Article 235, 128, 125, Part 3, Section B, Articles 270 and 271 of the Criminal Code of the Republic of Kazakhstan.

The case is pending in court.

4. PREVENTIVE MEASURES

Law enforcement bodies interact with international and non-governmental organizations on issues related to combating human trafficking on a regular basis.

To strengthen cooperation Ministry of Interior Affairs the Republic of Kazakhstan signed:

- In 2008, a memorandum of cooperation between state bodies of the Republic of Kazakhstan (the Ministry of Justice of the Republic of Kazakhstan, the Ministry of Interior Affairs of the Republic of Kazakhstan, the Ministry of Labor and Social Welfare of the Republic of Kazakhstan, the Ministry of Culture of the Republic of Kazakhstan) and non-governmental organizations for the protection of the rights and freedoms of the victims of human trafficking;
- In 2011 the Additional Protocol to the Memorandum of Understanding between Government of the Republic of Kazakhstan and the Government of the United States of America in drug control and ensuring law and order was signed on December 12 2002, in which one of the main issues

is to counter human trafficking (identification of the victims of human trafficking, detection and investigation of crime related to human trafficking, prosecuting and bringing to responsibility traffickers).

In the current year a Memorandum of Understanding between the Ministry of Internal Affairs of the Republic of Kazakhstan and the International Organization for Migration (IOM) on cooperation in the field of combating human trafficking is expected to be signed.

One of the positive aspects of cooperation with non-governmental sector it is the possibility of functioning of the country’s national helpline 116 16 under the Ministry of Interior Affairs of the Republic of Kazakhstan around the clock to combat human trafficking, available by direct dialing from fixed and cell phones.

This call center operates with the financial support of the International Organization for Migration (IOM) and is served by the non-governmental organization (NGO) “Soyuz krizisnykh tsentrov” (Union of crisis centers).

This year 2 060 000 million tenge was allocated from the republican budget for the organization of the aforementioned call center under the Ministry of Internal Affairs of the Republic of Kazakhstan within the frameworks of the state social order.

Since the beginning of the year the number received 294 calls, of which:

- 01 – for employment abroad;
- 71 – on migration issues;
- 14 – to study abroad;
- 12 – related to issues of marriage with foreign nationals;
- 6 – of known cases of human trafficking (one case is being considered at the moment, criminal case may be commenced, the example is given);
- 90 – the legal and social issues.

For example, in May of this year, the helpline 116 16 received a call from a man, who reported that unknown person fraudulently took him out of the city to the village center, where for three months, he was subjected to labor exploitation in the farm.

In the course of carrying out the necessary measures this fact was confirmed.

Currently, the issue on commencement of a criminal case under Article 128 of the Criminal Code of the Republic of Kazakhstan is being addressed.

The Ministry of Internal Affairs of the Republic of Kazakhstan holds the following activities for the prevention of crimes:

- organizes and takes part in round tables, conferences, seminars, information campaigns and actions;
- takes part in the production of documentaries, movies, magazines, on combating human trafficking and other handouts;
- posts contact phones numbers of the units engaged in combat human trafficking across regions on its official website.

5. VICTIM PROTECTION

Today there are 18 non-governmental organizations (hereinafter referred to as NGOs) in our country, including the three shelters in Almaty (for six people), Kokshetau (for 10 people), Petropavlovsk (for six people) and one center for the rehabilitation of victims of human trafficking, formed with government support in Astana (for 20 people) which provide legal, psychological, medical assistance, representation in court, assistance when it comes to restoring all the documents to return home (to the homeland), etc.

These NGOs are funded by social projects within the state order, and international donor organizations such as the IOM.

This year, the shelters assisted 43 individuals (two men and 41 women, including 12 foreign nationals).

20 citizens of these were sent by the Ministry of Internal Affairs of the Republic of Kazakhstan for the rehabilitation.

The protection and assistance to victims of human trafficking is part of the Law of the Republic of Kazakhstan "On State Protection of persons involved in the criminal process" (The law is in force since 2001).

Annually for this purpose from the state budget allocates funding.

For example, in 2011, 184.35 thousand U.S. dollars (27.64 million tenge) have been allocated, about seven thousand U.S. dollars (one million tenge) of which have been spent on the protection of victims of human trafficking.

This year 174.32 thousand U.S. dollars (26.148 million tenge) have been allocated, of which 26 thousand 670 U.S. dollars (4 million tenge) have been used, including for the protection of victims of human trafficking.

To help victims who are abroad, the Ministry of Foreign Affairs of the Republic of Kazakhstan has a program entitled "Provision of financial assistance to the citizens of the Republic of Kazakhstan, smuggled to foreign countries and victims of human trafficking, as well as to those suffered abroad from other crimes and find themselves in a force majeure circumstances".

6. TRAINING

The basis of the training of law enforcement officers are courses held under the auspices of the skills training center. The above-mentioned training center offers courses to combat the illegal migration and human trafficking, as well as abroad (in the Republic of Belarus, Hungary, and Turkey).

Over a hundred employees of the Ministry of Internal Affairs of the Republic of Kazakhstan (migration police, units to combat human trafficking, investigators, district inspectors, and duty units' staff) are trained in the training center each year.

For training apart from the core faculty international experts, specialists from international organizations and non-governmental organizations (NGOs) are attracted.

The Ministry of Internal Affairs of the Republic of Kazakhstan is planning to continue working with all relevant bodies, departments, international organizations and non-governmental organizations (NGOs) to improve the work in this direction.

Despite the positive assessment of the status of Kazakhstan in the field of combating human trafficking, we have too much work to promote these activities and implementation of challenges ahead.

In conclusion, I would like to wish all the participants of the meeting successful and fruitful work for the benefit of our countries!

Thank you for your attention!

11. MESSAGE FROM THE KYRGYZ REPUBLIC



Iyazalieva Kaniza Toktosunovna
*Chief Specialist of external migration
department at the Ministry of Foreign Affairs
of the Kyrgyz Republic*

Combating Human trafficking in the Kyrgyz Republic

Background of human trafficking:

- the difficult socio-economic situation;
- unemployment;
- internal and external migration;
- low level of education and legal literacy of migrant workers.

Measures implemented by the government of the Kyrgyz Republic

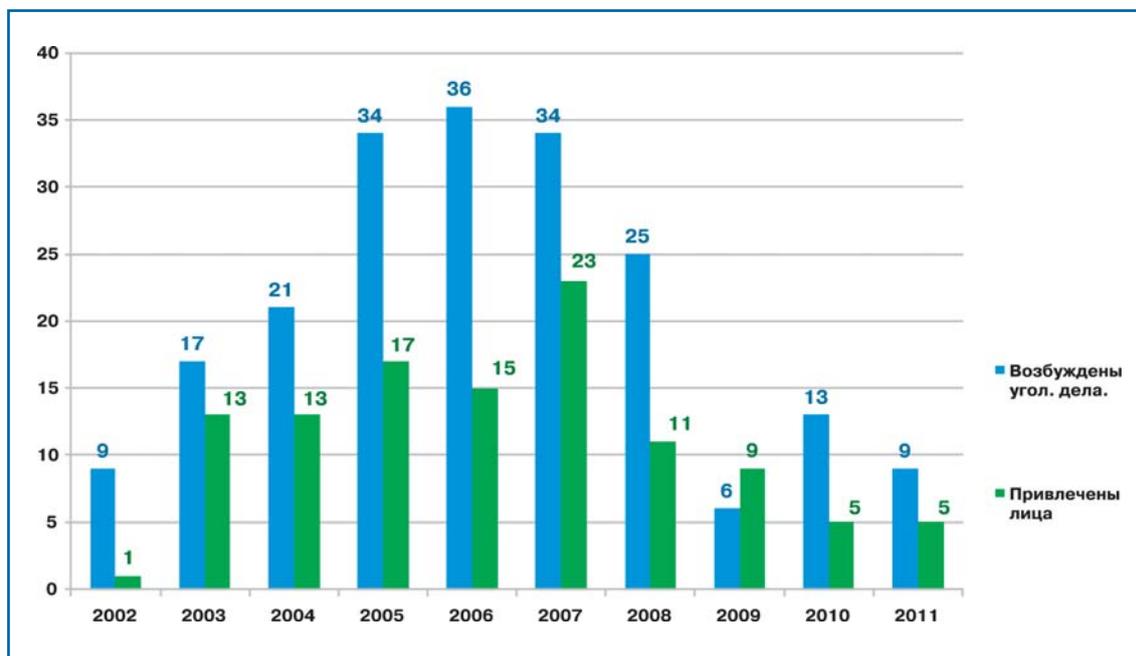
Implementation of the Plan of Action to Combat Human trafficking in the Kyrgyz Republic for 2008-2011, allowed:

- bringing the legislation of the Kyrgyz Republic in accordance with the rules of international law;
- increasing the efficiency of work of public bodies;
- improving the provision of information;
- increasing the effectiveness of law enforcement agencies;
- establishing a system to assist victims of trafficking.

In 2011, the Kyrgyz Republic adopted the following laws:

- “On Amendments to the Criminal Code of the Kyrgyz Republic”;
- “On introduction of changes and amendments to the Code of administrative responsibility of the Kyrgyz Republic”;
- “On introduction of amendments to the Civil Procedure Code of the Kyrgyz Republic”;
- “On amendments and additions to the Law of the Kyrgyz Republic”, “On preventing and combating human trafficking”;
- “On amendments to the Family Code of the Kyrgyz Republic”
- For law enforcement officers, national security officials, migration, public prosecutor’s office, judges, educational institutions, municipal employees with the assistance of the International Organization for Migration (IOM), Organization for Security and Co-operation in Europe (OSCE), United Nations Office on Drugs and Crime (UNODC), the American Bar Association and the International Labor Organization (ILO) held and training seminars on human trafficking

The Ministry of Internal Affairs of the Kyrgyz Republic commenced criminal cases and held criminally liable under Article 124 of the Criminal Code of the Kyrgyz Republic for 2002-2011.



- Special courses on combating human trafficking in the curriculum of Kyrgyzstan schools and Slavic state universities, educational institutions, the Ministry of Internal Affairs of the Kyrgyz Republic were introduced.
- The Supreme Court held generalization of judicial practice of considering criminal cases of human trafficking, and published "The review of the criminal justice cases of human trafficking and illegal immigration."
- The control over the process of adopting children from orphanages, boarding schools, maternity homes, foster homes, as well as the work of the foster homes and rehabilitation centers has been improved.
 - Informational work has been carried out.
 - The "hot line 189" has received more than 36 thousand calls from citizens.
 - The Center of the employment of citizens of the Kyrgyz Republic abroad MTZiM has been created.
 - resource Center to help street children has been opened.
 - case studies have been conducted.
- In 2008-2011, the representative office of the International Organization for Migration (IOM) in the Kyrgyz Republic provided assistance to 700 victims of trafficking, this work has been conducted in the interaction with a partner network of non-governmental organizations (NGOs).
- MTZiM assisted in the repatriation of more than 200 citizens of the Kyrgyz Republic of the Russian Federation and the Republic of Korea (ROK).
- The Ministry of Foreign Affairs of the Kyrgyz Republic – assisted in the repatriation of more 300 citizens of the Kyrgyz Republic from the Russian Federation, Kazakhstan, Turkey and the UAE.
- The Center for the adaptation and rehabilitation of minors under the Ministry of Internal Affairs of Ochkaya region in the interaction with the International Organization for Migration (IOM) and partner network of a partner network of non-governmental organizations (NGOs) provided appropriate assistance to about 3 thousand children.

Taking into account the growing scale of the threat of illegal export and human trafficking, an inter-agency working group has developed a draft plan to strengthen measures to combat human trafficking for 2012 – 2015.

The structure of the draft Action Plan

- I. Analysis of current situation
- II. Problems
- III. The purpose and objectives of the Action Plan
- IV. Monitoring and evaluation
- V. Expected Results
- VI. Measures to implement

Project objectives of the Action Plan

- 1. Improving the legal framework.
- 2. Further raising the awareness of citizens and information and educational work.
- 3. Implementation of effective measures to detect and prevent human trafficking and minimization of its consequences.
- 4. Provision of social protection and assistance to victims.
- 5. Development of cooperation between public authorities, international and non-governmental organizations in combating human trafficking.
- 6. Strengthening international cooperation between law enforcement agencies of Kyrgyzstan and other countries in combating human trafficking.

Monitoring and evaluation

Effectiveness of the implementation of the Action Plan will be determined by continuous monitoring and evaluation of the measures taken.

The final results will be tracked through indicators of implementation, which will promote the effective operation of government.

The main executors of this project are the ministries and agencies, non-governmental organizations with the assistance of international organizations

Thank you for your attention!

12. MESSAGE FROM THE RUSSIAN FEDERATION



Ovodkov Dmitry Alexandrovich

Head of the 26th Main Criminal Investigation Department of the Ministry of Internal Affairs of the Russian Federation

Abstracts for the report

The problem of transnational organized crime is increasingly global in its nature. First of all, transnational organized crime is more or less acute form which manifests itself in almost all countries of the world, being serious actual or potential obstacle to their social and economic, political and cultural development. This presupposes interested members of the world community in a joint search of the most effective ways and means of solving this problem. Second, the ever-expanding list of crimes which constitutes an international risk (such as the illegal transboundary drug trafficking, cultural property, weapons and radioactive materials, and terrorism of international scale) The fight against this kind of crime can be truly effective only when the majority of agreed actions states, with a rational combination of domestic and international efforts is achieved.

For reference:

Thus, in 2011, all law enforcement agencies detected 17,691 crime committed by organized groups and criminal networks, including 10 547 belonging to the category of conventional crimes, with that the criminal investigation units solved 6406 crimes. In 2011, the police detected 165 crimes qualified according to Article 209 (armed robbery) of the Criminal Code of the Russian Federation, 149 of them are now solved. According to Article 210 (Organization of Criminal Community) of the Criminal Code of the Russian Federation officers of the Internal Affairs bodies identified 101 crimes and solved 64. An increase in the effectiveness of solving of past crimes committed as part of the organized crime bands and criminal communities – an increase of 15.7% can be noted (2103).

In the last 25-30 years there was an evident tendency to expand and deepen international law enforcement cooperation, particularly in combating transnational organized crime. This is due to the rapid development of integration processes in the world, the expansion of political, economic, cultural and humanitarian relations, improvement of transport and communication means, simplification of entry and exit from the country, border and customs formalities, and the gradual establishment of international relations the priority of universal values, ideas of justice and solidarity.

Thus, the cooperation of the states in this direction has an objective basis – their close relationship and interdependence, which involve qualitative change of the crime, including its internationalization, i.e. increase in it of share of international elements (for example, a crime on the territories of two or more states, harboring and selling stolen items or “money laundering” originated from crimes committed abroad, attempts of criminals to escape justice abroad, etc.).

New approaches in the fight against organized crime are defined in the UN Convention against Transnational Organized Crime, adopted in Palermo on December 12, 2000. Russia has signed and ratified this Convention and its protocols: the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children for sexual exploitation; the Protocol against the

Smuggling of Migrants by Land, Sea and Air. Due to Russia’s accession to the Convention additional norms are included in the Criminal Code of the Russian Federation.

