

# TRAFFICKING IN PERSONS AND SEXUAL EXPLOITATION - TRAFFICKING IN PERSONS

## III. CONCLUDING OBSERVATIONS, CONTINUED

### CERD

- Cape Verde, CERD, A/58/18 (2003) 62 at para. 364.

364. The Committee is concerned about the occurrence of trafficking in persons, affecting in particular foreigners and people of different race or ethnic origin, in the State party which, according to the information received, is used as a transit point by smugglers.

The Committee recommends that the State party monitor closely the phenomenon of trafficking in persons...

- Republic of Korea, CERD, A/58/18 (2003) 83 at para. 496.

496. The Committee is concerned about the trafficking of foreign women to the State party for the purpose of prostitution, although it notes the State party's efforts to combat this phenomenon.

The Committee encourages the State party to expand and strengthen ongoing efforts to prevent trafficking and provide support and assistance to victims, wherever possible in their own language.

- Argentina, CERD, A/59/18 (2004) 45 at paras. 235 and 244.

235. The Committee welcomes the entry into force of Immigration Law No. 25871 in January 2004, which replaces the former Immigration Law No. 22439, and provides, *inter alia*, for the following:

...

(d) The criminalization of trafficking in human beings.

...

244. The Committee is disturbed by reports of trafficking of migrants, particularly migrant women exploited as sexual workers.

The Committee urges the State party to develop comprehensive policies and allocate adequate resources to prevent, investigate and punish these crimes, as well as to provide assistance and support to victims...

## **TRAFFICKING IN PERSONS AND SEXUAL EXPLOITATION - TRAFFICKING IN PERSONS**

- Belarus, CERD, A/59/18 (2004) 50 at para. 265.

265. While acknowledging the awareness-raising efforts made by the State party, the Committee notes with concern that Belarus is a country of transit for the trafficking of women and girls for the purpose of sexual exploitation.

The Committee recommends to the State party that it reinforce ongoing efforts to prevent and combat trafficking and provide support and assistance to victims, wherever possible in their own language. Furthermore, the Committee urges the State party to make determined efforts to prosecute the perpetrators and underlines the paramount importance of prompt and impartial investigations.

- Kazakhstan, CERD, A/59/18 (2004) 54 at para. 293.

293. While acknowledging that the State party has developed a governmental work plan to combat human trafficking, the Committee notes with concern that there is ongoing trafficking of women and children, particularly affecting non-citizens and ethnic minorities.

...[T]he Committee urges the State party to make determined efforts to prosecute the perpetrators and underlines the paramount importance of prompt and impartial investigations.

- Azerbaijan, CERD, A/60/18 (2005) 18 at para. 59.

59. While welcoming the information provided by the delegation on counter-trafficking measures taken by the State party, including the adoption, in 2004, of the National Plan of Action to combat trafficking in human beings and the establishment within the police service of a department to assist victims of trafficking, the Committee is concerned that human trafficking, including of foreign women, men and children, remains a serious problem in the State party, which is a country of origin and a transit point (art. 5).

The Committee recommends that the State party...undertake necessary legislative and policy measures to prevent and combat trafficking. The Committee urges the State party to provide support and assistance to victims, wherever possible in their own language. The Committee also recommends to the State party that it continue to make determined efforts to prosecute the perpetrators, and underlines the paramount importance of prompt and impartial investigations.

## **TRAFFICKING IN PERSONS AND SEXUAL EXPLOITATION - TRAFFICKING IN PERSONS**

- Nigeria, CERD, A/60/18 (2005) 54 at para. 297.

297. While welcoming the extensive counter-trafficking measures taken by the State party, including the establishment in 2003 of the National Agency for Prohibition of Trafficking in Persons and the adoption in 2003 of the Anti-Human Trafficking Law, the Committee remains concerned that human trafficking, including trafficking of foreign women, men and children, remains a serious problem in the State party (art. 5).

The Committee recommends that the State party...continue to undertake necessary legislative and policy measures to prevent and combat trafficking. The Committee urges the State party to provide support and assistance to victims, wherever possible in their own language. While underlining the paramount importance of prompt and impartial investigations, the Committee recommends to the State party that it continue to make determined efforts to prosecute the perpetrators.

- Venezuela (Bolivarian Republic of), CERD, A/60/18 (2005) 71 at para. 381.

381. The Committee notes with concern that, according to the report by the State party, the indigenous peoples of the upper Orinoco and the Casiquiare and Guainia-Río Negro basins have problems of various kinds. More particularly, in the centres of illegal gold prospecting, there is evidence that indigenous children and adolescents are subjected to labour exploitation and the worst forms of child labour, including servitude and slavery, child prostitution, trafficking and sale.

The Committee recommends that the State party adopt urgent measures to tackle this situation...

### **ICCPR**

- Ukraine, ICCPR, A/57/40 vol. I (2002) 32 at para. 74(18).

(18) The Committee remains concerned about the continuation of practices involving the trafficking of women in Ukraine.

The State party should take measures to combat this practice, including through the prosecution and punishment of those found responsible, and give full effect to the provisions of article 8 of the Covenant.

## **TRAFFICKING IN PERSONS AND SEXUAL EXPLOITATION - TRAFFICKING IN PERSONS**

- Azerbaijan, ICCPR, A/57/40 vol.I (2002) 47 at para. 77(15).

(15) The Committee is deeply concerned that it received no information on the extent of the problem of trafficking in women, as the State party is reportedly a country of both origin and transit. While acknowledging the need for legislation to combat trafficking of women, the delegation noted that trafficking is not defined as a separate criminal offence if the victim is not a minor; moreover, the delegation gave no conclusive information on action to combat such trafficking (articles 3 and 8 of the Covenant).

The State party should take resolute measures to combat this practice, which constitutes a violation of several Covenant rights, including those in articles 3 and 8, by imposing sanctions against those found responsible.

- Georgia, ICCPR, A/57/40 vol. I (2002) 53 at para. 78(15).

(15) The Committee remains concerned at the continuation of practices which involve trafficking in women in Georgia.

The State party should take measures to prevent and combat this practice by enacting a law penalizing trafficking in women, and should fully implement the provisions of article 8 of the Covenant. The Committee recommends that preventive measures be taken to eradicate trafficking in women and provide rehabilitation programmes for the victims. The laws and policies of the State party should provide protection and support for the victims.

- Republic of Moldova, ICCPR, A/57/40 vol. I (2002) 76 at para. 84(10).

(10) The Committee is concerned that, despite recent attempts by the State party to halt the activities of persons involved in the smuggling of individuals, there continue to be widespread reports of extensive trafficking, particularly of women, in violation of article 8 of the Covenant.

The State party should reinforce its efforts to put a stop to the trafficking of individuals, particularly of women, both originating in and in transit through its territory.

- Mali, ICCPR, A/58/40 vol. I (2003) 47 at para. 81(17).

(17) Recalling the efforts undertaken by the State party in this regard, the Committee remains

## **TRAFFICKING IN PERSONS AND SEXUAL EXPLOITATION - TRAFFICKING IN PERSONS**

concerned about the trafficking of Malian children to other countries in the region, in particular Côte d'Ivoire, and their subjection to slavery and forced labour (article 8).

The State party should take action to eradicate this phenomenon...

- Slovakia, ICCPR, A/58/40 vol. I (2003) 52 at para. 82(10).

(10) The Committee notes the efforts made by the State party to address the situation regarding trafficking in women, in particular by adopting a preventive strategy by providing information to potential victims and through international cooperation. However, the Committee notes that it has received only limited statistical information from the State party. It notes that trafficking is an international crime and therefore not only concerns women trafficked out of Slovakia, but also those being trafficked into Slovakia from neighbouring countries (arts. 3, 8).

The State party should strengthen programmes aimed at providing assistance to women in difficult circumstances, particularly those coming from other countries who are brought into its territory for the purpose of prostitution. Measures should be taken to prevent this form of trafficking and to impose sanctions on those who exploit women in this way. Protection should be extended to women who are the victims of this kind of trafficking so that they may have a place of refuge and an opportunity to give evidence against the persons responsible in criminal or civil proceedings. The Committee encourages Slovakia to continue its cooperative efforts with border States to eliminate trafficking across national borders.

- Israel, ICCPR, A/58/40 vol. I (2003) 64 at para. 85(5).