Ministry of Internal Affairs of the Russian Federation, in conjunction with other relevant federal authorities, as well as the General Prosecutor’s Office of the Russian Federation, is considering the expediency of the Russian Federation to the Optional Protocol to the Convention on the Rights of the Child regarding sale of children, child prostitution and child pornography.

A federal law which toughens penalties for crimes against sexual inviolability to minors, which stipulates additional punishment for those who committed them, in the form of deprivation of the right to hold certain positions and to limit the use of conditional early release from imprisonment adopted on 27 July 2009 (215-FZ) contributes to Russia’s accession to the abovementioned Protocol.

At present, the Committee of the State Duma of the Russian Federation on Family, Women and Children prepared a draft federal law on amendments to the Criminal Code to include a greater responsibility for sexual offenses committed against minors, including articles related to human trafficking and slave labor.

The adoption of such an instrument would also contribute to the further implementation of Russia’s international obligations. The presence of the problem of illicit transportation of Russian children abroad, including for sale, puts the task of effective use of forces of the international community on this issue to our state. Russia’s accession to the Hague Convention of 25 October 1980 on the Civil Aspects of International Child Abduction designed to create an international legal obstacle to smuggle children to other States, their capture and sale, including the exploitation of child labor, sexual services which took place on June 1, 2011 is also very important. Combating human trafficking is a major problem of law enforcement bodies of the Russian Federation to ensure national security.

The criminalization of society creates a wide range of internal and external threats to national security of many countries. One of those threats is strengthening position of organized crime, specializing in crimes related to human trafficking. Russia, like any other developed country, is very interested in the elimination of economic, social and political roots of such social hazards. Russia is willing to develop an integrated system of effective measures to protect individuals, society and the state from such criminal attacks, which requires consolidation of efforts to combat this type of crime.

Human trafficking is a multifaceted transnational crime, which goes beyond one state, committed by organized groups, and in addition, it is a latent form of crime due to a number of interrelated factors.

For an objective assessment of the crime situation in the field of human trafficking it is necessary to obtain reliable knowledge about the real state and the extent of this phenomenon under consideration as a prerequisite for effective control of the organization of such kind of crimes.

In 2010 the law enforcement bodies of the Russian Federation registered 103 crimes (+ 32.1%), including by the officers of the Ministry of Internal Affairs – 76 (+ 4.1%) qualified under Article 127.1 of the Criminal Code of the Russian Federation (human trafficking), solved – 73 (+ 2.8%), of which organized crime groups and criminal communities – 19 (- 32.1%). During the same period registered 15 (+ 87.5%) offenses under Article 127.2 of the Criminal Code of the Russian Federation (use of slave labor), revealed 10 (+ 25%). In 2011, law enforcement bodies of the Russian Federation registered 46 crimes under Article 127.1 of the Criminal Code of the Russian Federation (- 37.8%), including 45 of which (- 36.6%) recorded by the Ministry of Internal Affairs, solved 17 (- 48.5%), including those committed by organized crime groups and criminal communities – 4 (- 33.3%), identified 17 perpetrators who committed a crime. Mainly we are talking about predominant forms of human trafficking, both for sexual exploitation, forced labor, and trafficking in children for illegal adoption.

There is a misconception that human trafficking is only part of the eponymous crimes under Article 127.1 of the Criminal Code of the Russian Federation, and all other related crimes are something

else that does not have anything to do with this type of abuse in any way. Thus, we can conclude that a narrow interpretation of the term "human trafficking" in these situations distorts the real picture of the spread of the considered phenomenon.

To date, human trafficking is "formed" in an extensive network of "aligned" with many other crimes. Crimes committed in the field of human trafficking are not only criminal acts under Article. 127.1, Article 127.2 of the Criminal Code of the Russian Federation, but also Article 105 (murder), Article 116 (assault), Article 117 (torture), Article 120 (forcible removal of or tissues for transplantation), Article 126 (kidnapping), Article 127 (illegal confinement), Article 131 (rape), Article 134 (sexual intercourse or other crimes of sexual nature with a person under sixteen years of age), Article 154 (illegal adoption), Article 210 (organization of criminal community (criminal organization), Article 235 (illegal activity of private medical practice or private pharmaceutical practice), Article 240 (attraction to prostitution), Article 241 (organization of prostitution), Article 242 (illegal distribution of pornographic materials or objects), Article 242.1 (production and distribution of materials or objects with pornography images of minors), Article 286 (abuse of office), Article 290 (bribery), Article 322 (illegal crossing of the state border), Article 322.1 (organizing illegal migration), Article 327 (forgery, manufacture or sale of counterfeit documents, state awards, stamps, seals, forms).

For reference: In 2011, all law enforcement agencies detected more than 2000 crimes under Article 240, Article 241, Article 242, Article 242.1 of the Criminal Code of the Russian Federation.

The legislation of the Russian Federation also provides administrative responsibility for a number of offenses in this area – prostitution (Article 6.11 of the Criminal Code of the Russian Federation), income from prostitution, if this income is associated with the involvement of another person in prostitution (Article 6.12. of the Criminal Code of the Russian Federation), violation of rules of attraction and use of foreign workers or foreign workers exercise in the Russian Federation, work in Russia without a work permit (Article 18.10. of the Criminal Code of the Russian Federation) illegal activities on employment of Russian citizens abroad (Article 18.13. of the Criminal Code of the Russian Federation), smuggling of persons across the state border of the Russian Federation (Article 18.14. of the Criminal Code of the Russian Federation).

Over recent years law enforcement bodies of the Russian Federation have accumulated some experience in the fight against human trafficking. However, the generalization of the experience of this type of law enforcement activity suggests ambiguous legal assessment, inability to correctly distinguish these crimes from similar crimes.

We must take into account the specifics of Russia as a country of transit, origin and destination of victims of human trafficking. Transparent borders within the Commonwealth of Independent States countries and no need for visa leads to the fact that most of the cases of human trafficking in this space are identified with legal crossing of borders and valid documents. Insignificant real part of human trafficking in this case can be stopped at the border and be prevented through border controls.

Russia has a special place at the "cross-roads" of mass migration; it is southern and eastern borders of the country across which there is the main flow of illegal migrants. Considering these factors and understanding the relationship of illegal migration and human trafficking and many other crimes, the Ministry of Internal Affairs of the Russian Federation together with the Federal Migration Service of the Russian Federation on a permanent basis holds annual coordinated preventive operations and such special operations as "Nelegal" and "Nelegalny migrant" to combat illegal migration, including human trafficking in the Russian Federation.

Combating human trafficking is traditionally one of the subjects discussed in international multilateral formats (the United Nations (UN), the Council of the Baltic Sea States (CBSS), the Organization for Security and Co-operation in Europe (OSCE), the Black Sea Economic Cooperation (BSEC), the G-8/ "the Group of Eight", Europol), as well as at a bilateral level.

Action against human trafficking is incorporated as one of the areas of cooperation in intergovernmental and interagency agreements on interaction in the fight against crime, signed with more than 60 countries.

The importance in the fight against human trafficking at the interstate level in the CIS Agreement on the exchange of information, signed in Astana on May 22, 2009 should be noted. Interstate holder of information is the Ministry of Internal Affairs of the Russian Federation. Trafficking and exploitation of people is a negative phenomenon of modern reality and kind of criminal activity which currently poses a real threat to the national security of all countries experiencing economic and moral crisis. Among these countries is the Russian Federation. Human trafficking takes place, as a rule, according to the following scheme: recruitment and export – transportation – reception and exploitation. Components of the crime remain the same regardless of whether the victim and the offender are located within the same country or in different countries. The difference is that in the second case, the offender needs to provide the possibility to cross the state border to the victim (usually illegally).

Forensic analysis showed that it would be almost impossible to recognize human trafficking at the stages of the recruitment and transportation, and if there are similar signs, the evidence base of this activity is absent. At these stages most of the victims themselves do not even think what fate awaits them in the destination country (with few exceptions). Traffickers actually fall under an effective investigation only in the country of destination, where there is a direct human exploitation. Study of the investigation practice of criminal cases carried out by Investigative Department of the Ministry of Internal Affairs of the Russian Federation shows that the citizens of the Russian Federation are mainly exploited outside of our country, and the citizens of the CIS and foreign countries are exploited in many countries including Russia.

In our opinion, the typical sources of information on human trafficking are the following:

- Advertising (magazines, newspapers, Internet, etc.), offering work abroad without specifying its nature;
- The announcement of providing dubious services relating to spending free-time in saunas, massage parlors, clubs and entertainment facilities, etc.;
- Database of visa departments of embassies and consulates, as well as companies involved in tourism, employment abroad;
- Contacts with the representatives of these companies, embassies and consulates;
- Contacts between employees of saunas, massage parlors, hotels, bars, clubs, advertising agencies, real estate agencies and seaports and airlines workers.

Delineated range of sources of information on a crime is not considered comprehensive.

At the same time it is important to consider that in criminological perception of such phenomenon as human trafficking an important role is played not only by the criminal acts, but other violations of rights, which are a prerequisite for making a legitimate consideration of crimes.

According to the MIAC the Ministry of Internal Affairs of the Russian Federation, for 12 months of the year in the territory of the Russian Federation 65 persons were recognized under the law as victims, in 2010 – 71, in 2009 – 82 for criminal cases under Article 127.1 of the Criminal Code of the Russian Federation (human trafficking). However, the determination of the number of victims from committing crimes under Article 127.1 of the Criminal Code of the Russian Federation, which remained latent, can only be approximate.

First, the above-mentioned figures are based primarily on the number of identified victims, established in accordance with the law. Second, analysis of the data indicates that not all victims of human trafficking in the Russian Federation and abroad see themselves as victims, as deliberately intended to leave the country for work.

For example, some female high-school students, college students, etc. after graduation intend to go abroad for any paid work, despite the risk of working there just as prostitutes. This leads to the fact that women are not going to cooperate with law enforcement agencies, but also try to hide

information on facts of sexual exploitation from their relatives, neighbors and close friends.

It is no accident that potential victims of human trafficking rarely appeal to law enforcement agencies claiming sexual abuse or other crimes committed against them on their own initiative.

In this regard, it must be recognized that the objective data, at least giving some characteristics which would help form the number of people sold for use both within the country and outside it and forcibly held for various kinds of exploitation, does not exist.

However, the important issue is the system of protection of victims of human trafficking which should be addressed in two aspects. The first aspect is the protection of all persons, victims of human trafficking, based on common standards, human rights and freedoms.

In this area, the protection of human trafficking victims includes not only the responsibility of the Ministry of Internal Affairs of the Russian Federation, and the Ministry of Health and Social Development of the Russian Federation but also the responsibility of other ministries and departments. Analyzing the second aspect of the protection of victims of human trafficking, it is necessary to consider only the victims of human trafficking and ones cooperating with law enforcement authorities in the detection and investigation of this crime. This part of the protection system is based on the guarantee of statutory protection of this category of persons.

The Federal Law as of August 20, 2004 number 119-FZ "On State protection of victims, witnesses and other participants in judicial procedures" and approved by the appropriate State program to ensure the safety of victims, witnesses and other participants in the criminal proceedings has been adopted in the Russian Federation,. The existing regulatory framework allows implementing a set of measures aimed at protecting this category of persons, as well as their close relatives at the state level.

At the same time, the Criminal Procedure Code of the Russian Federation has rules aimed at promoting and protecting the rights of victims of human trafficking or people who have information about this crime.

Currently, the country has established a network of social service structures working for population, among which a special role is played by social service agencies for families and children, run by the executive authorities of the Russian Federation. For example, in 2010, three citizens of the Republic of Ghana who were undergoing a criminal trial as victims, after the investigation procedure were placed in the detention center for foreign citizens of the Head Office of the Ministry of Internal Affairs of the Russian Federation in Moscow, where they had a chance to pass a rehabilitation course, after which they were deported to their homeland.

Since the problem of human trafficking goes beyond the territory of the Russian Federation, measures aimed at expanding international legal framework for cooperation between the states and the establishment of practical cooperation with other states in this area remain current.



Sergey Arkadievich Skorokhodov
*Deputy Chief of the Department
of the Federal Security Service (FSS)
of the Russian Federation*

SUMMARY OF REMARKS

Analysis of information obtained by the Federal Security Service (FSS) of the Russian Federation indicates that illegal migration processes and the associated phenomenon of human trafficking are accompanied by negative developments in almost all spheres of life, creating real and potential threats to both the Russian Federation and Member States of the European Union (merging of the criminal activity and control authorities at the border, the presence of corruption links of international organized crime groups in law enforcement agencies, as well as in power and regulation bodies).

According to our estimates, the growth of migration flows, including transit through the territory of Russia, contribute to:

- Relative loyalty of the Russian and European legislation, lack of harsh penalties on illegal migrants;
- The presence of ethnic communities, assisting illegal migrants in illegal activities in Russia;
- A lower standard of living in a number of the CIS countries and, as a consequence, the presence of social base for the criminal phenomenon (human trafficking);
- High yield of criminal activity in connection with the activities of an active international criminal gangs involved in the illegal crossing of people across the border.

In accordance with the competence of the Federal Security Service (FSS) of the Russian Federation in recent years, together with the Ministry of Internal Affairs of the Russian Federation bodies and the Prosecutor’s Office and in cooperation with foreign colleagues, large-scale operations to eliminate a number of major international criminal communities, specializing in human trafficking, were successfully conducted.

Thus, in the period from 2007 to 2010 in cooperation with foreign partners: National Security Service of Uzbekistan, Information and Security Service of Moldova, KGB of the Republic of Belarus, law enforcement agencies of Israel, Italy and Finland the activity of organized crime group, which were involved in organization of the recruitment, sale and transportation of women from Russia and the CIS countries of Western Europe and the Middle East, with fake Russian passports, and for the subsequent purpose of their sexual exploitation was suppressed. As a result of this work it was established that the international criminal organization was founded in around 2000, its composition included around 150 members operating in the territory of Russia (more than 30 persons) and abroad, victims of their crimes were a few thousand persons.

In April 2011, 11 core members of the aforementioned organized crime group based on the verdict by a jury were recognized guilty by the Moscow district military court of crimes under Article 210 and Article 127.1 (organization of organized crime group and human trafficking) of the Criminal Code of the Russian Federation and sentenced in a total complexity to 123 years in

prison. In total during the joint activities with foreign colleagues operations, including according to the materials of the Federal Security Service (FSS) of the Russian Federation 83 active members of organized crime group in Israel, Italy, Uzbekistan, Moldova, and Belarus were involved in criminal proceedings or under investigation at this moment.

In addition, in the period from 2009 to 2011 in cooperation with Spanish law enforcement authorities a large-scale work of another organized crime group detected and suppressed. It was conducting criminal activity for more than 10 years. As a result of 7 operations implemented in 2010 by our Spanish partners, based on criminal cases initiated by the Federal Security Service (FSS) of the Russian Federation against the Spanish organized crime group, two criminal cases were commenced, under which 13 persons (citizens of Spain, Russia, Ukraine, Belarus) were arrested. These persons were identified as owners and managers of the so-called "night life" houses in the city of Madrid, Barcelona, Lleida, Tenerife, Tarragona and which were the buyers of the so called "human commodity" in this organized crime group.

In total 90 members of the organized crime groups were determined that participated in this community, about 700 girls suffered from their criminal activities.

Thus, our joint ventures operations on elimination of international criminal organizations with foreign partners allowed working out the mechanism of investigation of such cases, developing the algorithm of formation of evidence, with the nuances of national legislation, and enhancing interaction with special services and law enforcement agencies of foreign countries, transferring it from the theoretical to the practical course.

The results of the implementation of these operations were widely reported in the Russian and foreign media, and repeatedly discussed by foreign counterparts on international meetings and conferences on the issue of human trafficking as positive experience of effective interaction between the Federal Security Service of the Russian Federation and law enforcement bodies of various countries.

The Federal Security Service of the Russian Federation organized interaction with special services and law enforcement bodies of the EU countries through illegal migration.

The above-mentioned examples of cooperation interaction between the Federal Security Service of the Russian Federation and law enforcement bodies of the EU countries shows the effectiveness of the interaction in this area, the need for the formation of a unified system to combat illegal migration and human trafficking both at European and at world level.

Thank you for your attention!

13. MESSAGE FROM THE REPUBLIC OF TAJIKISTAN



Iskandarov

Muhamadsho Amirshoevich

*Deputy Head of the Department of the Ministry of Internal
Affairs of the Republic of Tajikistan in Rasht*

Ladies and Gentlemen!

I am very pleased to speak on behalf and represent the Republic of Tajikistan at this very substantial international forum with the participation of heads of law enforcement agencies of states members of the Organization of Collective Security Treaty Organization (CSTO) which involved in combat human trafficking, representatives of structural departments of United Nations (UN), the International Organization for Migration (IOM), Organization for Security and Cooperation in Europe (OSCE) and other international organizations.

Human trafficking is recognized as one of the most socially dangerous transnational crimes and is defined globally as a serious crime, prejudicing the rights and freedoms. In this case, the trafficking contains elements of threat to the national security for a number of countries and undermines their social and economic stability.

Transnational human trafficking, being a modern form of slavery, is implemented for different purposes: to exploit people as cheap labor, for transplantation of organs and tissues, illegal adoption, and forced pregnancy.

However, the most popular form of human trafficking in the world, due to its yield, was trading in women for sexual exploitation. In terms of profitability this criminal activity committed by organized crime groups competes with such kinds of illegal business as arms and drug trafficking. Annual turnover in this area amounts to billions of dollars.

The problem of human trafficking around the world has reached great and global proportions and closely related to the problems of modern migration, causing extreme concern of international community and calls for immediate, decisive and comprehensive action to provide joint action against this negative phenomenon.

It should be noted that the natural process of human civilization, technological change and globalization, in addition to the positive-constructive role, unfortunately, also have a negative aspect, as reflected in the internationalization of criminal networks and distributing a range of crimes, having international and transnational character.

Considering the importance of this issue, the Government of Tajikistan becomes an active participant in the global process of combating human trafficking and makes every effort to ensure the rights, freedoms and legitimate interests of citizens in accordance with the national legislation and accepted international and regional legal documents.

First of all, the Government of Tajikistan undertook a package of measures for the ratification of international instruments directed to combat this negative phenomenon and the formation of the national legal doctrine in this area. They are:

- The United Nations Convention against Transnational Organized Crime, adopted by General Assembly resolution 55/25 of 15 November 2000;
- The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime of November 15, 2000;

- The Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime of November 15, 2000;
- The Convention on the Rights of the Child of November 20, 1989;
- The Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography of May 25, 2000;
- The International Labor Organization Convention "Convention Number 182 concerning the prohibition and immediate action for the elimination of the worst forms of child labor of 17 June 1999;
- The International Labor Organization Convention "On Forced labor" from June 28, 1930 number 29 and other international regulatory documents.

In order to meet international obligations and the formation of a national right doctrine in this area in August 2003, Article 130 note 1 (human trafficking) was added to the Criminal Code of the Republic of Tajikistan.

In addition, the country has developed and adopted the Law of the Republic of Tajikistan "On combating human trafficking" number 47 dated July 15, 2004. For effective implementation of the Law, the Government of the Republic of Tajikistan approved comprehensive program to combat human trafficking in 2006 – 2010 number 213 on May 6, 2006. This program contributed to the introduction and implementation of the activities stipulated in the Law by all relevant bodies involved for prevention and suppression of crimes related to human trafficking, as well as complex protection of victims.

In accordance with the law of the Republic of Tajikistan "On combating human trafficking", activities to combat human trafficking are conducted by the General Prosecutor's Office, the Ministry of the Interior of the Republic of Tajikistan, the State Committee for National Security of the Republic of Tajikistan, the Customs Service under the Government of the Republic of Tajikistan, the Ministry of Labor and Social Welfare of the Republic of Tajikistan, the Ministry of Foreign Affairs of the Republic of Tajikistan and its external bodies, the Ministry of Health of the Republic of Tajikistan and the Committee on Youth, Sports and Tourism under the Government of the Republic of Tajikistan.

In order to ensure the adequate functioning of the mechanism of interaction and coordination of all relevant bodies involved in the implementation of the program and social partners participating in it, an interdepartmental committee to combat human trafficking under the Government of the Republic of Tajikistan was established.

During the period of implementation of the Law as well as the Comprehensive Program for counteracting human trafficking for 2006-2010, the Government of the Republic of Tajikistan strengthened activity of law enforcement agencies in order to prosecute and suppress crime in the area of human trafficking, and measures of informational-educational and awareness nature have been realized.

The victims of human trafficking have now access to rehabilitation services.

In connection with the completion of the implementation of that Program and the objective necessity to continue work in this area, as well as strengthening the progressive movement in the field of integrated human trafficking the Government of the Republic of Tajikistan has developed a new comprehensive program to combat human trafficking people in the Republic of Tajikistan for 2011-2013.

In accordance with this program, migrant workers are classified as a group of risk. In 2011, non-governmental organizations sent several appeals of Tajik labor migrants worked for the Russian employers which were enslaved and were being used for labor exploitation to the Interdepartmental Commission for human trafficking.

At the moment, a new law designed to combat human trafficking, as well as amendments and additions to the Criminal Code of the Republic of Tajikistan are being worked out. The mechanism

of crimes in the area of human trafficking is characterized by its complexity, which is determined, to a large degree, by transnational nature of offenses of this category and the prevalence of criminal groups, which are mostly organized in nature, in a given area of criminal business. Analysis of material, investigative and judicial practice shows that the basis of the mechanism of human trafficking is based on three main components – the stages:

- attraction;
- transportation;
- exploitation.

It is important to note that the first two stages are subject to the ultimate goal which is the third and the last stage. In this case, the given structure of the human trafficking process should be considered as an integral part of the scheme of geographic content reflecting the transnational nature of this kind of crime.

Combining the aforementioned structural diagrams together, we can get a general essential understanding of the mechanism of human trafficking in relation to the territorial limits of its spread. Let us consider each of these elements of the mechanism of human trafficking in relation to the geographical structure.

When choosing investigation tactics the geographical, structural and commercial components should be taken into account. For example, if in a specific case Tajikistan is a source of human trafficking, then when choosing tactics it should be taken into account that a crime has just begun in Tajikistan, and continues and at its last stage in the other country or countries.

Attraction of people – the future victims of human trafficking – takes place in the country of origin. In relation to our study this country is the Republic of Tajikistan. Victims (especially vulnerable women) are transported for sexual and labor exploitation in other countries such as the United Arab Emirates (UAE) and are often transported in transit through the territory of the CIS countries. In order of being used for labor exploitation, victims are transported to the Russian Federation and Islamic Republic of Afghanistan.

16 affected employees were sent by the Department for Organized Crime Control the Ministry of Internal Affairs of the Republic of Tajikistan to a rehabilitation center under the International Organization for Migration (IOM) in Tajikistan to provide social, medical, psychological and material assistance and training of different specialties in order to combat crimes related to human trafficking, in cooperation with international law enforcement agencies and interested organizations.

During the period of 2011 and the three months of 2012 according to the General Analytical and Informational Center of the Ministry of Interior of the Republic of Tajikistan detected and solved the following number of crimes associated with human trafficking:

Number	Articles of the Criminal Code of the Republic of Tajikistan	2011	2012
1	Article 130 (kidnapping)	6	2
2	Article 130 note 1 (human trafficking)	6	0
3	Article 132 (recruitment of people for exploitation)	2	5
4	Article 167 (trafficking in minors)	24	7

Despite the fact that Tajikistan has conducted certain activities aimed at countering human trafficking and reducing the potential risks to the population of the country, the effectiveness of this work is based on the regional and international cooperation efforts in combating human trafficking, which constitutes comprehensive coordination of all relevant law enforcement bodies.

Thank you for your attention!

14. MESSAGE FROM THE REPUBLIC OF UZBEKISTAN



THE GENERAL PROSECUTOR'S OFFICE OF THE REPUBLIC OF UZBEKISTAN

Rakhimova

Gyulnoza Abdusattarovna

*Head of the Legislation Propaganda Department
at the General Prosecutor's
Office of the Republic of Uzbekistan*

Under the leadership of the President of the Republic of Uzbekistan Islam Karimov protection of rights and interests of the person in our country is defined as one of the main areas of public policy. At present, this kind of terrible crimes such as human trafficking has become a serious problem for the world. Since its independence, Uzbekistan has been carrying out large-scale work aimed at protecting our compatriots from the crime, and assisting the victims affected by it.

In order to coordinate its actions Uzbekistan has ratified a number of international documents relating to human trafficking. This is the UN Convention for the Suppression of the Trafficking in Persons and of the Exploitation of the Prostitution of Others and the final protocols thereto against Transnational Organized Crime, The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), The UN Convention on the Rights of the Child, The UN Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor, The UN Forced Labor Convention, and the International Labor Organization (ILO) Convention on Abolition of Forced Labor. In addition, the country acceded to the Hague Convention on the Civil Aspects of International Child Abduction, Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, and the International Covenants on Civil and Political Rights on Economic, Social and Cultural Rights.

Due to the fact that these documents were ratified in Uzbekistan great legislative work for the implementation of the national legislation of international standards for combating human trafficking has been done. In this direction, the cornerstone in the development of legislative acts of the Republic of Uzbekistan was the work to implement the generally accepted at the international level term "human trafficking", and its determination because a clear legislative recognition of this concept, as well as the authentication of the understanding of this phenomenon, in general, determines the effectiveness of countermeasures.

Thus, in 2008, a number of legal documents have been accepted, the legal framework for combating human trafficking have been formed. In particular, the Law of the Republic of Uzbekistan "On Action against Human Trafficking" (17.04.2008) defined the legal regulation of relations in this area, as well as the concept of "human trafficking", set out in accordance with the Article 3 of the Protocol to Prevent, Suppress and Punish Human Trafficking, especially in Women and Children, supplementing the UN Convention against Transnational Organized Crime. The law defines public authorities, implementing aforementioned activities to combat human trafficking, and their powers. Moreover, the document has raised questions relating to assistance and the provision of protection to victims of human trafficking on the state level. An important role in this area was played by the Decree of the President of the Republic of Uzbekistan "On measures to improve the efficiency of the fight against Human trafficking" (08.07.2008). This Decree approved an action plan aimed at improving efficiency in the fight against human trafficking, established a Republican Inter-departmental Commission to combat human trafficking and its Regulations of composition have been defined as well.

The law “On introduction of changes and amendments to the Criminal Code of the Republic of Uzbekistan, due to the adoption of the Law of the Republic of Uzbekistan “On combating human trafficking” (16.09.2008) the Article 135 of the Criminal Code of the Republic of Uzbekistan “Recruitment of people for exploitation” was reformulated as “Human Trafficking.” In the article of the Criminal Code of the Republic of Uzbekistan, the definition of “human trafficking” is enshrined in full accordance with international standards. System of punishment for this crime, which allowed qualifying trade human trafficking committed in aggravating circumstances, as a serious or extremely serious crimes, was significantly toughened.

It is important to note that prior to Uzbekistan’s accession to international treaties and before the Law “On Combating human Trafficking” was adopted, article 135 of the Criminal Code of the Republic of Uzbekistan provided criminal responsibility for the recruitment of persons for purposes of sexual or other exploitation, including children, committed by deception, which was more in line with international standards in the field of combating human trafficking (with the maximum penalty of imprisonment for the term of up to eight years). At present, based on international commitments of Uzbekistan, as well as a real threat of this crime in a society in accordance with the Law “On combating human trafficking”, “human trafficking” crimes were criminalized, and criminal liability for their conduct has been reinforced. In particular, under the Criminal Code of the Republic of Uzbekistan “human trafficking” was reclassified as serious (Part 2, Article 135) or very serious (Part 3, Article 135) offenses with a maximum sanction of imprisonment for the term of up to twelve years. Thus, developed on the basis of a comprehensive discussion and analysis the definition of “human trafficking” is in compliance with international standards in this field, now found its reflection in Article 3 of the Law “On Combating Human Trafficking”, and in Article 135 and Section VIII (“The legal meaning of the terms”) of the Criminal Code of the Republic of Uzbekistan.

As for the questions arising from the application of the legislation on human trafficking and developing a unified court practice to review cases of this category, Supreme Court of the Republic of Uzbekistan adopted Resolution “On judicial practice in cases of human trafficking” on November 24, 2009 where clear distinction between the concepts of “human trafficking” and explanation to the investigating authorities and the courts on qualification of the act or in the investigation of cases in this category were given.

However, in accordance with the criminal law of the Republic of Uzbekistan criminal liability for trafficking related offenses provided, including:

- for forcing a woman to have sexual intercourse (Article 121 of the Criminal Code of the Republic of Uzbekistan), kidnapping (Article 137 of the Criminal Code of the Republic of Uzbekistan), fraud (Article 168 of the Criminal Code of the Republic of Uzbekistan), and other crimes.

Another legal act regulating the issues related to combating human trafficking is the Decree of the Cabinet of Ministers of the Republic of Uzbekistan (05.11.2008), according to which the Ministry of Labor and Social Protection of the Republic of Uzbekistan established a Republican Rehabilitation Center for assistance and protection of victims of human trafficking. The resolution defined its primary goals and functions, as well as the structure of the center, and the position of it has been approved.

Along with the formation of the legal framework of combating human trafficking in the Republic of Uzbekistan a number of active institutional arrangements have been taken. For a more effective combat of human trafficking in 2004, the structure of the Main Department for Criminal Investigation and the fight against terrorism at the Ministry of Internal Affairs of the Republic of Uzbekistan, a specialized department and its regional field offices have been established. The law of the Republic of Uzbekistan “On combating human trafficking” has been defined by the Ministry of Internal Affairs of the Republic of Uzbekistan and stipulates implementation of the measures to suppress, prevent and investigate crimes related to human trafficking as the main body mandated to carry out such activity in Uzbekistan. Preliminary investigation of these criminal cases is conducted by the investigators of the internal affairs bodies (Article 345 of the Criminal Procedure Code of the Republic of Uzbekistan). For a com-

prehensive investigation of criminal cases in this category in the Republic Karakalpakstan, in all regions of the country and the city of Tashkent specialized Investigation teams responsible for investigating crimes related to human trafficking have been established. The Ministry of Internal Affairs of the Republic of Uzbekistan prepared the methodological recommendations for investigations of allegations of criminal cases. In 2008, the Ministry of Internal Affairs of the Republic of Uzbekistan introduced a separate statistics on crimes related to human trafficking, and analysis of the state of crime in this area and the timely adoption of organizational preventive measures are held monthly.