(5) The Committee welcomes the measures taken by the State party to combat trafficking in women for the purpose of prostitution, in particular the Prohibition on Trafficking Law enacted in July 2000 and the prosecution of traffickers since that date.

- Philippines, ICCPR, A/59/40 vol. I (2003) 15 at para. 63(13).

(13) The Committee notes with concern numerous instances of trafficking (art. 8) of women and children in the Philippines, both within the country and across its borders. While noting the importance of existing legislation (R.A. 9208) in this domain, it is concerned that insufficient measures have been taken actively to prevent trafficking and to provide assistance and support to the victims.

## TRAFFICKING IN PERSONS AND SEXUAL EXPLOITATION - TRAFFICKING IN PERSONS

The State party should take appropriate measures to combat trafficking in all its forms, by ensuring effective enforcement of the relevant legislation and imposing sanctions on those found responsible. The Committee encourages the State party to ensure gender-specific training to sensitize the officials involved with problems faced by victims of trafficking, in accordance with articles 3, 8 and 26 of the Covenant.

- Russian Federation, ICCPR, A/59/40 vol. I (2003) 20 at para. 64(10).

(10) The Committee is concerned about the large number of persons in the State party who are being trafficked for sexual and labour exploitation, mainly to destinations outside the borders of the State party. In this context, the Committee notes that the State party has given increasing attention to the problem in recent years. In particular, the Committee notes that anti-trafficking legislation has been drafted and that the State party is working towards the ratification of relevant United Nations treaties in this field.

The State party should reinforce measures to prevent and combat trafficking in women through, *inter alia*, enacting legislation penalizing such practices and providing protection and support, including rehabilitation programmes, for the victims (art. 8).

- Latvia, ICCPR, A/59/40 vol. I (2003) 25 at para. 65(12).

(12) The Committee notes the efforts made by the State party to address the situation regarding trafficking in persons, in particular by amending legislation, the adoption of a preventive strategy by providing information to potential victims, and through international cooperation. However, the Committee is concerned about the slow progress made in implementing those policies and notes that it has received only limited statistical information from the State party (arts. 3 and 8).

The State party should take measures to combat this practice, which constitutes a violation of several Covenant rights, including article 3 and the right under article 8 to be free from slavery and servitude. Strong measures should be taken to prevent trafficking and to impose sanctions on those who exploit women in this way. Protection should be extended to women who are victims of this kind of trafficking so that they may have a place of refuge and an opportunity to give evidence against the persons responsible in criminal or civil proceedings. The Committee encourages the State party to continue its cooperative efforts with other States to eliminate trafficking across national borders...

## **TRAFFICKING IN PERSONS AND SEXUAL EXPLOITATION - TRAFFICKING IN PERSONS**

- Sri Lanka, ICCPR, A/59/40 vol. I (2003) 30 at para. 66(14).

(14) The Committee is concerned about recurrent allegations of trafficking in the State party, especially of children (art. 8).

The State party should vigorously pursue its public policy to combat trafficking in children for exploitative employment and sexual exploitation, in particular through the effective implementation of all the components of the National Plan of Action adopted to give effect to this policy.

- Germany, ICCPR, A/59/40 vol. I (2004) 39 at para. 68(18).

(18) The Committee is concerned that, despite positive measures adopted by the State party, trafficking in human beings, especially women, persists within the territory of Germany (art. 8).

The State party should strengthen its measures to prevent and eradicate this practice, as well as to protect victims and witnesses.

- Suriname, ICCPR, A/59/40 vol. I (2004) 43 at para. 69(13).

(13) While the Committee has noted the efforts made by the State party to deal with the situation regarding trafficking in women, in particular through legislation and international cooperation, it remains concerned about the slow progress in implementing those policies (arts. 3 and 8).

The State party should ensure that effective measures are taken to combat trafficking in women.

- Lithuania, ICCPR, A/59/40 vol. I (2004) 52 at para. 71(14).

(14) The Committee is concerned at the situation regarding trafficking in persons, in particular the low number of criminal proceedings instituted for documented cases of trafficking (arts. 3 and 8).

The State party should reinforce measures to combat trafficking of women and children and impose sanctions on those who exploit women for such purposes. The Committee

## **TRAFFICKING IN PERSONS AND SEXUAL EXPLOITATION - TRAFFICKING IN PERSONS**

encourages the State party to continue to protect women who are victims of trafficking to enable them to seek refuge and testify against the persons responsible in criminal or civil proceedings. The State party should also cooperate with other States in eliminating trafficking across national borders...

- Belgium, ICCPR, A/59/40 vol. I (2004) 56 at para. 72(15).

(15) While welcoming efforts to combat people-smuggling and trafficking in human beings, the Committee is concerned at the fact that residence permits are not granted to victims of trafficking unless they collaborate with the judicial authorities, and that they are given financial assistance in the event of violence only subject to restrictive conditions. It observes that there are still problems in coping with large groups of intercepted migrants (art. 8).

The State party should continue its efforts, do more to look after the victims of trafficking in human beings as such, and ensure that the victims of people-smuggling are properly looked after...

- Serbia and Montenegro, ICCPR, A/59/40 vol. I (2004) 68 at para. 75(16).

(16) The Committee notes that Serbia and Montenegro is a main transit route for trafficking in human beings and increasingly a country of origin and destination. It welcomes the efforts made by the State party and the measures taken to address the situation regarding trafficking in women and children, including the establishment of national teams to combat trafficking in Serbia and in Montenegro, as well as the introduction of a criminal offence in the criminal codes of Montenegro and of Serbia directed to trafficking in human beings, although some concerns regarding the definition of trafficking remain. The Committee is also concerned at the lack of effective witness protection mechanisms and notes the apparent lack of awareness about trafficking in women and children on the part of law enforcement officials, prosecutors and judges. The Committee notes that shelters and SOS hotlines are managed by non-governmental organizations, which have also organized awareness campaigns, and regrets the lack of adequate involvement by the authorities in these initiatives (arts. 3, 8, 24).

The State party should take measures to combat trafficking in human beings, which constitutes a violation of several Covenant rights, including articles 3 and 24 and the right under article 8 to be free from slavery and servitude. Strong measures should be taken to prevent trafficking and to impose sanctions on those who exploit women and children in this way. Protection should be extended to all victims of trafficking so that they may have a place of refuge and an opportunity to give evidence against the persons responsible in criminal or



## TRAFFICKING IN PERSONS AND SEXUAL EXPLOITATION - TRAFFICKING IN PERSONS

civil proceedings.

- Finland, ICCPR, A/60/40 vol. I (2004) 22 at para. 81(3).

(3) The Committee notes with satisfaction the adoption of:

...

(b) New language in the Penal Code punishing trafficking in human beings under chapter 25 of the Code and infringements of personal liberty, and allowing any citizen of the State party who is guilty of trafficking in persons abroad to be prosecuted under Finnish law pursuant to chapter 1, section 7, of the Code, and for international offences, whatever law may apply where the offence was committed;

...

- Albania, ICCPR, A/60/40 vol. I (2004) 25 at paras. 82(15) and 82(20).

(15) While the Committee acknowledges that Albania's role has decreased as a transit route for trafficking in human beings and welcomes the legal and practical measures taken by the State party to address and combat trafficking in women and children originating from the country, it remains concerned about this phenomenon, about reports on the involvement of police and government officials in acts of trafficking, and about the lack of effective witness and victim protection mechanisms (arts. 8, 24 and 26).

The State party should continue to reinforce international cooperation as well as practical measures to combat trafficking in human beings, prosecute and punish perpetrators and combat trafficking-related corruption. Protection should be provided to all witnesses and victims of trafficking so that they may have a place of refuge and an opportunity to give evidence against those held responsible.

...

(20) While noting the policies established by the State party, the Committee is still concerned with the abuses, exploitation, maltreatment and trafficking of children, *inter alia* child labour, as well as with the lack of information regarding that situation in the State party (arts. 23 and 24).

The State party should reinforce measures to combat abuse and exploitation of children, and establish public awareness-raising campaigns regarding children rights.

## **TRAFFICKING IN PERSONS AND SEXUAL EXPLOITATION - TRAFFICKING IN PERSONS**

- Benin, ICCPR, A/60/40 vol. I (2004) 30 at para. 83(24).

(24) While noting the efforts made by the State party, the Committee expresses its concern at the alarming practice of placing children with a third party as an act of mutual assistance or family or community solidarity (*vidom ons*), which has become a source of trafficking and economic exploitation of children within Benin. It notes with concern that Benin has become a country of transit, origin and destination for international trafficking in children (articles 7, 16 and 24 of the Covenant).

The State party should increase its efforts to combat trafficking in children...It should create mechanisms to monitor the placement of children, increase public awareness and bring criminal proceedings against those engaged in the trafficking in and economic exploitation of children.

- Kenya, ICCPR, A/60/40 vol. I (2005) 44 at para. 86(25).

(25) The Committee is concerned about allegations of trafficking of children and instances of child prostitution, as well as the State party's failure to prosecute and punish trafficking offences that have come to the authorities' knowledge and to afford adequate protection to victims (articles 8 and 24 of the Covenant).

The State party should adopt specific anti-trafficking legislation, including for the protection of the human rights of victims, and actively investigate and prosecute trafficking offences. It should implement policy across Government for the eradication of trafficking and for the provision of support to victims of trafficking.

- Iceland, ICCPR, A/60/40 vol. I (2005) 50 at para. 87(13).

(13) The Committee takes note of the enactment of Act No. 40/2003 amending the General Criminal Code and introducing a new definition of "trafficking in persons", but is concerned at the growing phenomenon of trafficking in the State party (article 8 of the Covenant).

The State party should implement without delay a national action plan on this issue.

- Greece, ICCPR, A/60/40 vol. I (2005) 60 at para. 90(10).

(10) The Committee notes that Greece is a main transit route for trafficking in human beings,

## **TRAFFICKING IN PERSONS AND SEXUAL EXPLOITATION - TRAFFICKING IN PERSONS**

as well as a country of destination. While welcoming the efforts made by the State party to fight this scourge, it remains concerned, in particular, about the reported lack of effective protection of the victims, many of whom are women and children, including witness protection mechanisms (arts. 3, 8 and 24).

(a) The State party should continue to take measures to combat trafficking in human beings, which constitutes a violation of several Covenant rights, including articles 3 and 24. The human rights of the victims of trafficking should be protected, including by providing a place of refuge as well as an opportunity to give evidence against the persons responsible in criminal or civil proceedings;

(b) The Committee urges the State party to protect unaccompanied alien children and to avoid the unsupervised release of such children into the general population. The absence of child welfare protection increases the danger of trafficking and exposes the children to other risks. The State party should conduct a judicial investigation concerning the approximately 500 children who went missing from the Aghia Varvara institution between 1998 and 2002...

- Yemen, ICCPR, A/60/40 vol. I (2005) 65 at para. 91(17).

(17) The Committee is concerned about reports of trafficking of children out of Yemen and of women coming to or through the country, as well as the practice of expelling trafficked persons from the country without appropriate arrangements for their care (art. 8).

The State party should increase its efforts to combat such practices, while fully addressing the human rights entitlements and needs of the victims...

- Tajikistan, ICCPR, A/60/40 vol. I (2005) 70 at para. 92(24).

(24) The Committee is concerned that, despite significant progress accomplished by the State party, there have been persistent reports that Tajikistan is a major source country for trafficking in women and children (arts. 24, 3 and 8).

The State party should redouble its efforts to combat these serious problems, in collaboration with neighbouring countries, including with a view to protecting the human rights of victims. It should also rigorously review the activities of responsible governmental agencies to ensure that no State actors are involved.

## **TRAFFICKING IN PERSONS AND SEXUAL EXPLOITATION - TRAFFICKING IN PERSONS**

- Slovenia, ICCPR, A/60/40 vol. I (2005) 74 at para. 93(11).

(11) While the Committee acknowledges the efforts of the State party to address and combat trafficking in women and children, the Committee remains concerned about this phenomenon, and about the lack of prevention and protection mechanisms for victims, including rehabilitation schemes (arts. 3, 8, 24 and 26).

The State party should continue to reinforce its measures to combat trafficking in women and children and prosecute and punish perpetrators. Protection should be provided to all victims of trafficking, including providing a place of refuge and so facilitating their giving evidence against those responsible. Prevention and rehabilitation programmes for the victims should also be established.

- Thailand, ICCPR, A/60/40 vol. I (2005) 83 at paras. 95(20) and 95(21).

(20) Notwithstanding the serious efforts undertaken by the State party to address the issue of trafficking in persons, including the establishment in March 2005 of the National Committee on Prevention and Suppression of Human Trafficking, and while welcoming the planned enactment of the new law on human trafficking, the Committee remains concerned that Thailand is a major country of origin, transit and destination for trafficking in persons for purposes of sexual exploitation and forced labour. The Committee is also concerned that child prostitution remains widespread. The Committee notes with concern that certain groups are at a particularly higher risk of being sold, trafficked and exploited, i.e. street children, orphans, stateless persons, migrants, persons belonging to ethnic minorities and refugees/asylum-seekers (arts. 8 and 24).

The State party should continue and strengthen its measures to prosecute and punish trafficking and to adequately protect the human rights of all witnesses and victims of trafficking, in particular by securing their places of refuge and opportunities to give evidence. The State party should enact the Suppression of Human Trafficking Bill without delay.

(21) The Committee is concerned about the significant proportion of children, often stateless or of foreign nationality, in the State party who engage in labour and, as explained by the delegation, are often victims of trafficking (arts. 8 and 24).

The State party should strengthen the enforcement of the existing legislation and policies against child labour. Victims of trafficking must be afforded adequate protection. The State party should make every effort, including preventive measures, to ensure that children who engage in labour do not work under conditions harmful to them and that they continue to

## **TRAFFICKING IN PERSONS AND SEXUAL EXPLOITATION - TRAFFICKING IN PERSONS**

have access to education. The State party should take action to implement policies and legislation for the eradication of child labour, *inter alia* through public-awareness campaigns and education of the public on the protection of the rights of children.

### **ICESCR**

- Sweden, ICESCR, E/2002/22 (2001) 106 at paras. 718 and 743.

718. The Committee appreciates that the State party is committed to combating prostitution by strengthening its efforts to prevent trafficking in persons and by making the buying or even soliciting of sexual services a criminal offence.

...

743. The Committee urges the State party to adopt special measures criminalizing the trafficking of human beings.

- France, ICESCR, E/2002/22 (2001) 121 at paras. 859 and 871.

859. The Committee welcomes the measures undertaken by the State party to combat trafficking in persons, child pornography and sexual exploitation of women and children.

...

871. The Committee strongly encourages the State party to criminalize trafficking in persons.

- Croatia, ICESCR, E/2002/22 (2001) 125 at para. 897.

897. The Committee is concerned that Croatia is reported to be a major transit point for human trafficking, especially of women. The Committee regrets that it has received no information on the nature, extent or causes of the phenomenon of human trafficking.

- Czech Republic, ICESCR, E/2003/22 (2002) 25 at paras. 85 and 104.

85. The Committee is concerned about the increasing rate of trafficking in women as well as the sexual exploitation of children.

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104. The Committee urges the State party to adopt effective measures against the trafficking in women as well as the sexual exploitation of children.

## TRAFFICKING IN PERSONS AND SEXUAL EXPLOITATION - TRAFFICKING IN PERSONS

- Benin, ICESCR, E/2003/22 (2002) 34 at paras. 172 and 191.

172. The Committee is deeply concerned at the practice of *vidomegon* - the placement of children in domestic service in families where they all too often suffer abuse, violence and exploitation. It is also very concerned about the trafficking in children, both within the country and with other States in the region.

...

191. The Committee invites the Government to take all effective legislative, economic and social measures to end the practice of *vidomegon* and to conduct campaigns to alert families, in particular in the poorest parts of the country, to the issue. It urges the State party to step up its efforts to combat trafficking in children, by passing legislation and by entering into agreements with the countries that receive such children.

- Slovakia, ICESCR, E/2003/22 (2002) 50 at paras. 321 and 335.

321. The Committee is concerned about the persistent problem of trafficking in women, as well as the sexual exploitation of women and children in the State party.