National policy to combat human trafficking in Uzbekistan is realized through the program of action to prevent and combat human trafficking and to protect victims of this kind of crime. The program is developed on a biennial basis since 2008. The structure of the programs is repeated, and the activity is developed based on the latest estimates of the needs and the current status of human trafficking in the country. Key questions are related to the improvement of the legal framework, increasing prevention work, protection of victims of human trafficking and their rehabilitation. Today the Republic of Uzbekistan implements the Plan of Actions for 2011-2012 on throughout efficiency and combat human trafficking.

Large amount of work in combating human trafficking is done by special inter-departmental committees. In particular, the National Interdepartmental Commission to combat human trafficking coordinates governmental bodies working in this direction. Decisions taken by the Commission are mandatory for all ministries, state committees, departments, public associations and other non-governmental organizations (NGOs). Commission interacts closely with the territorial interdepartmental commissions on combating human trafficking in the Republic of Karakalpakstan, various regions and Tashkent city. The main tasks of the commission are the organization of activities aimed at increasing the effectiveness of identifying and eliminating the causes and conditions conducive to human trafficking, the collection and analysis of information on scale, the status and trends of the offense, and in addition, coordination of regional interagency committees, preparing proposals for improving the work of assistance and protection of victims of human trafficking and improvement of legislation in this field. The Commission is organizing activities to raise awareness on this issue and provides management and control over specialized agencies and implements measures to support and protect victims of human trafficking.

Personal structure of the Republican Interdepartmental Commission has been approved by the Supplement to the Resolution of the President of the Republic of Uzbekistan dated July 8, 2008 "On Measures to improve the efficiency of the fight against human trafficking". The Commission consisted of its Chairman – the Prosecutor General of the Republic of Uzbekistan, the Deputy Chairman of the Commission – Minister of internal Affairs of the Republic of Uzbekistan and 15 members: the Deputy Prime Minister of the Republic of Uzbekistan, Chairman of the Women's Committee of the Republic of Uzbekistan, the ministers of justice, economy, health, labor and social protection, protection of the population, the First Deputy Minister of Foreign Affairs of the Republic of Uzbekistan, Deputy Minister of Internal Affairs of the Republic of Uzbekistan, Deputy Chairman of the National Security Service of the Republic of Uzbekistan, Commander of Border Troops of the National Security Service of the Republic of Uzbekistan, Chairman of the State Customs Committee of the Republic of Uzbekistan, the Deputy Minister of Finance of the Republic of Uzbekistan, Director of the National Center for Human Rights, Oliy Majlis (Parliament) of the Republic of Uzbekistan for Human Rights (Ombudsman), Chairman of the "Mahalla" Fund, chairman of the Central Board of Public Youth Movement "Camelot", Director of "Ijtimoiy Fikr" (Public Opinion) community center. That is, the commission formed as a representative body of the government, governmental organizations and national human rights institutions. Personal structure of the commission has been approved by the President of the Republic of Uzbekistan. In the transition of members of the Commission to another work its membership includes persons newly appointed to these positions, or persons who have been entrusted with the appropriate

functions. Territorial commissions have been established and function in all regions of the country (the Republic of Karakalpakstan, the regions, Tashkent, and in the cities and districts).

Uzbekistan pays particular attention to provision of assistance and protection to people who are victims of traffickers. One of the main objectives of the Law “On combating human trafficking” is the protection of victims’ rights. It provides for the establishment of specialized agencies, for their rehabilitation. The Ministry of Labor and Social Protection of the Republic of Uzbekistan established Republican Rehabilitation Center for assistance and protection of victims. It carries out its activities in accordance with the Constitution and laws of the Republic of Uzbekistan, other laws and the Regulations of the center. In cooperation with the government the Republic of Uzbekistan and local authorities, public associations, and other organizations the center providing services to victims of the Republic Uzbekistan, foreign citizens and persons without citizenship. The basic principles of activities of the Republican Rehabilitation Center are to avoid discrimination of victims, confidentiality of their private lives and identity, as well as with an individual approach, providing them with social and legal support. Victims of human trafficking on the basis of their will and joint solutions of the director of the Republican Rehabilitation Center, and representatives in custody and guardianship are placed in the center for up to 30 days. If necessary, this period can be extended to three months, or for a period that is considered necessary. Men, women and children are accommodated separately. Everyone has the right to leave the center of their on the basis of their will with a written appeal.

The Republican Rehabilitation Center provides medical, psychological, social, legal and other assistance to victims of human trafficking. The center provides assistance to establish contacts with relatives, provides information on the rights and legitimate interests of victims, and assists in their social rehabilitation.

Assistance to the victims is based on the individual plan of rehabilitation (IPR), developed according to the results of a comprehensive survey and evaluation of health, the need for social, psychological, legal and other help. Single form of IPR is developed by the Republican Rehabilitation Center and approved by the Minister of Labor and Social Protection of the Republic of Uzbekistan. Medical treatment is provided in institutions of appropriate profile, such as drug therapy, psychiatry, dermatovenerology, tuberculosis, and other infections hazardous to others, and in other areas. Social rehabilitation of victims of human trafficking is provided by the Republican Rehabilitation Center in collaboration with the police department, law enforcement bodies and public authorities in the field, units of ministries of health, justice, education, labor and social protection of population. As of May 1, 2012 733 people have been rehabilitated in the center, of these 237 women, 496 men, including 531 people affected by the labor and 202 by the sexual exploitation. Such an issue as human trafficking can not be handled by any government of any country single-handedly.

In this regard, Uzbekistan every year expands its international cooperation in this area. Along with accession to the main international documents aimed at combating human trafficking, protection of victims, victims of violence and punishment of persons guilty of unlawful action, the cooperation among operative services and law enforcement agencies in several countries is conducted. The implementation of joint projects with international governmental organizations is being carried out. Our country regularly participates in international conferences, seminars, round tables and other events. In turn, the international cooperation in the preliminary investigations of criminal cases on human trafficking and kidnapping crimes are carried out in the framework of the provisions governed by Articles 6.5 of the Criminal Procedure Code of the Republic of Uzbekistan, as well as under the provisions of international treaties.

External relations with law enforcement agencies of foreign countries are carried out in the framework of inter-agency cooperation agreements to combat and prevent crimes as well as in the framework of the Minsk Convention “On legal assistance and legal relations in civil society, family and criminal cases” from 22.01.1993, which provides principle of inevitability of responsibility. Law enforcement agencies of the Republic of Uzbekistan also actively cooperate in the fight against human

trafficking on the basis of bilateral and multilateral agreements, ratified by Uzbekistan with the CIS states as well as with other countries. In practical terms, this cooperation is implemented mainly by means of the direction and execution of separate requests of legal assistance on specific criminal matters and extradition of the accused.

In addition to the legal relationship in criminal cases, international cooperation is also carried out between the operational services of law enforcement bodies of the Republic of Uzbekistan and the countries of the near and far abroad. In this direction, requests on the exchange of information on citizens of the Republic of Uzbekistan suspected of involvement in the recruitment and transportation of people abroad for sexual or other exploitation are sent to law enforcement agencies of the CIS countries. National Central Bureau of Interpol in the Republic of Uzbekistan, in cooperation with the General Secretariat of the INTERPOL, the national offices of foreign countries, the Ministry of Internal Affairs of the Republic of Uzbekistan and its territorial bodies conducts an active exchange of information on the activities of organized crime groups that are involved in human trafficking.

Uzbekistan signed bilateral treaties and agreements on cooperation in the fight against dangerous forms of organized crime, including human trafficking, as follows: 30 treaties with countries, including Austria, Azerbaijan, Bulgaria, Germany, Georgia, India, Iran, Italy, Kazakhstan, China, Kuwait, Kyrgyzstan, Lithuania, Moldova, Malaysia, the United Arab Emirates, Pakistan, Poland, Russia, Tajikistan, Turkmenistan, Turkey, Ukraine, the Czech Republic, 17 agreements on legal assistance and legal relations in civil, family and criminal cases (Azerbaijan, Bulgaria – 2 agreements with Georgia, India, Iran, Kazakhstan, China, Korea, Kyrgyzstan, Latvia, Lithuania, Pakistan, Turkey, Turkmenistan, Ukraine, Czech Republic), 7 agreements on extradition with (Bulgaria, India, Iran, China, Korea, Pakistan, and Tajikistan).

However, recognizing that effective judicial cooperation with international organizations is essential for an effective response to the threat of human trafficking and addressing this issue at the state level, law enforcement and judicial authorities of the Republic of Uzbekistan shall also cooperate with the United Nations (UN), the Organization for Security and Co-operation in Europe (OSCE) and other international organizations by active participation in the realization of their project documents in the field of prevention of human trafficking and protection of victims in our country. In particular, with the coordinator of the OSCE Project "Assistance to improve the efficiency in the fight against human trafficking, labor exploitation and illegal migration" (currently under phase III), with the Regional Office for Central Asia of the United Nations Office on Drugs and Crime (UNODC) "Strengthening Capacities of Central Asia in the field of victim protection and illegal migration, particularly of women and children, and help them, in cooperation with non-governmental organizations (NGOs) and civil society organizations" with ongoing awareness practices implemented in the youth center "Istiqbolli Avlod", with the International Organization for Migration (IOM) project "Combating Human Trafficking in Central Asia/Uzbekistan" and others.

Our state pays particular attention to the implementation of measures on combating human trafficking. They cover quite a wide range of issues, not limited to the immediate struggle with the criminal activity, but are of complex character, being aimed at eliminating the causes and conditions of such crimes.

Uzbekistan has implemented large-scale program to provide employment for population, especially young people. In this process, a key role is played by job fairs, which are held regularly throughout the country. For example, in 2011, 1280 of those were organized. This is also an adoption of the annual program of job creation and employment security for population, developed and submitted for consideration by the Legislative Chamber (Parliament), the Cabinet of Ministers of the Republic of Uzbekistan. The purpose of the program is to increase employment, incomes and living standards of the population, ensure efficient use of existing capacity of the country and sectors of the economy by increasing demand for the labor in the labor market, strengthening the responsibility of the Council of Ministers of the Republic of Karakalpakstan, the regions, cities and districts for job creation and

practical solution to the issues of increasing employment. For example, the implementation of the State Program to create jobs and provide employment opportunities for population in 2011 was executed by 101.5%, or 970.9 thousands of jobs have been created, which is 14.6 thousand more than planned.

Creation of new jobs, in its turn, is intended to eliminate one of the reasons of human trafficking – exporting people fraudulently for labor exploitation (illegal labor migration).

In order to prevent the exit of citizens abroad for illegal employment the Ministry of Labor and Social Welfare of the Republic of Uzbekistan carried out various events aimed at establishing the good conditions of work for the citizens of the Republic abroad. In 2011, 5002 Uzbek went to work in foreign countries abroad in accordance with the bilateral international agreements. One of the important ways to prevent illegal migration for illegal labor work abroad is to increase the awareness of citizens of the Republic of its negative impact, in particular, the responsibility for the violation of migrant labor, tax, customs and passport and visa requirements of countries to which the potential victims are going to leave. To this end, the Center for Pre-departure Training and Adaptation, and the Agency for External Labor Migration of the Ministry of Labor and Social Protection of the Republic of Uzbekistan work with citizens traveling outside the country for employment, counseling them on labor and migration legislation, and customs of the country of origin, as well as taking steps to create the good conditions of work for Uzbek citizens abroad. Office of the entry-exit and registration of citizens under the Ministry of Internal Affairs of the Republic of Uzbekistan conducts individual preventive conversation with every citizen who would like to file an application for entry permit to travel abroad. Combating human trafficking means, above all, the eradication of causes and the soil on which grow the crimes. Broad public awareness of human trafficking can increase the level of responsibility both for their own safety and the safety of their loved ones. For this reason, billboards and banners (1438), posters (350 thousand) has been posted everywhere in the Republic, 4.5 million of leaflets have been distributed among the population of the country, various promotional activities (35 million) are held. Also by the initiative of the Republican Interdepartmental Commission two spectacles have been produced, a movie, and three thematic video clips that are shown on TV and radio, in air and rail transport. The media of the country is also actively used for these purposes, television and radio programs were prepared, appearing in the press centers and holding press conferences, interviews, panel discussions and other events are carried out on a regular basis. Talking about the causes and consequences of human trafficking, we help the public better understand what this phenomenon really is in order to protect people against it and so that they would not become potential victims. It is important that the media, particularly radio and television help us raise the capacity of society to counter this problem. This is not only for narrowing risk group, but also for eradicating the main reason for human trafficking. It is important to teach the society, as they say, do not to simply pass by this phenomenon.

Thus, in 2012, the press service of the Prosecutor General’s Office of the Republic of Uzbekistan in conjunction with the radio station “Ekho Doliny” (Echo in the valley) launched the “Human trafficking is the universal problem of mankind” project. Information is broadcasted in order to raise legal awareness of citizens on anti-trafficking actions. This is carried out through a series of thematic discussions, speeches, interviews, preparation of reports from the events. The topic of broadcasting covers such issues as clarification of the legal framework to combat human trafficking, organizational works of the state bodies and public organizations in this field, the work of republican interagency commission, territorial commissions to counter human trafficking. Within radio programs speeches and interviews with members of Interdepartmental Commission, executive secretaries of the territorial commissions on work being done in this direction are given. Some of the shows are dedicated to the statutory responsibility for human trafficking, forensic practice of trafficking cases, etc. In informing the public on the problem of human trafficking by the mass-media the particular attention is paid to the formation of information campaigns. This was the topic of the press conference, held in February 2012, initiated by the Prosecutor General’s Office of the Republic of Uzbekistan office. Its essence and goal was in

delivering relevant information on the activities carried out in the country on counteracting human trafficking to journalists, as well as an invitation to discuss issues related to the increase of the role and place of the media in this regard. The press conference was attended by representatives of both state and non-profit media journalists, information and thematic programs of television and radio, the government, political, legal, and other printed media. If we analyze the questions raised by journalists, it can be said that the media representatives were interested in issues related to both the organization of activities to combat human trafficking, and how these activities are implemented in practice.

Human freedom is one of the core values of modern civilized society, and ensuring the integrity of individual freedom is one of the main functions of the state.

15. REPORT OF THE EXECUTIVE COMMITTEE OF THE COMMONWEALTH OF INDEPENDENT STATES



Druzhinin Albert Ivanovich

*Director of the Department for Cooperation In Security and
Countering New Challenges and Threats of the Executive
Committee of the Commonwealth of Independent States*

Dear participants of the round table!

Let me express my gratitude to the Secretariat of the Collective Security Treaty Organization (CSTO) and the Mission of the International Organization for Migration (IOM) in Moscow for the invitation and for the opportunity to speak at the round table and express interest of the CIS Executive Committee on the progressive development of our cooperation.

We are positive about the results of cooperation between the CIS Executive Committee and competent bodies of international universal and regional organizations in the fight against human trafficking.