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335. The Committee urges the State party to adopt effective measures, including through regional cooperation, to combat trafficking in women and to adopt preventive programmes to combat the sexual exploitation of women, adolescents and children.

- Poland, ICESCR, E/2003/22 (2002) 54 at paras. 365 and 387.

365. The Committee is concerned about the rising incidence of trafficking in women for the purpose of sexual exploitation.

...

387. The Committee...recommends that the State party take effective measures to combat trafficking in women, *inter alia*, by ensuring that those responsible for trafficking are prosecuted, and to ratify the international instruments aimed at intensifying cooperation in this field among States, including the additional Protocol to the United Nations Convention against Transnational Organized Crime to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children...

- Georgia, ICESCR, E/2003/22 (2002) 59 at paras. 418 and 436.

418. The Committee is...concerned that the State party has not adopted any significant

## **TRAFFICKING IN PERSONS AND SEXUAL EXPLOITATION - TRAFFICKING IN PERSONS**

measures or policies to address the problem of trafficking in persons, particularly women.

...

436. The Committee urges the State party to undertake and implement effective measures to combat trafficking in persons, including adequate training of law enforcement officials and the judiciary, the prosecution of perpetrators in accordance with the law, and rehabilitation programmes for victims of trafficking.

- Estonia, ICESCR, E/2003/22 (2002) 68 at paras. 502 and 525.

502. The Committee is concerned about the continually rising incidence of trafficking in women.

...

525. The Committee...recommends that the State party take effective measures to combat trafficking in women, including through ensuring that traffickers are prosecuted. The Committee calls upon the State party to ratify the international instruments aimed at intensifying cooperation in this field among States.

- Luxembourg, ICESCR, E/2004/22 (2003) 24 at para. 73.

73. The Committee welcomes the measures undertaken by the State party to combat trafficking in persons, child pornography and sexual exploitation of women and children. In particular, the Committee welcomes the extraterritorial application of certain provisions of the Penal Code, allowing for the criminal prosecution of persons, both nationals and non-nationals, for sexual crimes committed abroad.

- Brazil, ICESCR, E/2004/22 (2003) 28 at paras. 137 and 161.

137. The Committee is deeply concerned about the high incidence of trafficking in women for the purpose of sexual exploitation.

...

161. The Committee recommends the adoption by the State party of specific legislation against trafficking in persons and its effective implementation.

- Israel, ICESCR, E/2004/22 (2003) 42 at para. 253.

253. The Committee notes with appreciation the efforts undertaken by the State party to

## **TRAFFICKING IN PERSONS AND SEXUAL EXPLOITATION - TRAFFICKING IN PERSONS**

address the problem of trafficking and exploitation of persons, such as the criminalization of trafficking, increased penalties for trafficking of minors, and the enhanced cooperation between government agencies to combat trafficking with a victim-sensitive approach.

- Republic of Moldova, ICESCR, E/2004/22 (2003) 49 at paras. 309 and 331.

309. The Committee is alarmed about the extent of trafficking in persons, particularly women, despite the various measures taken by the State party to prevent and combat this phenomenon, including the adoption in 2001 of the National Plan of Action to Combat Trafficking in Human Beings and the introduction of sanctions against crimes related to trafficking under the new Penal Code of 2002.

...

331. The Committee urges the State party to reinforce its efforts to combat the phenomenon of trafficking in persons, including by ensuring the effective implementation of anti-trafficking legislation and programmes and by improving job possibilities and assistance to women living in poverty. In view of the cross-border character of crimes related to trafficking, the State party is encouraged to seek international assistance and strengthen regional cooperation with countries to which Moldovans are trafficked.

- Russian Federation, ICESCR, E/2004/22 (2003) 64 at paras. 465 and 493.

465. The Committee is very concerned about the high incidence of trafficking in persons in the State party and about the lack of reliable statistics on the number of people trafficked and of information on cases where persons have been prosecuted under existing anti-trafficking legislation.

...

493. The Committee calls upon the State party to ensure effective implementation of existing anti-trafficking legislation. It also encourages the State party to proceed with the adoption of proposed legislative amendments and of the draft act on combating the trafficking of people which aim at providing more effective protection for victims and ensuring the prosecution of traffickers. Moreover, the State party should ensure the availability of accessible crisis centres where victims of trafficking can receive assistance.

- Lithuania, ICESCR, E/2005/22 (2004) 18 at paras. 85 and 107.

85. The Committee notes with concern that trafficking in women and children continues to be a problem in the State party, which is a country of origin and transit, in spite of the



## TRAFFICKING IN PERSONS AND SEXUAL EXPLOITATION - TRAFFICKING IN PERSONS

existence of the Programme for the Control and Prevention of Trafficking in Human Beings and Prostitution for 2002-2004 and the fact that the new Criminal Code provides for criminal liability for a number of trafficking-related crimes, including trade in people (art. 147), profiting from another person's prostitution (art. 307), and procuring to prostitution (art. 308). Moreover, the Committee regrets that the lack of information on the number of people trafficked does not give an accurate picture of the extent of the problem.

...

107. The Committee recommends that the State party reinforce measures under the Programme for the Control and Prevention of Trafficking in Human Beings and Prostitution for 2002-2004, including by strengthening international cooperation in these areas. The State party should also ensure that victims of trafficking have access to crisis centres where they can receive assistance...

- Greece, ICESCR, E/2005/22 (2004) 23 at paras. 138 and 159.

138. The Committee expresses its concern about the high numbers of trafficked women and children who are subjected to forced labour and sexual exploitation, and who are often deported to their countries of origin rather than being granted a residence permit, reportedly in an expeditious manner and without the necessary procedural safeguards.

...

159. The Committee urges the State party to ensure respect for the necessary procedural safeguards when deporting victims of trafficking in persons, particularly when such victims are children. The State party should also continue and intensify its cooperation with neighbouring countries in combating trafficking in persons, provide medical, psychological and legal support to such victims...

- Kuwait, ICESCR, E/2005/22 (2004) 29 at paras. 194 and 214.

194. The Committee is concerned about the rising incidence of trafficking in persons, especially women and children, including for the purpose of domestic work.

...

214. The Committee recommends that the State party take effective measures to combat trafficking in persons, especially in women and children, by ensuring, *inter alia*, that those responsible for trafficking are prosecuted, and to ratify the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime. The Committee recommends that the State party establish support services for victims of trafficking and take steps to sensitize law enforcement officials and the general public to the gravity of this issue...

## **TRAFFICKING IN PERSONS AND SEXUAL EXPLOITATION - TRAFFICKING IN PERSONS**

- Ecuador, ICESCR, E/2005/22 (2004) 39 at paras. 290 and 315.

290. The Committee is concerned about trafficking in minors, especially indigenous minors.

...

315. The Committee urges the State party to take all the appropriate measures to combat the problem of trafficking in minors, including collecting relevant data and statistics and conducting a thorough study on this issue...

- Denmark, ICESCR, E/2005/22 (2004) 49 at paras. 393 and 406.

393. The Committee notes with concern that, in spite of the measures taken by the State party, Denmark continues to face problems of child pornography, sexual exploitation of children, and trafficking in women and children.

...

406. The Committee encourages the State party to continue and strengthen its efforts to address the problem of trafficking in persons, especially women and children, as well as commercial sexual exploitation in the State party...

- Azerbaijan, ICESCR, E/2005/22 (2004) 59 at paras. 489, 490, 515 and 516.

489. While welcoming the adoption in May 2004 of the National Plan to fight trafficking in human beings and the establishment of the Department to Fight Trafficking in Human Beings under the Ministry of Internal Affairs, the Committee remains concerned that trafficking in persons persists in Azerbaijan and notes that the State party is a country of origin and destination as well as a transit point for trafficking in persons. The Committee is also concerned at the lack of reliable information, including statistics, on the extent of the problem. In this connection, the Committee notes with regret that there is no legislation in the State party that specifically criminalizes trafficking in persons.

490. The Committee is seriously concerned about the reports of children who are illegally adopted from orphanages for the purpose of trafficking in organs.

...

515. The Committee urges the State party to adopt legislation specifically criminalizing the trafficking of human beings and allocate sufficient resources for the effective implementation of the National Plan to Fight Trafficking in Human Beings, and to ensure that necessary protection and assistance are provided to victims of trafficking.