I would like to note that the regular partnership relations between the Commonwealth of Independent States, the Collective Security Treaty Organization (CSTO) and the International Organization for Migration (IOM), has been established long time ago. Due to the signing of Memoranda of Understanding and Cooperation between the CIS Executive Committee and International Organization for Migration (IOM) Administration in 2008 and the Collective Security Treaty Organization (CSTO) Secretariat in 2009, they are much more active.

During this time we have jointly organized and conducted international scientific conferences and seminars to improve international cooperation in combating human trafficking.

The Secretariat of the Collective Security Treaty Organization (CSTO) and the International Organization for Migration (IOM) participated in the meetings of the Joint Commission states – parties to the Agreement on cooperation between the CIS countries in Combating Illegal Migration, expert groups on the drafting of documents on cooperation of states – participants of the CIS countries in combating illegal migration and the fight against human trafficking.

Measures aimed at improving cooperation between the CIS Executive Committee, including the Collective Security Treaty Organization (CSTO) Secretariat, and the International Organization for Migration (IOM) Administration are based on the plans adopted by the memorandum of understanding and cooperation between our two organizations. This expands the possibilities for cooperation in the formation of the legal framework of our organizations and to working out of an agreed position in its relations with the executive bodies of other international organizations.

Currently, the Commonwealth of Independent States created, operates and consistently improves comprehensive legal framework and organizational system for countering modern challenges and threats. In this system, the basic legal documents governing the interaction of states in the fight

against human trafficking are the Agreement on cooperation in the return of minors to their countries of residence, adopted on October 7, 2002 in Chisinau, and Cooperation Agreement on combat human trafficking, and sale of human organs and tissues, adopted on November 25, 2005 in Moscow. The essence of the agreements implies working out coherent strategy and adoption of comprehensive measures of legal, social and economic, informational, and other measures to combat human trafficking, to eliminate the causes and conditions conducive to its occurrence, and the protection of victims of trafficking and their rehabilitation.

In the development of these instruments the Agreement on Cooperation of Prosecutors General of the member states of the Commonwealth of Independent States (CIS) (03.12.2009) and the Agreement on cooperation of the ministries of internal affairs of member states of the Commonwealth of Independent States (CIS) in the fight against human trafficking (17.09.2010) are developed and put into practice.

In order to unite the laws of the Commonwealth of Independent States (CIS) countries the Inter-parliamentary Assembly of Member Nations of the Commonwealth has developed and adopted the model legislation documents on human trafficking, the provision of assistance to victims of human trafficking and recommendations for the standardization and harmonization of the legislation of the CIS countries in this field. It is important that these model laws and guidelines are systematized and contribute to the effectiveness of national legislation member states of the Commonwealth.

The highest bodies of the Commonwealth conceptually defined the agreed principles, objectives, guidelines, forms and systems of cooperation and collaboration in the field of joint activities.

For these purposes, statutory bodies and bodies of sectoral cooperation of the CIS have been created:

The Council of the Border Troops Commanders, the Prosecutors General Coordinating Council, the Council of Ministers of the Interior, the Council of Heads of Security Bodies and Special Services, the Council of Heads of Migration Bodies.

Medium term (three-year) programs for practical realization of conceptual approaches in this field are being approved.

Currently the implementation of the Program of Cooperation of the Member States of the Commonwealth of Independent States in combating Human Trafficking (2011-2013), approved by the decision of the Council of Heads of States of the Commonwealth of Independent States in December 2010 is on track.

The program fully corresponds with the Global Plan of Action to Combat Human trafficking, adopted in 2010.

The program includes measures to develop the legal framework for interaction and harmonization of national legislation, defined joint operations on preventive measures and special operations, scheduled events on the informational, scientific, logistical and financial support for joint measures to combat human trafficking. Implementation of the program enables the competent authorities of the countries members of the Commonwealth cooperate in a comprehensive manner, making combating human trafficking more effectively.

In 2011, upon the implementation of the Program by the competent authorities of the countries members of the Commonwealth the conduct of special plans for coordinated activity has been continued.

As a result of the aforementioned measures 10 channels of illegal migration were shut down, 26 offenses related to human trafficking were identified.

The experience of these activities and operations has been considered by the CIS bodies cooperating in the fight against human trafficking. The CIS Executive Committee prepared a report to the decision of the Council of Heads of States of the Commonwealth of Independent States on the implementation of the Program of Cooperation of the Member States of the Commonwealth of Independent States in combating Human Trafficking (2011-2013) in 2011.

Thus, the Commonwealth of Independent States undertakes coordinated constructive steps to combat human trafficking. In practice, this has allowed reducing the number of crimes in this area by 11.2% in 2011. We continue our work on combating human trafficking and are ready to continue cooperation with all interested states and international organizations.

Dear colleagues!

The Program of Cooperation of the Member States of the Commonwealth of Independent States in combating Human Trafficking (2011-2013) (section 4.1) offers to consider creating a single coordinating body which will be involved in combating human trafficking in the CIS.

Taking into account the close cooperation between the Commonwealth of Independent States and the Collective Security Treaty Organization (CSTO) we offer to consider a number of priority areas in activity of our organizations, namely: to consider the participation of the representatives of the Collective Security Treaty Organization (CSTO) in joint development of the aforementioned issue, which will give a better character of the level of coordination of the two integrating associations and optimize our efforts to counter human trafficking.

Thank you for your attention.

16. REPORT OF COORDINATING COUNCIL OF PROSECUTORS GENERAL OF CIS MEMBER STATES



Abdulkerimov Zamir Zavirovich
*Adviser of the Secretariat of the Prosecutors
General Coordination
Council of CIS Member States*

“Measures of the Prosecutors General Coordination Council of CIS Member States aimed at enhancement of cooperation in combating human trafficking”

Ladies and Gentlemen! Dear colleagues!

On behalf of the Prosecutors General Coordination Council of CIS Member States and personally I would like to welcome all the participants in the international round table, and thank you for the invitation to attend the meeting as a representative.

Each event in this format validates the chosen course towards integrating efforts of States and civil society capacity in combating crime.

Since its establishment, the Prosecutors General Coordination Council of CIS Member States has become one of the leading elements of CIS cooperation in strengthening law and order.

The issues of protection of the rights and freedoms of citizens, improving the regulatory framework, harmonization of legislation, issues of cooperation among prosecutors of the Commonwealth of Independent States are in constant focus.

At the same time, the principles and standards of cooperation in the field of the rule of law in the territories of the Commonwealth of Independent States are fully consistent with the international standards laid down in the Charter of the United Nations and the statutory documents of the CIS.

The Prosecutors General Coordination Council of CIS Member States brief showed that in the practice of implementation of international agreements Prosecutors General of CIS Member States play significant role of coordinators of law enforcement agencies in their fight against crime.

Processes in the political and socio-economic life of the Commonwealth require new approaches to activity of the Prosecutors General of CIS Member States in terms of strengthening law and order, as well as ensuring the rights and freedoms of citizens.

The greatest amount of work has been implemented by the Prosecutors General of CIS Member States in such areas of international cooperation as the fight against crime, with its organized forms, including the fight against human trafficking.

Dear colleagues!

Intense migratory flows in the territory of the Commonwealth of Independent States countries were caused by the collapse of the previously united state. If in the early 1990s, cross-border move was associated with the return of people to their historic homeland, then in the second half of the decade, migration took place mainly for economic reasons.

The widespread use of illegal migrants leads to uncivilized labor market, lack of rights in the field of labor.

Heads of states and governments of the Commonwealth of Independent States consider and take decisions in this area almost at every meeting.

The approach here is only to join together the new challenges and threats, consistently and resolutely, both in the Commonwealth of Independent States, and at the global level.

Illegal immigration is directly related to human trafficking, which poses a serious threat to the CIS. Human trafficking as a form of criminal business which has become one of the most difficult problems that have long moved beyond the borders of particular states. Human trafficking market expansion is primarily associated with social and economic problems, high profitability of this business, and low risk compared to other forms of crime.

Today, in the Commonwealth of Independent States a comprehensive legal framework on this topical area of combating organized crime has been established. Among the international instruments we can mention, as follows:

- Agreement on cooperation in the fight against crime on November 25, 1998;
- Agreement on cooperation of the states members of the Commonwealth of Independent States on the return of minors to the countries of their permanent residence from October 7, 2002;
- Agreement on cooperation in the fight against trafficking in human beings, human organs and tissues from November 25, 2005;
- Agreement on Cooperation of the Prosecutors General of member states of the Commonwealth of Independent States in the fight against trafficking in human beings, human organs and tissues from December 3, 2009.

Also I would like to note that in the CIS a practice of development and implementation of interstate programs for the 3-year periods has proven its value.

At the present time in the given area the CIS countries are implementing the Program on cooperation in combating human trafficking for 2011-2013 developed by the initiative of the CIS Prosecutors General Coordinating Council and approved by the decision of the Council of Heads of CIS States on December 10, 2010.

Objective of the program is to upgrade and further strengthen cooperation among the CIS countries in combating trafficking based on the unification and harmonization of national legislation taking into account the model acts adopted by the Interparliamentary Assembly of the Commonwealth of Independent States.

The plan for implementation of the program for 2011-2013 works within the framework of the Coordination Council of the CIS.

Currently, the decision to develop the Program of cooperation of states members of the Commonwealth of Independent States for the next five years has been adopted. And work on the draft program on cooperation of states members of the Commonwealth of Independent States in combating human trafficking for the years 2014-2018 within the framework of the Coordinating Council of Heads of CIS States is under way. We expect that the draft of the program will absorb all the strategic actions that might bring the coordination of our efforts to the next level.

Generally, positive results achieved in the fight against human trafficking are of great practical importance.

The statistics shows that due to measures undertaken by the CIS the number and range of crimes are steadily declining.

In 2009, law enforcement agencies of states members of the Commonwealth of Independent States detected 4289 crimes committed in the area of human trafficking, in 2010 – 3543 crimes (that is, the number of crimes decreased by 17.4%), and the data contained in the form 1 of the CIS, formed by the Main Information and Analysis Center under the Ministry of Internal Affairs of the Russ-

ian Federation, in the CIS countries 3146 crimes (kidnapping violation of rights, false imprisonment, human trafficking, the use of slave labor) were registered in 2011.

Thus, with all of the activities held within the framework of the Commonwealth we can observe reducing the number of such crimes by 11% as compared to 2010.

However, this does not remove regular and urgent question about the future prospects aimed at countering this sinister phenomenon from the agenda.

In its work the CIS Prosecutors General Coordination Council makes huge efforts for further development of cooperation with prosecutors' offices of the Commonwealth, strengthening prosecutorial supervision over observance of legislation to combat human trafficking.

It should be noted that in order to improve the efficiency of the fight against human trafficking National Actions Plans based on international legal instruments that aim to identify and prevent all forms of human trafficking, the definition of generating reasons, protection, restoration of rights of the victims and their social and safe repatriation, have been also developed in the Commonwealth.

To expand the legal framework in this area particular state structures are developing regulations for the improvement of international cooperation, exchange of experiences, which allows working out more efficient algorithm for action against human trafficking.

Representatives of the CIS Prosecutors General Coordination Council are actively involved in the activities of an international character, organized by international organizations, which deal with issues of cooperation and the problem of combating human trafficking. In particular the issues of combating human trafficking were discussed at the ninth meeting of the General meetings of Prosecutors General of states – members the Shanghai Cooperation Organization (SCO) held in Almaty, as well as at the next meeting of the Coordinating Council of Heads of CIS States. These events received widespread coverage in all the national media.

The fourth annual inter-regional workshop on strengthening the international legal cooperation in combating human trafficking and smuggling of migrants was held in Almaty in 2011.

The purpose of the workshop was to assist in strengthening the international legal cooperation between law enforcement agencies and prosecutors, consular services, as well as non-governmental organizations in the countries of origin, transit and destination.

This workshop was aimed at bringing the legislation of the Member States in compliance with the provisions of the UN Convention against Transnational Organized Crime and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, as well as the Protocol against the Smuggling of Migrants by Land, Sea and Air.

In addition, the workshop discussed the problems and good practices in the field of combating human tracking, seizure and confiscation of the proceeds originated from transnational human trafficking and smuggling migrants.

Prosecuting authorities in the Commonwealth on a constant basis held verification of activity of employment agencies and organizations that provide services for employment of the citizens abroad, model and marriage agencies.

Reports on the most important events held by the supervisory authorities to coordinate actions to prevent crimes related to human trafficking as well as to protect the constitutional rights and freedoms in general are covered by various radio and television programs.

On the initiative of the prosecution bodies a round table discussion with relevant public authorities on problem of human trafficking has been conducted.

Given the latency of crimes related to human trafficking, the prosecution bodies of the Commonwealth hold orientation activities of the prosecuting authorities on the need for more rigorous measures aimed at identifying the crimes in this area on a regular basis.

To sum up, it should be noted that it is still too early to talk about stabilizing the crime situation.

Moreover, the structure of crime is undergoing extremely dangerous changes. Criminal groups become more organized, they create quite a productive system to counter law enforcement agencies actions.

Achieving success in the fight against crime, we closely associate with the efficiency of cooperation within the Commonwealth of Independent States.

I am confident that the meeting will be an important step in addressing these challenges and the CIS Prosecutors General Coordination Council will use the ideas in the development of inter-state cooperation programs to combat human trafficking voiced today for the next five years.

Thank you for your attention.

17. REPORT OF THE COORDINATION SERVICE OF THE COUNCIL OF BORDER TROOPS COMMANDERS OF THE COMMONWEALTH OF INDEPENDENT STATES



**Jafarov Ramadan
Dzhafarovich**

*Major-General, Head of the Department for
Coordination of Operational
Activities and Legal Support*

The activities of the Council of Border Troops Commanders of the Commonwealth of Independent States on combating organized crime and human trafficking

Mr. Chairman!

Dear participants of the round table!

On behalf of Chairman of the Coordination Service of the Council of Border Troops Commanders of the Commonwealth of Independent States Colonel-General Leonid Manilow I would like to express gratitude to the organizers of this the conference for the invitation to participate in the conference and the opportunity to speak.

The Council of Border Troops Commanders of the Commonwealth of Independent States, as well as other law enforcement agencies of the CIS find those questions and issues that we are discussing today very close and understandable, and I believe active exchange of views on these issues will only be a useful experience for all the participants of the event.

The Council of Border Troops Commanders CIS shared concern for still high level of organized crime such as drug trafficking, smuggling of property, illegal migration and its concomitant human trafficking, etc in the Commonwealth.

Analysis of the emerging and prognosticated situation at the external borders and territories bordering states – members of the CIS shows that these threats are transboundary in their nature and, to some extent, are relevant for all countries – members of the Commonwealth. Therefore, it requires concentration and increase of efforts to improve cooperation, and the development of coordinated decisions on the part of law enforcement agencies and relevant international organizations in a qualitatively new level.

The Council of Border Troops Commanders of the Commonwealth of Independent States considers it a priority in its work.

Dear colleagues!

I would like to talk briefly on the ongoing work conducted by the Council of Border Troops Commanders of the Commonwealth of Independent States against organized crime and human trafficking.

The Council of Border Troops Commanders is one of the participants in the implementation of the Interstate program of Cooperation among the CIS countries in combating human trafficking for

2011-2013. Implementation of these interstate programs, in part related to the border component, carried out according to the plans approved by the Council of Border Troops Commanders of the Commonwealth of Independent States.

Progress of implementation of these programs by the border agencies is reviewed annually at the meetings of the Council of Border Troops Commanders of the Commonwealth of Independent States (twice a year) and reported to the CIS Executive Committee.

Issues of common approaches to organization of combating transnational crime and exchange of experience in this area are discussed at the annual meetings of deputy heads of the border agencies (headquarters, search operations departments, border control bodies, the coast guard and other units), where they are analyzed in more detail and discussed.

To bring together efforts of border agencies within the Council of Border Troops Commanders of the Commonwealth of Independent States and to give it more operational response a temporary working body – the working group to develop joint measures to combat crime, illegal drug trafficking, terrorism and other violent manifestations of extremism, illegal migration and human trafficking has been created. The working group includes representatives of the border agencies, which main task is to prepare joint agreed proposals to the Council of Border Troops Commanders on the organization of the fight against transnational crime. This working group has developed and submitted the complex of additional joint measures by border agencies to prevent and detect the import (export) of the victims for inclusion in the program of Cooperation among the CIS countries in combating human trafficking for 2011-2013.

Sufficient legal basis for cooperation in matters of counteracting organized crime at the external borders of the Commonwealth with the bodies of sectoral cooperation between the CIS, the Collective Security Treaty Organization (CSTO), The Regional Anti-Terrorist Structure of Shanghai Cooperation Organization (RATS SCO), The European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (Frontex), Central Asian Regional Information Coordination Center for combating illicit trafficking of narcotic drugs, psychotropic substances and their precursors (CARICC) and the International Organization for Migration (IOM) has been created under the Council of Border Troops Commanders of the Commonwealth of Independent States. The Protocol on cooperation with the Council of Border Troops Commanders of the Commonwealth of Independent States and the United Nations Office on Drugs and Crime (UNODC) is being preparing to sign at the moment, as well as work on the organization of interaction with the administration of the United Nations Development Program (UNDP) on Border Management in the countries of the Commonwealth of Independent States and Eastern Europe is underway.

Interaction between The Regional Anti-Terrorist Structure of Shanghai Cooperation Organization (RATS SCO) and The European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (Frontex) gives the Council of Border Troops Commanders a positive possibility of joint efforts in combating organized crime both in Western and the Central Asian direction and the Commonwealth of Independent States.

I also would like to stress that, given the new realities the Council of Border Troops Commanders in recent years pays great attention to the activities of the implementation of practical component. The main form of counteracting all forms of organized crime at the external borders of the CIS, including human trafficking and is the organization and conduct of joint special border operations (SBO) and joint operative preventive measures (OPM).

Beginning in 2004, the Council of Border Troops Commanders conducted 15 SBOs and 17 OPMs. These measures are aimed at combating organized crime, drug trafficking, terrorism and extremism, illegal migration and the protection of marine biological resources.

During the SBO and OPM operations arrested: 36 240 people violators of legislation on state boundaries; 6579 people of Illegal migrants, and wanted persons in the amount of 735 people.

Smuggling in the total amount of 17 636.185 thousand U.S. dollars; 10 442.237 kg of drugs and 1367 units of firearms were seized.

The most important component of successful maintenance of interaction and cooperation is a rapid exchange of information. This year work on the practical deployment of data communication terminals of border agencies, members of the automation system of the rapid exchange of information (Russ. abbr. ASSOI) of the Council of Border Troops Commanders of the Commonwealth of Independent States will be completed.

The ASSOI database contains information on special joint border operations and preventive operations conducted from 2004.

We should mention the particular importance of such SBOs as "Goodwill – 2009", "Unity – 2010", "Afghan Breakdown", during the implementation of which according to a single concept and plan for the first time the possibilities of border agencies of the non-CIS countries (China, North Korea, Latvia, Lithuania, Mongolia, Norway, Poland, Finland, Estonia) were used, and possibilities of specialized bodies of the Commonwealth of Independent States – the Antiterrorist Center of the CIS Member States, the Bureau for the Coordination of the fight against organized crime and other dangerous crimes in the territory of CIS, the Committee of Heads of the Law Enforcement Units at the Council of Heads of the CIS Customs Services, the Heads of state migration organs of the CIS countries, and international organizations – the CARICC (Central Asian Regional Information Coordination Center for combating illicit narcotic drugs, psychotropic substances and their precursors), the IOM (International Organization for Migration) and the European Agency for the management of operational cooperation at the external borders of the EU (Frontex) were used.

As a positive example of cooperation sending of the service manual to identify victims of human trafficking by the IOM (International Organization for Migration) office in Moscow to the Coordination Service of the Council of Border Troops Commanders can be noted. These materials were sent by us to the border agencies of the states – participants of the CIS.

The analysis conducted by joint action indicates that planned and carried out practical arrangements can establish effective interaction between different forces of the participating States in the suppression of the organized crime at the external borders of the Commonwealth and significantly increase their impact.

In order to combat human trafficking and illegal migration special attention deserves a common system for registration of third-country nationals and stateless persons arriving in the states – members of the CIS (CIS CSR) created by the Council of Border Troops Commanders and supported by of the Federal Migration Service of the Russian Federation. By the decision of the Council of CIS Heads of States, the Council of Border Troops Commanders developed regulations on the establishment of a common framework for citizens of third states and stateless persons arriving in the states – participants of the CIS, which was approved by the Council of CIS Heads of States on June 3, 2005.

As part of the creation of a common system for registration of third-country nationals and stateless persons (CRS) intergovernmental working group, which had prepared a draft work plan for the creation of this system, was organized in 2006.

Agreement "On a common system for registration of third-country nationals and stateless persons arriving in the States – members of the CIS" was signed on October 18, 2011 at the meeting the Council of CIS Heads of States.

Currently, there is a task to accelerate the implementation of the intergovernmental agreement and promote further integration of the Unified system in all the Commonwealth countries.

Dear colleagues!

The Coordination Service of the Council of Border Troops Commanders finds the following areas of improvement of our joint collaboration in counteract of organized crime and human trafficking, including the external borders of the CIS important:

- Strengthening of all forms of control of external borders states – participants of the Commonwealth of Independent States;
- Active and systematic joint special border operations (SBO) and joint preventive operations (OPM) in the framework of the Council of Border Troops Commanders, involving the participants – countries outside the CIS;
- Further development of cooperation and partnership with relevant bodies of the CIS with law enforcement agencies of the States – members of the CIS, border agencies, and international organizations specialized in operational information exchange information and experience of organizing work. Establishing a common information space of border agencies of the CIS with the possibility of the automation system of the rapid exchange of information (Russ. abbr. ASSOI) with the Council of Border Troops Commanders of the Commonwealth of Independent States.
- Actively continuing working together within the framework of international programs of the states – members of the CIS countries on the fight against organized crime, illegal migration and human trafficking.

I am sure that today’s in-depth discussion of agenda items and the results of the round table will further joint efforts to combat manifestations of organized crime, including the external borders of the CIS.

Thank you for your attention.

18. REPORT OF THE OFFICE FOR THE COORDINATION OF THE FIGHT AGAINST ORGANIZED CRIME AND OTHER DANGEROUS TYPES OF CRIME ON THE TERRITORY OF THE CIS MEMBER STATES



Shamshiev Uranbek Abdrazakovich
*Major General of the Ministry of Internal Affairs,
Deputy Director of the Office for the Coordination of the Fight
Against Organized Crime and Other Dangerous Types of
Crime on the Territory of the CIS Member States*

On interstate cooperation of law enforcement agencies of the member states of the Commonwealth of Independent States in combating Human Trafficking

Dear participants of the meeting!

Allow me, on behalf of the Office for the Coordination of the Fight Against Organized Crime and Other Dangerous Types of Crime on the Territory of the CIS Member States welcome you and express my appreciation for the cooperation and corporate solidarity.

The significance of this forum as an important tool for generating ideas for developing optimal solutions the pressing problems is obvious.

Our work brings together leading experts in the field of combating human trafficking. I am sure that a powerful intellectual and professional potential of the round table will allow us to identify common approaches to determine positions, which will help us, achieve the main goal – further consolidation of efforts in the fight against crime.

One of the priority activities of the internal affairs bodies of the states – members of the Commonwealth of Independent States is the fight against human trafficking and exploitation of human beings.

For all it is no secret that after the collapse of the Soviet Union almost all its former republics turned out to be involved in international trafficking, which was promoted by severe socio-economic conditions prevailing in the newly independent states, the crisis in many areas of production, open borders, increased crime etc. We should perceive this issue as a threat to national security, not only to the states – members of the Commonwealth of Independent States, but to the entire world community.

In order to protect the state and counter such criminal business, law enforcement agencies of the states – members of the CIS conduct huge amount of work towards improving international cooperation in the fight against human trafficking.

At present, the CIS countries created comprehensive legal framework towards combating organized crime and human trafficking.

Law enforcement cooperation on this issue is based on the Convention on legal assistance and legal relations in civil, family and criminal cases.

However, the first question focused on the fight against human trafficking has been raised in the Cooperation Agreement between the states – members of the Commonwealth of Independent States

in the fight against crime on November 25, 1998. Article 2 of the Agreement determined that “The Parties shall cooperate in the prevention, repression, identification, detection and investigation of crimes, especially the following: human trafficking and exploitation of prostitution by third parties”.

Subsequently, the Agreement on Cooperation of the CIS member states on the return of minors in the country of their permanent residence, which was signed on October 7, 2002, which regulates issues concerning minors left without supervision by the parents or legal guardians who are in a situation dangerous to their life and health, or contributing to commitment of offenses by them and other illegal acts.

On December 12, 2003 the Declaration of Principles of Building the Information Society – a global challenge in the new millennium was signed. Article 59 (Section 10, “Ethical aspects of information Society”) states that “all participants of information society should take appropriate actions and to take measures established by legislation to prevent human trafficking and exploitation.”

The next important step in combating human trafficking was the Agreement on cooperation in the fight against trafficking in persons, human organs and tissues signed on November 25, 2005. The Agreement contains basic terms, such as “human trafficking”, “children”, “body”, and “fabric”. The main areas and forms of cooperation were determined, in detail the mechanism of a request for assistance through which the cooperation to fight human trafficking, human organs and tissues was described.

Subsequently, on November 28, 2006 Council of the CIS Heads of States adopted a Program of Cooperation Among the Participating States of the Commonwealth of Independent States in Combating Human Trafficking for 2007-2010. After its successful implementation a similar program for 2011 – 2013 was adopted. The adoption of the aforementioned program was dictated by the need to improve cooperation between the states – participants of the CIS in countering the modern challenges and threats to security, and the complex of measures under the program, based on analysis of the criminal situation and its development in the states – members of the Commonwealth of Independent States, research, practice of fight against human trafficking, including the experience of joint actions. The purpose of the Program is to further improve the cooperation the CIS countries, activities of statutory bodies and bodies of sectoral cooperation between the CIS states in the fight against human trafficking.

This Program of Cooperation Among the Participating States of the Commonwealth of Independent States in Combating Human Trafficking for 2007-2010 provided for the development of the three documents by the Interparliamentary Assembly of the states – members of the Commonwealth of Independent States in 2008: the draft model legislation on combating human trafficking, for assistance to victims of trafficking and recommendations for unification and harmonization of the laws of the Commonwealth in the field. On October 30, 2007 the Joint Commission on the harmonization of legislation in the fight against terrorism, crime and drug trafficking in the CIS has approved these documents. The project model of the Law “On Combating Human Trafficking” regulates social relations in the field, provides the basis of legal liability of the natural and legal persons, including defines the principles of criminal responsibility for commitment of corresponding crimes, regulates the organizational framework for combating human trafficking and competence in this area and state officials, forms and methods of communication, cooperation with non-governmental organizations, associations and other institutions of civil society, the media and international organizations.

The draft model law “On assistance to victims of human trafficking” is aimed at regulating the legal and institutional framework of public policy and international cooperation in the field of protection and assistance to victims.

Draft recommendations for the standardization and harmonization of legislation of the CIS countries in the field of combating human trafficking set out the principles of unification and harmonization, including the respect for international law, the recognition of human trafficking as socially dangerous activity, including those carried out under control of the transnational organized crime, ensuring

criminalization of all forms and methods of trafficking, the establishment of criminal and administrative liability for commitment of the crimes mentioned above.

It should be noted, that the criminal codes of most CIS countries contain the same disposition of rules providing for penalties for trafficking, have a similar structure. They tie tightening liability to the commitment of human trafficking by group of persons by prior conspiracy or by an organized group in relation with the use or threat of violence dangerous to life or health repeatedly. Such a similarity of criminal law of the CIS member-states is the basis for co-operation, allowing to develop general principles to combat the phenomenon.

In the 2000s, various organizations of the of the Commonwealth of Independent States, such as the CIS Council of Interior Ministers adopted a number of documents aimed at combating organized crime, including human trafficking

- "On the Program of Cooperation Among the Participating States of the Commonwealth of Independent States in Combating Human Trafficking for 2007-2010", Dushanbe, September 23, 2006
- "Cooperation agreement between the Ministries of Internal Affairs of the member-states of the Commonwealth of Independent States in the fight against human trafficking" Yalta, June 4, 2009.

The CIS Council of Interior Ministers also adopted decisions aimed at improving cooperation between law enforcement bodies in combating, preventing, including the exchange of information to combat human trafficking:

- "On informational cooperation between the Ministries of Interior of the states – members of the Commonwealth of Independent States for the formation, maintenance and use of centralized registering and prospects for improving the exchange of statistical information", Baku, September 7, 2007
- "On the Project Agreement between the states – members of the Commonwealth of Independent States on the exchange of information in the fight against crime", Batumi, June 28, 2008.

Issues of improving cooperation between the states – members of the Commonwealth of Independent States in the fight against human trafficking are considered at the meetings of the Council of CIS Heads of States. Thus, in order to organize training, advanced training and retraining in the field of human trafficking and illegal migration, as well as to increase the efficiency of transnational law enforcement cooperation between intergovernmental and non-governmental organizations in this field it was decided on "Granting Educational Establishment "Academy of the Ministry of Internal Affairs of the Republic of Belarus" the status of the base organization of the states – members of the Commonwealth of Independent States for training, advanced training, and retraining of personnel in the field of migration and human trafficking" on May 23, 2008 in Minsk.

The Council of CIS Heads of States, also adopted decision on "On exchange of information in the fight against crime" and approved the list of information, providing to Interstate Information Bank (IIB) based on the need to strengthen further informational cooperation in the fight against crime, including human trafficking, in Astana May 22, 2009. The Bank operates in accordance with the Agreement on relations between the ministries of internal affairs of the states – members of the Commonwealth of Independent States in the exchange of information from August 3, 1992, and the creation and maintenance of a centralized data base of law enforcement agencies in the fight against human trafficking is conducted by the main information-analytical center under the Ministry of Internal Affairs of the Russian Federation.

Currently, under the auspices of the CIS Executive Committee, based on programs on relations between the ministries of internal affairs of the member states of the Commonwealth of Independent States on combating human trafficking the target-oriented, conceptual framework implies consistently

working to bring together activities to combat this criminal phenomenon. A mechanism of joint practical activities has been worked out from the standpoint of working pragmatism and scientific base for operating in the general principles of organization and in a unified legal framework.