## **TRAFFICKING IN PERSONS AND SEXUAL EXPLOITATION - TRAFFICKING IN PERSONS**

516. The Committee urges the State party to continue to ensure that perpetrators of illegal adoptions are duly prosecuted.

- China, ICESCR, E/2006/22 (2005) 25 at paras. 148, 158, 178 and 187.

148. The Committee is concerned about the problem of the sale of women and girl children and of the abandonment of elderly women.

...

158. The Committee is also concerned at the lack of reliable information, including statistics, on the extent of the problem of sexual exploitation of women and children in the State party, including prostitution, sale and trafficking in persons.

...

178. The Committee strongly recommends that the State party undertake effective public education measures, including awareness-raising programmes designed to eliminate gender-based prejudices and traditional practices that are harmful to women and girls...

...

187. The Committee urges the State party to adopt legislation that specifically criminalizes the trafficking of human beings and to establish mechanisms to effectively monitor its strict enforcement and provide protection and assistance to victims of sexual exploitation...

- China (Hong Kong Special Administrative Region), ICESCR, E/2006/22 (2005) 34 at paras. 214 and 226.

214. The Committee expresses concern about reports of the high incidence of trafficking in persons, especially women and children, in the Hong Kong Special Administrative Region, mainly for the purpose of sexual exploitation. The Committee regrets that it did not receive sufficient information regarding this problem and the measures taken in this respect by the Hong Kong Special Administrative Region.

...

226. ...The Committee urges the State party to ensure respect for the necessary procedural safeguards when deporting victims of trafficking in persons, particularly when such victims are minors, and to provide them with the necessary medical, psychological and legal support...

## **TRAFFICKING IN PERSONS AND SEXUAL EXPLOITATION - TRAFFICKING IN PERSONS**

- China (Macao Special Administrative Region), ICESCR, E/2006/22 (2005) 38 at paras. 242 and 252.

242. The Committee notes with concern that trafficking in women and children for sexual exploitation is a serious problem in the Macao Special Administrative Region and that prosecution of traffickers generally has not been effective.

...

252. The Committee recommends that the Macao Special Administrative Region make concerted efforts to combat the phenomenon of trafficking in persons. The Macao Special Administrative Region should also ensure that victims of trafficking have access to crisis centres where they can receive assistance...
- Serbia and Montenegro, ICESCR, E/2006/22 (2005) 41 at paras. 285 and 312.

285. The Committee is deeply concerned about the high numbers of trafficked women and children for purposes of sexual exploitation and forced labour, as well as about reported incidents of police involvement.

...

312. The Committee urges the State party, in addition to the recent legislative measures to combat trafficking in persons, to prosecute and punish perpetrators and corrupted law enforcement officials involved in trafficking, to provide medical, psychological and legal support to victims, to raise awareness about the dimension of the crime among law enforcement officials... The Committee also encourages the State party to proceed with the adoption of a national plan of action on trafficking in Serbia.
- Norway, ICESCR, E/2006/22 (2005) 48 at paras. 344 and 363.

344. The Committee is concerned that Norway is a destination for women trafficked for the purpose of sexual exploitation.

...

363. The Committee urges the State party to continue and strengthen its efforts to address the problems of trafficking in persons and commercial sexual exploitation...

**CEDAW**

## **TRAFFICKING IN PERSONS AND SEXUAL EXPLOITATION - TRAFFICKING IN PERSONS**

- Estonia, CEDAW, A/57/38 part I (2002) 13 at paras. 101 and 102.

101. Recognizing the efforts made by the State party to address the issue of trafficking of women and girls, the Committee notes with concern that the size of the problem is not reflected in the information provided. It also notes with concern that there is still not enough information on the subject or a comprehensive policy to address the problem, as well as no specific legislation regarding trafficking in women and the punishment of traffickers.

102. ...[The] Committee...urges the State party to...adopt and implement distinct legislation on trafficking and that it increase its collaboration with other countries of origin, transit and destination of trafficked women and girls and to report on the results of such collaboration. It also recommends the creation of social support and reintegration programmes for victims of prostitution and trafficking.
- Iceland, CEDAW, A/57/38 part I (2002) 27 at paras. 247 and 248.

247. The Committee notes with concern that Iceland may have become a country of destination for trafficking in women.

248. The Committee encourages the State party to continue taking action to combat trafficking in women and, with this aim, to increase international cooperation in this regard.
- Portugal, CEDAW, A/57/38 part I (2002) 35 at paras. 335 and 336.

335. The Committee is concerned about the increase in the incidence of trafficking in women and girls.

336. The Committee urges the State party to increase efforts at cross-border and international cooperation, especially with countries of origin and transit as well as with neighbouring receiving countries, to collect data, reduce the incidence of trafficking, prosecute and punish traffickers, and ensure the protection of the human rights of trafficked women and girls. It calls on the State party to ensure that trafficked women and girls have the support that they need so that they can provide testimony against their traffickers. It also urges that training of border police and law enforcement officials provide them with the requisite skills to recognize and provide support for victims of trafficking.

## **TRAFFICKING IN PERSONS AND SEXUAL EXPLOITATION - TRAFFICKING IN PERSONS**

- Russian Federation, CEDAW, A/57/38 part I (2002) 40 at paras. 395 and 396.

395. The Committee is concerned at the extent of trafficking of Russian women to foreign countries for sexual exploitation. It notes that, in the period from 1994 to 1997, only four court cases were brought and seven persons were convicted for such offences. In addition, the Committee is concerned that the Russian Federation itself has become a country of destination for trafficked women.

396. The Committee recommends the formulation of a comprehensive strategy to combat the trafficking of women, which should include the prosecution and punishment of offenders, increased international regional and bilateral cooperation, in particular with countries of destination and transit, witness protection and the rehabilitation of women and girls who have been victims of trafficking...

- Suriname, CEDAW, A/57/38 part II (2002) 82 at paras. 49 and 50.

49. ...The Committee notes with regret that trafficking in women and girls has not been legally defined and has not been given the attention it deserves. The Committee is particularly concerned that the problem is viewed as a crime against public decency, rather than as a human rights issue, and that it is not being addressed owing to the lack of data. The Committee expresses concern that the maximum penalty of five years' imprisonment for trafficking in human beings may be too lenient given the gravity of the human rights violations involved.

...

50. ...The Committee... recommends the formulation of a comprehensive strategy to combat the trafficking of women, which should include the prosecution and appropriate punishment of offenders, witness protection and the rehabilitation of women and girls who have been victims of trafficking. The Committee recommends that the State party consider increasing the penalty for trafficking in women...

- Saint Kitts and Nevis, CEDAW, A/57/38 part II (2002) 90 at para. 112.

112. The Committee encourages the State party to study the phenomenon of trafficking in persons, especially in view of the recent increase of tourism in the country. The Committee also urges the State party to formulate a broad strategy against trafficking and prostitution, which should include the prosecution and punishment of traffickers and pimps.

## **TRAFFICKING IN PERSONS AND SEXUAL EXPLOITATION - TRAFFICKING IN PERSONS**

- Belgium, CEDAW, A/57/38 part II (2002) 95 at paras. 153 and 154.

153. The Committee is concerned that sanctions under the 1995 law on human trafficking may not be adequate to deter trafficking...

154. The Committee recommends the formulation of a comprehensive strategy to combat trafficking in women and girls, including within the territory of the State party, which should include the prosecution and punishment of offenders, and increased international, regional and bilateral cooperation with countries of origin, transit and destination of trafficked women and girls. It encourages the State party to increase its efforts to combat the root causes of trafficking and assist its victims through efforts of counselling and reintegration. It calls on the State party to ensure that trafficked women and girls have the support that they need so that they can provide testimony against their traffickers...

- Ukraine, CEDAW, A/57/38 part II (2002) 114 at paras. 274, 287 and 288.

274. The Committee welcomes the range of laws and programmes that have been introduced, including the law on the prevention of domestic violence, the criminal law that also makes trafficking in persons a criminal offence and the new family code...

...

287. Recognizing the efforts made by the State party to address the issue of trafficking in women and girls, including the criminal law provision against trafficking in persons, the Committee notes with concern that the extent of this problem is not reflected in the information provided in the report. It notes with concern that there is still not enough information on the subject or a comprehensive policy to address the problem.