Cooperation between the ministries of internal affairs of the member states of the Commonwealth of Independent States and other law enforcement agencies of the Commonwealth in the fight against human trafficking is based on tested, established traditions and practices. The interaction is carried out in a combination of multilateral and bilateral frameworks that complement and enrich each other. At the same time, recognizing the need and usefulness of bilateral relations, including the organization of the joint task forces, joint panels, cross-border cooperation and other forms of cooperation which proven to be effective. I would like to emphasize the obvious advantages and prospects of contacts at a multilateral basis. They allow solving complex, large scale problems of combating human trafficking.

One of the main areas of cooperation between the ministries of internal affairs of the states – members of the Commonwealth of Independent States and other law enforcement agencies of the Commonwealth was conducting complex measures and special operations on a wide range of problems in combating human trafficking under the interstate program in the states – members of the Commonwealth of Independent States integrated activities. it's not fortuitous that these comprehensive measures have been generally recognized.

Thus, in 2011, the ministries of internal affairs of the Commonwealth, under the coordination the Office for the Coordination of the Fight Against Organized Crime and Other Dangerous Types of Crime on the Territory of the CIS Member States held nine recurrent comprehensive preventive operations and two special operations, which resulted in 26,089 crimes were solved, 48,032 criminal cases were filed, 57,852 people were prosecuted, 14,064 wanted persons were arrested, 1442 of which were wanted by interstate law enforcement agencies, 312 activities of organized crime groups were suppressed and, more than 67 tons of drugs and a large quantity of firearms, ammunition and explosives were seized. 2330 persons for violation of immigration laws were identified and arrested, 10 channels of illegal migration were identified, 7,156 illegal immigrants from the CIS countries were deported, 29 individuals for human trafficking were detained, 26 offenses related to human trafficking and 362 persons for prostitution were identified. Significant contribution to strengthening interaction between the ministries of internal affairs of the states – members of the Commonwealth of Independent States and other law enforcement agencies of the Commonwealth as a whole has been contributed by the Office for the Coordination of the Fight Against Organized Crime and Other Dangerous Types of Crime on the Territory of the CIS Member States, headed by the Council of Heads of Ministries of Internal Affairs of CIS Member States, which continues increasing coordination efforts to strengthen multilateral cooperation, in this direction of work as well.

The results of the joint work are formed by the contribution of each and every ministry of internal affairs of the states – members of the Commonwealth of Independent States, which makes it possible to realize tasks assigned to internal affairs agencies consistently, given the continuity of interaction.

Interaction between the Office for the Coordination of the Fight Against Organized Crime and Other Dangerous Types of Crime on the Territory of the CIS Member States and the Interior Bureau (police) and other competent authorities of the CIS have some specific facts and stories concerning combating human trafficking.

Thus, for instance:

- a group of six people who, under the pretext of vacation in the Arab Republic of Egypt, intended to illegally cross the border of Israel were detained on January 18, 2011 in Chisinau International Airport by the Center for Combating Trafficking and illegal migration. As a result of the operation the organizers of this crime were arrested as well;

- employees of the Department for Organized Crime Control under the Department of Internal Affairs of the Almaty region arrested organized crime criminal group which members were involved in human trafficking, including in minors, involving them in prostitution, illegal detention and the organization and maintaining of illegal brothel for prostitution in one of the hotel complexes. The criminal case of offenses under Article 128 (recruitment, as well as the export and transit of people for exploitation), Article 133 (involving a minor in criminal activity) of the Criminal Code of the Republic of Kazakhstan was commenced, the detainees remain in the detention center.
- as a result of execution of operational materials four citizens of Vietnam who came to Ukraine and organized channel of illegal movement of illegal immigrants – immigrants from the Socialist Republic of Vietnam through the Ukrainian-Russian border were detained in the Kharkov region. The criminal case on the grounds of a crime under Article 332 (illegitimate movement of people across the state border of Ukraine) of the Criminal Code of Ukraine was commenced.
- On November 9, 2011 during the implementation of the materials of the Federal Migration Service of the Russian Federation in Altai Region, the criminal case for the organization of residence and illegal work of the citizens of the Republic of Uzbekistan on the territory of the Russian Federation was commenced by the Ministry of Internal Affairs of the Russian Federation "Biysk" for the crime under Part 1 of Article 322.1 (organizing illegal migration) of the Criminal Code of the Russian Federation against a citizen Myasnikov G., born in 1966.

The achieved results made possible:

- full coordination assistance by the Office for the Coordination of the Fight Against Organized Crime and Other Dangerous Types of Crime on the Territory of the CIS Member States;
- establishing close working relationships with the operational units of the Interior, and interaction with other relevant bodies and working structures;
- high organizational level of training and the search operations by the management of the internal affairs of the countries and the Commonwealth and the Office for the Coordination of the Fight Against Organized Crime and Other Dangerous Types of Crime on the Territory of the CIS Member States.

The significance of the results of joint activities was also due to:

- careful planning of search operations on the basis of preventive working out measures and study of materials provided by the departments of the relevant ministry
- a proper professional level and qualifications of operational staff.

In order to strengthen inter-agency cooperation the Office for the Coordination of the Fight Against Organized Crime and Other Dangerous Types of Crime on the Territory of the CIS Member States maintains contacts with working sectoral coordination councils of the CIS law enforcement bodies and other law enforcement agencies of the Commonwealth. With the expansion of meetings and accumulation of experience in day to day contacts with their representatives the mechanisms of this interaction are improving.

Based on the previously signed protocols on information interaction between the Office for the Coordination of the Fight Against Organized Crime and Other Dangerous Types of Crime on the Territory of the CIS Member States, the Secretariat of the Coordinating Council of Prosecutors General the countries members of the Commonwealth of Independent States, the CIS Anti-Terrorist Center, the Coordination Service of the Council of Border Troops Commanders of the countries members of the Commonwealth of Independent States, the Heads of law enforcement departments of the Council of heads of customs services the countries members of the Commonwealth of Independent States, the regional communications unit for law-enforcement work of the World Customs Organization (WCO) for the CIS countries (RILO-Moscow), and the Agency for the control of drugs under the President of the

Republic of Tajikistan practices of exchange of various documents, including operational and investigative information on relevant persons and organizations involved in organized crime, terrorism, illicit drug trade and illegal migration are carried out.

In the format of inter-agency cooperation operational data, information materials, the decisions taken at the meetings of the corresponding branches of the CIS Councils which are of mutual interest, and legal expertise of developed draft documents are exchanged.

The Office for the Coordination of the Fight Against Organized Crime and Other Dangerous Types of Crime on the Territory of the CIS Member States executes orders, requests not only from the bodies of internal affairs, but also from prosecutors, justice, tax police, border guard units and other government agencies of the CIS countries in order to combat crime. The number of such orders is about 10% of all orders received by the Office for the Coordination of the Fight Against Organized Crime and Other Dangerous Types of Crime on the Territory of the CIS Member States.

A schedule of meetings with the heads of the relevant structures of the CIS Ministries of Internal Affairs, Antiterrorist Center, the Council of Border Troops Commanders, the Council of Heads of Customs Services of on actual tasks the fight against organized crime in 2011 has been developed and implemented. Thanks to interdepartmental meetings and workshops, organizational and practical measures to implement the decisions of the statutory bodies of the CIS and the CIS Council of Ministers of Internal Affairs on a wide range of problems of crime control are implemented at the operational-tactical level.

However, this is often not enough in times of global financial and economic crisis. Crime becomes increasingly transnational in nature and actually counteracts the socio-economic reforms, infringes on the security of states and undermines citizens' confidence in the ability of government agencies to enforce their rights and freedoms. Consolidating at regional, international and international levels, the criminals are actively using the territory of the Commonwealth of Independent States.

Thank you for your attention.

19. REPORT OF THE COMMITTEE OF LAW ENFORCEMENT UNITS OF THE CIS COUNCIL OF HEADS OF CUSTOMS SERVICES OF THE PARTICIPATING STATES OF THE COMMONWEALTH OF INDEPENDENT STATES



Kazmin Dmitry Victorovich

*Executive secretary of the Committee of Heads of Law
enforcement Units of the CIS Council of Heads of Customs
Services of the participating states of the
Commonwealth of Independent States
Director of RILO-Moscow*

Report of Committee of Heads of Law enforcement Units of the CIS Council of Heads of Customs Services of the participating states of the Commonwealth of Independent States

Dear colleagues!

Functioning of the Committee of Heads of Law enforcement Units of the CIS Council of Heads of Customs Services of the participating states of the Commonwealth of Independent States is implemented according to comprehensive plans of this body for 2011-2012 and by practical cooperation between law enforcement departments of CIS Customs Services during the events to detect, prevent and suppress smuggling migrants and other crimes in the customs area, as well as through bilateral interagency action plans to combat customs crimes.

In 2011, the Committee conducted two extended sessions, during which documents on improving cooperation in the fight against smuggling of narcotic drugs and psychotropic substances, the exchange of law enforcement information, training of law enforcement units, cynology activities were approved, the Joint operations and operational prevention events were endorsed, a number of standardized instruments and bilateral agreements were agreed on.

In general, since the establishment of the Committee in 2008, about 50 international treaties and agreements of the law enforcement nature, prepared by the CIS Executive Committee, Inter-parliamentary Assembly of the CIS and other coordinating bodies of the Commonwealth, were discussed and agreed.

In addition, the meetings of our coordination council regularly analyze the status and effectiveness of cooperation between national customs services in law enforcement sphere, decisions on specific special operations and preventive measures aimed at including combating organized crime, terrorism, human trafficking and illicit drugs.

Last year, international and interagency joint preventive operations aimed at detecting and stopping channels of drug smuggling ("Poppy", "Channel", "Anaconda", "Afghan Breakdown", "Baltic Wind" and others) were organized.

In 2009 the Committee initiated the international customs operation “Sentry”. In the period of 2009-2011 four phases of the operation have been held. The efforts resulted in over 400 seizures of narcotic and psychotropic substances and precursors, about 42 tons of drugs seized illegal cross-border trafficking.

The participation in operations aimed at combating smuggling particularly hazardous to secure, such as “Blackthorn”, “Nikita”, “Global Shield”, “Coliseum”, “Panagea-IV”, “Energy”, and many others.

Currently separate agreements on cooperation with the Interparliamentary Assembly of the CIS, the Coordinating Council of Border Troops Commanders, the Anti-Terrorist Center, the Bureau for the Coordination of the fight against organized crime and other dangerous crimes in the territory of CIS, Coordination Council of Heads of the Competent Bodies to combat drug trafficking in the member-states of the Collective Security Treaty Organization (CSTO), CIS Prosecutors General Coordinating Council.

With these structures the Committee conducts the exchange of information and analytical materials, meetings, and individual materials. The Committee publishes its articles regularly in the publications of the CIS Anti-Terrorism Center, the Coordination Service of the Council of Border Troops Commanders, the Bureau for the Coordination of the fight against organized crime and other dangerous crimes in the territory of CIS.

As subjects of law enforcement, CIS customs bodies take active part in international programs of the CIS, including in the fight against human trafficking in the framework of cooperation with the police and the border authorities.

Human trafficking is a global problem, which does not respect national borders and often is a transnational crime, similar in nature to illegal drugs and weapons. Therefore, to combat human trafficking transnational methods using international cooperation in the form of an exchange of information and joint actions are required.

Giving due importance to the danger of this type of crime, the customs authorities shall undertake all measures for the timely response on the criminological aspects of the activities of criminal groups. Since human trafficking is a complex and multifaceted crime, it is associated with a number of related phenomena, which include a variety of other offenses, such as participation in organized criminal groups, corruption, money laundering, child pornography, etc.

As one of our priorities we consider the prevention and suppression of crimes related to attraction of minors in criminal activity as “performers” (e.g. drug couriers) or covering of illegal activity, as well as export, import, transportation of child pornography and the trafficking in human organs and tissues as the main practical problems of today and the near future.

CIS customs services are involved in long-term international project entitled “Sesame” to monitor the movement of currency and other financial instruments by individuals for the purpose of identifying and removing from the traffickers incomes transported across state borders. National communications centers and RILO-Moscow office enter information in the “SEN” law enforcement net as well as personal cards on the cases of detention of cash currency in the CIS are issued. Thus, in the framework of interdepartmental avia-protocols signed with the countries – participants of the Committee alone sent 210 messages on the movement of large quantities of foreign currency and consumer goods in 2011. According to the results of investigation of this information 25 cases of administrative offenses were commenced.

Implementation of this interstate program is carried out directly both from the customs services, and by providing the necessary information to competent ministries and departments and through participation in joint activities and special operations, strengthening customs controls.

Our collective body is involved in drafting Program of co-operation states – members of the Commonwealth of Independent States in combating human trafficking for 2014-2018. The rele-

vant proposals have been sent to the Prosecutors General Coordinating Council of the member-states of the Commonwealth of Independent States.

The section "Organizational and practical measures for counteracting human trafficking" – to propose the development on inter-state and national levels, specific activities aimed at identifying, tracing, seizing and confiscating traffickers' proceeds from criminal activities, including crossing the state border.

The section "Cooperation of the competent authorities of the states – members of Anti-Terrorism Center of the Commonwealth of Independent States together with international and non-governmental organizations" – to recommend procedural actions, preventive, search operations and specialized operations to combat human trafficking, aimed, first of all, at the prevention, detection, suppression and investigation of crimes related to human trafficking.

The section "Information and scientific and methodological support" – to continue the practice of exchange of experiences on combating human trafficking. To carry out scientific seminars, round tables and workshops on topical issues of the fight against human trafficking and cooperation of the competent authorities and institutions of civil society in combating human trafficking with the participation of international and non-governmental organizations (NGO's) regularly.

The section "Control mechanism" – to monitor the implementation of the program. To inform the CIS Executive Committee on the progress of the program annually.

Dear colleagues!

In conclusion, it should be noted that the available results of joint operative search activities to identify and suppress the activities of international organized criminal groups specializing in conducting operations aimed at identifying smuggled narcotic drugs and psychotropic substances, the so called "economic smuggling" and human trafficking, prove the need to continue this work.

20. REPORT OF THE ANTI-TERRORIST CENTER OF THE COMMONWEALTH OF INDEPENDENT STATES



Oganesyan Sergey Eduardovich
*Head of the analysis of the situation group
of the CIS Anti-Terrorist Center*

Mr. Chairman, Ladies and Gentlemen!

First of all, let me thank you for the opportunity to participate in the international round table “Enhancement of cooperation among the competent bodies of international universal and regional organizations in combating human trafficking.”

Human trafficking problem is becoming increasingly important due to the processes of globalization, increasing interdependence, transparency of borders and the creation of new territorial entities with freedom of movement. The Anti-Terrorist Center of the Commonwealth of Independent States (ATC) as a coordinating structure in the fight against terrorism shared the concern of the international community about the state of affairs in the field of combating human trafficking.

The ATC of the CIS supports the global plan, including implementation of the bodies of the UN and member states of practical measures to strengthen international cooperation with the prevention of crimes related to human trafficking, prosecution of offenders.

Human trafficking is the kind of criminal activity in which the goods are the person’s rights and freedoms. We have to admit that in the modern world almost everyone can become the victim of crimes, no one is protected against it. Human trafficking is a modern form of slavery, the scope of the problem is growing. According to the Office on Drugs and Crime of the United Nations (UNODC) “approximately 2.5 million people around the world at least for once have been recruited, captured, transported and exploited. The interest of the ATC to these issues is justified. The ATC pays close attention to the processes related to human trafficking because the methods of involving (recruitment) of persons for their following exploitation are similar to the methods of recruiting suicide bombers. In addition, a person in slavery is the subject to coercion to commitment of various crimes, including terrorism and extremism.

Kidnapping of children for use as soldiers generates our special concern. When the children serve in military service it is related to human trafficking, if it is associated with the unlawful recruitment or use of children (through the use of physical force, coercion or deception) as combatants or for labor or sexual exploitation in the military. Such crimes can be committed by the government forces, paramilitary organizations, or rebel groups. Many children are taken by force for participation in warfare. Others are illegally used as porters, cooks, guards, orderlies, messengers or spies. Girls may be forced into marriage or sexual relations with male fighters. Child soldiers of both sexes are often subjected to sexual violence.

In addition, human trafficking is usually accompanied by corruption, such as falsification or purchase of identity documents, or different immigration documents with the help of government of-

ficials in the countries of origin, transit, entry, legalization of illegal immigrants, corrupt connections of individuals involved in human trafficking with law enforcement and other government bodies.

This type of crime is usually committed by organized criminal groups, often multinational, in which various members of organized criminal groups are involved in different activities, some of them recruit, others provide documents, move, transfer to the employer, others exploit the victim.

Dr. Louise Shelley, director of the Terrorism, Transnational. Crime and Corruption Center (TraCCC) assessed the situation in the countries members of the Commonwealth of Independent States as follows: "Human trafficking for the purposes of exploitation of cheap labor or for sexual slavery is relevant for all countries in the post Soviet space and is closely linked to the problem of illegal migration." At the same time, in her opinion, "there are so many parallels between the USA and the former Soviet Union in the field of illegal migration. The proportion of illegal migrants in the USA is the biggest in the world, and Russia is close to this level."

Moreover, according to ATC experts, human trafficking for the purposes of exploitation of cheap labor or for sexual slavery and illegal immigration may be associated with the activities of terrorist groups, such as the channels of illegal migration, identical channels for infiltration of terrorists into the country, as well as the delivery of weapons, ammunition and extremist literature. In addition, it was found that human trafficking and illegal migration as criminal activities bring their organizers lots of money. Thus, according to the Office for Drugs and Crime of the United Nations (UNODC) "illegal business (human trafficking – author's note) annually brings organized crime groups about \$ 32 billion." Global revenues from smuggling are on average 6.7 billion dollars. Given the high profitability of these crimes, we can not exclude the possibility that part of the funds is used to finance terrorism.

The CIS competent authorities consider counteracting human trafficking as part of the personal safety and respect for fundamental rights and freedoms. Since the problem of human trafficking goes beyond the territory of one state, we are standing for the further widening of the international legal framework of cooperation of states in this area, for practical co-operation between the relevant national law enforcement agencies, as well as between national authorities and international organizations for the development of management systems aimed at solving this type of crime.

With regard to the CIS activity in this area, it should be noted that in the post-Soviet space Belarus has launched the first large-scale campaign to combat human trafficking. A large-scale complex of measures to combat illegal migration and to improve the effectiveness to address the threat of trafficking and ensure the safety of the population has been implemented in Belarus taking into account the international best practices developed by national legislation aimed at the elimination of human trafficking, government programs to combat human trafficking and illegal migration. National measures to combat human trafficking contributed to the fact that the fight against human trafficking has become one of the priorities of Belarus at the international arena. In order to promote best practices in the field of combating human trafficking there is the International Center for Training, Advanced training, Re-training of Personnel in the field of migration and human trafficking (ITC) in Minsk which in 2008 received the status of the base training establishment of the CIS countries.

Leading international experts in the field of human trafficking are attracted to teach at the ITC. The ITC provides training of representatives of CIS law enforcement agencies d.

In conclusion, I would like to thank you for the invitation, for very interesting and useful for practical work reports and stress that the Anti-Terrorist Center of the Commonwealth of Independent States as a coordinated body of the Commonwealth in the fight against terrorism is interested in active development of existing and establishing new ties and mutually beneficial contacts with international state and inter-state organizations involved in the field of human security. We stand for the consolidation of all the positive potential of the international community.

21. REPORT OF THE GUILD OF RUSSIAN LAWYERS



**Myakenky Alexander
Ivanovich**

*Vice President of the Guild
of Russian Lawyers*

Good day, Ladies and gentlemen!

First I would like to thank the organizers of the round table for the invitation to take part in such a representative meeting.

Long-term cooperation of the Guild of Russian Lawyers and the Moscow Mission of the International Organization for Migration (IOM) has made it possible to study the experience of combating human trafficking not only in the Commonwealth of Independent States, but also to familiarize with this experience of organizing the fight against human trafficking in European countries and the United States.

The Guild of Russian Lawyers always stands for protection of the “victims” of this heinous crime which is the human trafficking; this is our position as citizens. The person by virtue of the circumstances falls into slavish dependence of the offenders which use their body, engaging in prostitution, or condemned to forced labor and heavy full feudal dependence on the employer. In this situation, a lawyer’s qualified advice is essential.

Thus, representatives of the “Moskovskiy Yuridicheskiy Tsentri” (Moscow Law Center) always provide the necessary consultations, assist in the recovery of lost documents for these people free of charge.

Yes, the fight against such crimes is carried out in all civilized countries, but, as it was mentioned in speeches of others speakers from law enforcement agencies present here, it is hampered by the sluggishness of their colleagues from other countries, and because of the complexities of gathering evidence to expose persons suspected of human trafficking.

After all, sometimes only a victims of human trafficking, who cooperate with law enforcement agencies and their position, can reveal the whole criminal organization of human trafficking.

It is therefore necessary to establish the term “victim of human trafficking” in the legislation, giving it a certain status, create the conditions necessary for the protection of important and sometimes the only witness against them from being impacted by the perpetrators.

This special status of “victim” will allow a person in trouble to have some state’s protection that would allow them to return to normal life after escaping from slavery.

Experts estimate human trafficking as a highly profitable business. Income from such activities is the so called “dirty money”, against the legalization of which the struggle in the international scale is carried out.

It would be fair to confiscate the illegally acquired property and used the money to satisfy civil claims of victims of crimes that would be considered mandatory in criminal proceedings.

The search for such property should be better implemented at the investigation stage against human traffickers, as well as their arrest, regardless of location.

Such measures would help first of all to satisfy civil claims for compensation to the victims of losses from underpayment for labor and caused anguish and, secondly, send the part of seized property to a special fund to support the victims of crimes pending investigation and legal proceedings. These funds are available in some countries.

I would like to mention the need to involve civil society organizations in assisting victims of trafficking, and government agencies need to focus their efforts on an exposure and punishment of the offenders.

The Guild of Russian Lawyers always stood and will stand in protection of the interests of the human being who became a victim of traffickers, and our experts are ready to represent and defend the interests of these people in courts, pursuant to the provisions of the Federal Law "On providing free legal assistance to the Russian Federation".

For this, the Guild of Russian Lawyers offers significant opportunities.

In all federal districts and in more than 50 regions of the Russian Federation plenipotentiaries of the Guild of Russian Lawyers are actively working. The Guild of Russian Lawyers has its representatives abroad.

In neighboring countries, these are: Azerbaijan, Abkhazia, Moldova, Pridnestrovie, Ukraine, and Uzbekistan.

In foreign countries, these are: Austria, Bahrain, Belgium, Canada, Denmark, Germany, Israel, Spain, Qatar, Lebanon, United Arab Emirates, Oman, Poland, the United States of America, Tunisia, Turkey, Finland, France, Montenegro, Czech Republic, Sweden, and South Korea.

Agreements on the appointment of representatives of the Guild of Russian Lawyers in China, Italy, Bulgaria, Slovakia, Macedonia, the Dominican Republic, and Japan have been reached.

Work to expand the geographic presence of representatives of the Guild of Russian Lawyers is always conducted.

22. THE PROTOCOL

THE PROTOCOL of the International Round Table “Enhancement of cooperation among the competent bodies of international universal and regional organizations in combating human trafficking”

May 23-24, 2012

Moscow

The International Round Table on the topic “Enhancement of cooperation among the competent bodies of international universal and regional organizations in combating human trafficking” was held on May 23-24, 2012 in Moscow under the auspices of the Secretariat of the Treaty on Collective Security (CSTO) and the Mission of the International Organization for Migration (IOM) in Moscow.

The round table was attended by the heads of law enforcement agencies of the of the Collective Security Treaty Organization (CSTO) member-states involved in the fight against human trafficking, the representatives of competence statutory bodies and bodies of sectoral cooperation of the Commonwealth of Independent States (CIS), relevant departments of the United Nations (UN), the Organization for Security and Co-operation in Europe (OSCE), the representatives of the Secretariat of the Collective Security Treaty Organization (CSTO) and EurAsEC, the International Organization for Migration (IOM), Mission in Moscow, as well as concerned structures of Department of Justice and the Department of Defense of the United States of America.

The participants in the round table noted that human trafficking — a modern day form of slavery — for labor and sexual exploitation, removal of human organs and tissues, forced begging and exploitation in other spheres is one of the most significant problems arising in the past several years and one that is seriously troubling for the global community. Human trafficking is a violation of international and national laws based on the fundamental rights and freedoms of all people.

The CSTO member-states, as active participants in the international legal format to combat human trafficking, create the necessary legal and institutional mechanisms to prevent and combat trafficking and to assist victims.

The CSTO is in favor of further strengthening cooperation in combating human trafficking with the competent bodies of the UN, OSCE, IOM, CIS, EurAsEC, and establishing effective working relationships with other international, regional, and national agencies and civil society, including in the annually held complex operational and preventive measures and special operations to combat illegal migration and human trafficking under the code name “Nelegal”.

The roundtable participants noted the high topicality of the Global Plan of Action of the United Nations Convention to Combat Human Trafficking adopted in July 2010 by the General Assembly of the United Nations and emphasized the importance of the practical orientation of international law enforcement cooperation in the framework of procedural cooperation in investigating criminal cases of transnational human trafficking, based on generally accepted provisions of the UN Convention against Transnational Organized Crime and its additional “Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children” signed on November 15, 2000.

The roundtable participants considered appropriate to prosecute the perpetrators and protect and restore the rights of victims of human trafficking in order to improve the efficiency to prevent human trafficking:

- to prioritize the fight against human trafficking, further strengthen the international legal framework for cooperation, the expansion of multilateral and bilateral relations between the competent authorities in the countries of origin, transit and destination for victims of human trafficking;
- to continue working on the development of practical measures for interaction of the competent bodies of the CSTO member-states involved in the fight against human trafficking, including in the ongoing preventive operations and special operations under the code name "Nelegal" with international, universal and regional organizations;
- to explore the possibility of creating the permanent structures and mechanisms for coordination and cooperation in the field of combating human trafficking within the CSTO;
- to ask the leadership of the IOM Mission in Moscow to develop training materials on counteracting human trafficking and the interaction with competent international organizations in this field on basis of generally recognized international standards together with experts from other international organizations and competent bodies of the CSTO member-states and recommend their inclusion to the training programs of military and law enforcement agencies of the CSTO member-states for participating in peacekeeping operations;
- to provide purposeful educational work among peacekeeping personnel of CSTO member-states on inadmissibility of use of the services of victims of human trafficking and the involvement of people in this illegal activity during the peacekeeping operations;
- to develop of international cooperation in countering human trafficking in the form of an exchange of information between professionals involved in solving crimes related to human trafficking, cooperation in the field of training,
- to organize scientific conferences, seminars, workshops, to conduct joint research works;
- to strengthen the development and organization of shared access to databases containing information on actions and persons related to human trafficking in accordance with the national legislation;
- to improve the practice of accelerated implementation of procedures for responding to requests in the investigation of the facts of human trafficking;
- to activate engaging financial monitoring services to detect illegally acquired property for its possible confiscation of the proceeds and use for rehabilitation of victims of trafficking and for compensation of expenses of investigation of human trafficking cases;
- to conduct targeted research needed to determine the most optimal strategies to combat human trafficking, reduce the vulnerability of certain categories of persons, eliminate of the risk of forced labor and human trafficking, sexual exploitation, as well as use of people as donors.

The roundtable participants are confident that the practical implementation of proposals and recommendations worked out during the session will give them an extra impetus to enhancing the future work of the competent authorities and relevant coordinating structures at the international universal and regional organizations to strengthen the fight against human trafficking.

Chairman of the meeting
Deputy Secretary General of the
Collective Security Treaty Organization (CSTO)



Neviglas G.

23. CLOSING OF THE ROUND TABLE

Message from the Collective Security Treaty Organization

Dear participants of the round table!

For the past two days, we have discussed many aspects of these multifaceted problems as the fight against human trafficking.

We considered approaches of the CSTO member-states, heard information of experience from sectoral cooperation bodies in the Commonwealth of Independent States (CIS), got acquainted with the practice of specialized units of the United Nations, the Organization for Security and Co-operation in Europe and the International Organization for Migration.

Obtained in the course of the round table information will certainly help all of us even more clearly understand the depth of the problem and give a new impetus to the work of the competent authorities of the institutions and international organizations that we represent.

The Secretariat of the CSTO believes in materializing the discussion results set forth in the adoption of the Protocol, sending it to the states – members of the CSTO with the proposal on the possibility to develop interstate interagency program or plan on its basis.

Message from the International Organization for Migration (IOM)

Ladies and gentlemen!

I am glad to congratulate you on the success of the International Round Table on the topic “Enhancement of cooperation among the competent bodies of international universal and regional organizations in combating human trafficking.”

Let me express my gratitude to the participants for the informative reports and speeches. All of them, of course, appear appropriate to reflect the high importance of the fight against human trafficking and our shared concern about this problem.

Summing up the two days of work, I would like to note the considerable progress achieved in such a short period of time. However, it is too early for the final outcome, as materials of the round table require careful study. It is also important to implement practical application of the results with a focus on strengthening the implementation of the general recognized international standards, approaches and legal mechanisms for combating human trafficking.

This event helped to strengthen the international dialogue in problem of human trafficking crime. Transnational organized crime is a challenge to all states. This fact stipulates common will- ingness of international community to suppress and eliminate transnational crime. The present round table is one of the steps along the way.

Effective measures to prevent human trafficking require a comprehensive international approach in countries of origin, transit and destination. In this context, the exchange of experiences has enabled its participants to “synchronize watches” in the regular work to combat human trafficking.

The resulting document of the round table will facilitate further improvement of cooperation between participants.

We also intend to publish a brochure which would contain the round table proceedings for distribution among the participating organizations and other concerned bodies.

Allow me to thank Bordyuzha Nikolai Nikolayevich for joint preparation and a conduct of the round table. We look forward to continued close cooperation between the International Organization for Migration and the Collective Security Treaty Organization.

Thank you for your attention!