288. The Committee urges the State party to make the issue of trafficking in women and girls a high priority... It recommends the formulation of a comprehensive strategy to combat trafficking in women and girls, including within the territory of the State party, which should include the prosecution and punishment of offenders and increased international, regional and bilateral cooperation with other countries of origin, transit and destination of trafficked women and girls. It recommends the introduction of measures aimed at improving the economic situation of women so as to eliminate their vulnerability to traffickers, education initiatives for vulnerable groups, including teenage girls, as well as social support, rehabilitation and reintegration measures for women and girls who have been victims of trafficking. It calls on the State party to ensure that trafficked women and girls have the support they need so that they can provide testimony against their traffickers. It urges that training of border police and law enforcement officials provide them with the requisite skills to recognize and provide support to victims of trafficking.

## TRAFFICKING IN PERSONS AND SEXUAL EXPLOITATION - TRAFFICKING IN PERSONS

### *See also:*

- Armenia, CEDAW, A/57/38 part III (2002) 150 at paras. 48 and 49.
- Czech Republic, CEDAW, A/57/38 part III (2002) 184 at paras. 179 and 280.
  
- Denmark, CEDAW, A/57/38 part II (2002) 120 at paras. 317, 339 and 340.

317. The Committee welcomes the State party's cooperation with the other Nordic and Baltic countries in two working groups under the Nordic Council of Ministers with regard to trafficking in women. The Committee commends the State party for signing the United Nations Convention against Transnational Organized Crime, its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, and its Protocol against the Smuggling of Migrants by Land, Sea and Air. The Committee notes that the Parliament has given its consent to ratifying the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children.

...

339. While noting that the State party places priority on efforts to address the issue of trafficking in women through, *inter alia*, seminars, analysis and cooperation with the other Nordic and Baltic countries, the Committee expresses concern that despite these efforts trafficking in women and girls continues to exist.

340. ...The Committee...encourages action in Denmark and, through the State party, continued efforts within the European Union to combat trafficking in women, including measures to prevent trafficking, the collection of data, the provision of services for trafficked women and measures to penalize those who facilitate such trafficking.

- Greece, CEDAW, A/57/38 part III (2002) 184 at paras. 279 and 280.

279. The Committee is concerned that the State party is increasingly becoming a country of transit and destination for trafficked women and girls, *inter alia* for purposes of sexual exploitation, and that the draft legislation on "the elimination of trafficking in human beings, of crimes against sexual freedom, of pornography against minors, and generally sexual exploitation and assistance to victims of these crimes" insufficiently protects the human rights of women and girls who have been trafficked.

280. The Committee urges the State party to design and implement a holistic approach to combat trafficking in women and girls. It urges the State party to review the draft legislation in order to strengthen the provisions on assistance and to ensure the protection of the human rights of trafficked women and girls. It also urges the State party to further strengthen



## **TRAFFICKING IN PERSONS AND SEXUAL EXPLOITATION - TRAFFICKING IN PERSONS**

provisions related to the sexual exploitation of trafficked women and girls.

- Hungary, CEDAW, A/57/38 part III (2002) 189 at para. 312.

312. The Committee commends the State party for its recent legislative measures on trafficking in persons, especially women and girls, including changing the definition of trafficking in persons to reflect the definition in article 3 (a) of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, and the introduction of victim and witness protection measures.

- Argentina, CEDAW, A/57/38 part III (2002) 196 at paras. 364 and 365.

364. ...The Committee is concerned that the crisis might increase the risk of trafficking in women and girls and their exploitation for purposes of prostitution.

365. ...The Committee requests the State party, especially, to evaluate the trafficking of women and girls and to strengthen domestic measures and, if necessary, international measures in cooperation with other countries that are countries of origin, transit or destination for the exploitation of women and girls for purposes of trafficking, in particular to prevent the exploitation of prostitution.

- Mexico, CEDAW, A/57/38 part III (2002) 205 at paras. 435-438.

435. The Committee notes with great concern the problems of exploitation of prostitution, child pornography, and trafficking of women and girls in Mexico and the lack of sex-disaggregated statistics on the incidence and growth of these phenomena.

436. The Committee encourages the State party to take steps to combat trafficking of women and girls and the exploitation of prostitution, both outside and inside the country, and to compile and systematize sex-disaggregated data in order to formulate a broad strategy for putting an end to such degrading practices and punishing their perpetrators.

437. In view of the growing number of Mexican women emigrating to other countries in search of greater job opportunities, the Committee is concerned that this may make them especially vulnerable to situations of exploitation or trafficking.

## **TRAFFICKING IN PERSONS AND SEXUAL EXPLOITATION - TRAFFICKING IN PERSONS**

438. The Committee urges the State party to focus on the causes of that phenomenon by adopting measures to alleviate poverty and strengthen and promote the economic input of women, as well as fully guarantee the recognition and exercise of their rights. The Committee further encourages the State party to seek bilateral and multilateral agreements with the receiving countries.

- Albania, CEDAW, A/58/38 part I (2003) 13 at paras. 70 and 71.

70. Recognizing the efforts made by the State party to address the issue of trafficking in women and girls, including the ratification of the United Nations Convention against Transnational Organized Crime and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, the Committee remains concerned about the continuing prevalence of this problem in Albania, which has become a country of origin and transit for trafficked women and girls. It is concerned that victims of trafficking are subject to punishment under the Albanian Penal Code...

71. The Committee recommends the formulation of a comprehensive strategy to combat trafficking in women and girls, which should include the prosecution and punishment of offenders. The Committee also encourages the State party to pursue increased international, regional and bilateral cooperation with other countries of origin, transit and destination for trafficked women and girls. It recommends the introduction of measures aimed at improving the economic situation of women so as to eliminate their vulnerability to traffickers, education initiatives for vulnerable groups, including teenage girls, and social support, rehabilitation and reintegration measures for women and girls who have been victims of trafficking. It calls on the State party to ensure that trafficked women and girls have the protection and support they need to enable them to provide testimony against their traffickers. It urges that training of border police and law enforcement officials provide them with the requisite skills to recognize and provide support for victims of trafficking. It recommends that the State party review existing legislation and take steps to ensure that victims of trafficking are not penalized and that all those who exploit prostitutes are punished and prosecuted. The Committee further urges the State party to make the issue of trafficking in women and girls a high priority...

- Switzerland, CEDAW, A/58/38 part I (2003) 20 at paras. 124 and 125.

124. While recognizing the efforts made by the State party to address the issue of trafficking in women and girls, the Committee remains concerned about the prevalence of this grave problem, which is a human rights violation... It considers that measures to address these phenomena are insufficient and that information on these issues is lacking.

## **TRAFFICKING IN PERSONS AND SEXUAL EXPLOITATION - TRAFFICKING IN PERSONS**

125. The Committee urges the State party to continue its efforts to combat trafficking in women and girls. It recommends the formulation of a comprehensive strategy, which should include measures of prevention, the prosecution and punishment of offenders and increased international, regional and bilateral cooperation. It calls on the State party to ensure that trafficked women and girls have the support they need, including residence permits, so that they can provide testimony against their traffickers. It further urges that training of border police and law enforcement officials be pursued so as to enable them to render support to victims of trafficking. The Committee recommends the development of programmes of action for women forced into prostitution by poverty and the adoption of all appropriate measures to combat and eradicate the exploitation of prostitution, including the prosecution of, and strong penalties for, those who exploit prostitutes...

- El Salvador, CEDAW, A/58/38 part I (2003) 41 at paras. 271 and 272.

271. Although there is legislation on trafficking and mention is made of a bill on the exploitation of children, the Committee notes with concern the problem of exploitation of prostitutes and trafficking and sale of women and girls and the lack of studies, analyses and gender-disaggregated statistics on its incidence.

272. The Committee urges the State party to take measures to combat the phenomenon of trafficking and sale of women and girls and exploitation of prostitutes and to evaluate this phenomenon and compile systematic sex-disaggregated data on it with a view to formulating a broad strategy to address this problem and punish perpetrators.

- Luxembourg, CEDAW, A/58/38 part I (2003) 47 at paras. 312 and 313.

312. The Committee notes with concern that the State party has not developed comprehensive policies to combat trafficking in women and girls.

313. The Committee recommends that the State party develop comprehensive policies and programmes to combat trafficking in women and girls, including measures to prevent trafficking in women and girls, the collection of data, the provision of services for trafficked women and girls and measures to penalize those who are involved in such trafficking.

- Canada, CEDAW, A/58/38 part I (2003) 53 at paras. 367 and 368.

367. The Committee recognizes the efforts made by the State party in addressing the issue

## **TRAFFICKING IN PERSONS AND SEXUAL EXPLOITATION - TRAFFICKING IN PERSONS**

of trafficking in women and girls, but notes with concern that the report does not provide sufficient information on the programmes to assist victims of trafficking.

368. The Committee encourages the State party to assist victims of trafficking through counselling and reintegration...

- Norway, CEDAW, A/58/38 part I (2003) 61 at paras. 421-424.

421. The Committee notes with concern that trafficking in women and children for the purpose of sexual exploitation has not yet been defined explicitly as a crime under the penal code or criminalized.

422. The Committee urges the State party to enact relevant legislation in this regard.

423. While noting that the State party offers some measures of support to victims of trafficking, both within its territory and in their countries of origin, the Committee notes with concern that the gravity and extent of the problem remain unknown.

424. The Committee...recommends that the State party develop and strengthen measures of support for victims of trafficking, including through increased bilateral cooperation with their countries of origin. It further urges that the training of law enforcement officials be pursued so as to enable them to provide adequate support to victims of trafficking.

- Costa Rica, CEDAW, A/58/38 part II (2003) 86 at paras. 56 and 57.

56. The Committee takes note of the Government's efforts to combat sexual exploitation and forced prostitution through the promulgation of Act 7899 on the Sexual Exploitation of Minors and the establishment of the Special Prosecutor for Sexual Offences and of the Sexual Exploitation Unit in the Ministry of Public Security. Nevertheless, the Committee notes with concern that at political and judicial decision-making levels, and in Costa Rican society at large, there does not appear to exist an awareness of the social and cultural implications of the offence of traffic in persons and sexual exploitation of women and girls.

57. The Committee requests the State party to strengthen actions aimed at combatting traffic in persons and sexual exploitation of women and girls, and to encourage awareness in all sectors of Costa Rican society, particularly the judicial and public security authorities, educators and parents, with a view to the implementation of measures to prevent sexual exploitation of children, adolescents and adults. It is also recommended that vigorous

## **TRAFFICKING IN PERSONS AND SEXUAL EXPLOITATION - TRAFFICKING IN PERSONS**

measures be taken against traffic in women and girls, and that if necessary, the existing institutions responsible for dealing with this problem be remodelled, promoting the reinstatement of participation and cooperation by the non-governmental organizations concerned.

- Brazil, CEDAW, A/58/38 part II (2003) 93 at paras. 116 and 117.

116. The Committee is concerned at the increased rate of the various forms of sexual exploitation of and trafficking in women and girls in Brazil, both internally and across borders. It is particularly concerned about the participation of police personnel and their connivance in sexual exploitation and trafficking and about the impunity of abusers, aggressors, exploiters and traffickers as reported by the State party...

117. The Committee recommends the formulation of a comprehensive strategy to combat trafficking in women and girls, which should include prosecution and punishment of offenders and protection and support to victims. It recommends the introduction of measures aimed at eliminating women's vulnerability to traffickers, particularly young women and girls. It recommends that the State party enact anti-trafficking legislation and make the fight against trafficking in women and girls a high priority...

- Slovenia, CEDAW, A/58/38 part II (2003) 109 at paras. 208 and 209.

208. The Committee is concerned about the problem of trafficking in women and girls in Slovenia and about the lack of detailed data and information on the phenomenon as well as the lack of a comprehensive strategy to combat it.

209. The Committee recommends the adoption and implementation of a comprehensive strategy to combat trafficking in women and girls, which should include measures of prevention, the prosecution and punishment of offenders and increased international, regional and bilateral cooperation. It recommends the introduction of social support for women and girls who have been victims of trafficking. It further recommends that training of border police and law enforcement officials provide them with the requisite skills to recognize and provide support for victims of trafficking...

- France, CEDAW, A/58/38 part II (2003) 116 at paras. 273 and 274.

273. While commending the State party for its measures against trafficking in women and

## **TRAFFICKING IN PERSONS AND SEXUAL EXPLOITATION - TRAFFICKING IN PERSONS**

girls, in particular the imposition of penal sanctions against the perpetrators of trafficking in human beings, the Committee expresses its concern about the inadequacy of protective measures for trafficked women, especially foreign women and girls, who do not testify against their traffickers.

274. The Committee urges the State party to ensure that trafficked women and girls had the support they need, including through witness protection and social reintegration measures. The Committee recommends that the State party consider issuing resident permits to victims of trafficking whether or not they testify against their traffickers, and whether or not the perpetrators are punished.

- Ecuador, CEDAW, A/58/38 part II (2003) 122 at paras. 309-312.

309. Given the increasing numbers of Ecuadorian women taking refuge in foreign countries to escape from poverty and extreme poverty, the Committee is concerned at the fact that this situation makes it likely that emigrant women will be victims of various forms of violence, exploitation and trafficking. The Committee is likewise concerned at the vulnerability of women whose spouses emigrate to other countries. It is also concerned at the situation of Ecuadorian women living on the Ecuador-Colombia border and that of Colombian women who flee Colombia and take refuge in Ecuador, since they are also victims of violence of all kinds owing to the militarization of the border area and the application of “Plan Colombia”.

310. The Committee urges the State party to focus on the causes of this phenomenon and adopt measures to alleviate poverty and extreme poverty, and to protect migrant women and those who remain in Ecuador when their spouses emigrate, as well as women living on the Ecuador-Colombian border.

311. Although the Constitution guarantees the protection of children and adolescents from trafficking, prostitution, pornography and sexual exploitation, and the law defines the corruption of minors as a serious offence, the Committee is concerned that many such activities are not explicitly defined as serious offences by the Penal Code and that there is insufficient protection for the victims of such offences. The Committee is also concerned at the lack of studies, analyses and gender-disaggregated statistics on the incidence of these activities. The Committee is also concerned that sexual abuse is not defined as an offence; it is especially concerned at the fact that trafficking in women, particularly for the sex industry, is not penalized by law, leaving its victims unprotected.

312. The Committee recommends that the Penal Code should severely penalize these serious offences against children and adolescents, that the appropriate measures should be taken to

## **TRAFFICKING IN PERSONS AND SEXUAL EXPLOITATION - TRAFFICKING IN PERSONS**

protect and rehabilitate the victims and that the appropriate studies and analyses should be conducted to enable the Government to deal effectively with the situation. The Committee further believes that trafficking in women, particularly for the sex industry, should be strictly penalized.

- Japan, CEDAW, A/58/38 part II (2003) 130 at paras. 363 and 364.

363. While recognizing the efforts made by the State party to address trafficking in women and girls, including its cooperation for prevention and investigation with law enforcement and immigration authorities in countries of origin and transit in the Asia-Pacific region, the Committee is concerned that information on the extent of the problem is insufficient and the punishment for perpetrators under current laws too lenient.

364. The Committee recommends that the State party increase its efforts to combat trafficking in women and girls. It requests the State party to systematically monitor the phenomenon and compile detailed data reflecting the age and national origin of victims, with a view to formulating a comprehensive strategy to address the problem and ensure that penalties for perpetrators are appropriate...

- Bhutan, CEDAW, A/59/38 part I (2004) 21 at paras. 123 and 124.

123. The Committee, while appreciating the State party's ratification in 2003 of the SAARC [South Asian Association for Regional Cooperation] Convention on Preventing and Combating Trafficking in Women and Children for Prostitution, is concerned that no information has been provided in the report on the extent of trafficking in women and girls, or on measures taken to prevent and combat that phenomenon in the country.

124. The Committee recommends that the State party increase efforts at cross-border and international cooperation to prevent and combat trafficking in women and girls...

- Kyrgyzstan, CEDAW, A/59/38 part I (2004) 28 at paras. 159 and 160.

159. While recognizing the efforts made by the State party to address the issue of trafficking in women and girls, including amendments to the Criminal Code to include provisions on trafficking in persons and the adoption of the programme of measures to combat the illegal export of and trafficking in persons, the Committee remains concerned that the problem of trafficking in women in Kyrgyzstan continues to be serious...

## **TRAFFICKING IN PERSONS AND SEXUAL EXPLOITATION - TRAFFICKING IN PERSONS**

160. The Committee urges the State party to intensify its efforts to combat trafficking in women and girls. It calls on the State party to ensure that victims of trafficking have adequate support and that they are not penalized. The Committee recommends the strengthening of measures aimed at improving the economic situation of women so as to eliminate their vulnerability to traffickers...

- Nepal, CEDAW, A/59/38 part I (2004) 34 at paras. 192, 210 and 211.

192. The Committee commends the State party for identifying gender equality as a priority in its national development plan and welcomes new laws and legal reforms, such as the...Legal Aid Act, under which free legal aid is available in cases of abortion, trafficking, sexual exploitation and domestic violence...

...

210. Recognizing the efforts made by the State party to address the issue of trafficking in women and girls, the Committee remains concerned about the continuing prevalence of this problem in Nepal. It is also concerned about the large discrepancy between reported instances of trafficking and the actual number of cases brought to court. It is further concerned that the enactment of the amendment to the Human Trafficking (Control) Act has been delayed.

211. The Committee urges the State party to intensify its efforts to address trafficking in women and girls. It recommends that its anti-trafficking strategy should include measures of prevention, the prosecution and punishment of perpetrators and increased international, regional and bilateral cooperation...

- Ethiopia, CEDAW, A/59/38 part I (2004) 42 at paras. 265 and 266.

265. The Committee, while welcoming the establishment of a national committee on migration, is concerned about the increasing number of Ethiopian women migrating to other countries in search of work and finding themselves in situations where they are vulnerable to various forms of violence, exploitation and trafficking.

266. The Committee urges the State party to step up its efforts to protect women migrant workers; prevent the activities of illegal employment agencies; ensure that women are provided with adequate information on safe migration before departure; and conclude bilateral agreements with receiving countries. It also recommends that the State party consider acceding to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.



## **TRAFFICKING IN PERSONS AND SEXUAL EXPLOITATION - TRAFFICKING IN PERSONS**

- Nigeria, CEDAW, A/59/38 part I (2004) 49 at paras. 301 and 302.

301. The Committee, while recognizing the efforts of the State party to combat trafficking in women and the exploitation of the prostitution of women, such as adoption of the Trafficking in Persons (Prohibition) Law Enforcement and Administration Act, 2003, and the appointment of a high-level official on human trafficking and child labour, expresses its concern about the prevalence and extent of this problem in Nigeria, which has become a country of origin and transit of trafficked women and girls. The Committee notes with concern that the transmission of sexually transmitted diseases and HIV/AIDS is further exacerbated by sexual exploitation in Nigeria.

302. The Committee urges the State party to ensure full implementation of the Trafficking in Persons (Prohibition) Law Enforcement and Administration Act, 2003, and to develop a comprehensive strategy to combat trafficking in women and girls, including the prosecution and punishment of offenders, counselling and rehabilitation of victims, and awareness-raising and training activities for those involved in combating trafficking. It calls on the State party to intensify international, regional and bilateral cooperation with other countries of origin, transit and destination for trafficked women and girls. It also recommends the introduction of measures aimed at improving the economic situation of women so as to eliminate their vulnerability to traffickers.

- Belarus, CEDAW, A/59/38 part I (2004) 55 at paras. 349 and 350.

349. While recognizing the efforts made by the State party to address the issue of trafficking in women and girls, including provisions on trafficking in persons in the new Criminal Code and the adoption of the national programme of comprehensive measures to prevent traffic in persons and prostitution for the period 2002-2007, the Committee remains concerned about the problem of trafficking in women in Belarus...

350. The Committee urges the State party to intensify its efforts to combat trafficking in women and girls. It recommends the strengthening of measures aimed at improving the economic situation of women so as to eliminate their vulnerability to traffickers, as well as social support, rehabilitation and reintegration measures for women and girls who have been victims of trafficking. It calls on the Government to ensure more severe punishment of traffickers, and to ensure that trafficked women and girls have the support they need so that they can provide testimony against their traffickers. It recommends that training of border police and law enforcement officials provide them with the requisite skills to recognize and provide support for victims of trafficking...

## **TRAFFICKING IN PERSONS AND SEXUAL EXPLOITATION - TRAFFICKING IN PERSONS**

- Germany, CEDAW, A/59/38 part I (2004) 62 at paras. 394 and 395.

394. The Committee is concerned about the situation of migrant and minority women, including Sinti and Roma women, who suffer from multiple forms of discrimination based on sex, ethnic or religious background and race, and at the vulnerability of some of these women to trafficking and sexual exploitation...

395. The Committee urges the State party to take effective measures to eliminate discrimination against migrant and minority women, both in society at large and within their communities, and to respect and promote their human rights, through effective and proactive measures, including awareness-raising programmes...

- Latvia, CEDAW, A/59/38 part II (2004) 103 at paras. 57 and 58.

57. While recognizing the legislative and other measures, including the adoption of the National Action Plan to Combat Trafficking in Persons of 2002, that have been taken to address the issue of trafficking in women and girls, including the establishment of a special police unit and the strengthening of international cooperation and the promotion of awareness-raising events, the Committee is concerned at the increase in trafficking in women and girls. It regrets that insufficient information is given as to the actual size of the problem.

58. The Committee recommends the full implementation and funding of a national strategy to combat trafficking in women and girls, which should include the prosecution and punishment of offenders. The Committee also encourages the State party to pursue increased international, regional and bilateral cooperation with other countries of origin, transit and destination for trafficked women and girls. It recommends that the State party address the causes of trafficking and introduce measures aimed at improving the economic situation of women so as to eliminate their vulnerability to traffickers, education initiatives and social support, and rehabilitation and reintegration measures for women and girls who have been victims of trafficking, including special shelters for women victims of trafficking. The Committee further urges the State party to make the issue of trafficking in women and girls a high priority...

- Bangladesh, CEDAW, A/59/38 part II (2004) 134 at paras. 243 and 244.

243. While welcoming the ratification of the South Asian Association for Regional Cooperation (SAARC) Convention on Preventing and Combating Trafficking in Women and

## **TRAFFICKING IN PERSONS AND SEXUAL EXPLOITATION - TRAFFICKING IN PERSONS**

Children for Prostitution in July 2002, the Committee remains concerned about the continuing prevalence of trafficking in women and girls in the country. It is also concerned that, despite the fact that many persons have been accused or are on trial for trafficking-related crimes, only a few have been convicted.

244. The Committee recommends the formulation of a comprehensive strategy to combat trafficking in women and girls that should include the prosecution and punishment of offenders. The Committee also encourages the State party to pursue increased international, regional and bilateral cooperation with other countries of origin, transit and destination for trafficked women and girls. It recommends the stepping up of measures aimed at improving the economic situation of women so as to eliminate their vulnerability to traffickers, the introduction of education and employment initiatives for vulnerable groups, including teenage girls, and provide support, rehabilitation and reintegration measures for women and girls who have been victims of trafficking. It calls on the State party to ensure that trafficked women have the support they need to enable them to provide testimony against traffickers. It urges the training of border police and law enforcement officials in order to provide them with the requisite skills to recognize and provide support for victims of trafficking...

- Dominican Republic, CEDAW, A/59/38 part II (2004) 141 at paras. 280, 296 and 297.

280. The Committee congratulates the State party for signing the Protocol against the Smuggling of Migrants by Land, Air and Sea, supplementing the United Nations Convention against Transnational Organized Crime, in December 2000 and for passing and promulgating the Trading and Trafficking in Persons Act in 2003. The Committee also commends the elaboration of the National Plan for Prevention and Prosecution of Trading and Trafficking in Persons and Protection of the Victims, which provides for specific measures, such as the promotion of local networks to prevent trafficking and provide assistance to victims and the establishment of shelters for women victims of trafficking.

...

296. The Committee is concerned about the State party's lack of attention to the problem of the exploitation of prostitution and the causes for it, as well as the growing number of Dominican women who are sexually exploited. The Committee is concerned that, although measures have been taken to combat trafficking in women and girls, a growing number of Dominican women and girls are victims of trafficking.

297. The Committee requests the State party to pay due attention to the problem of the exploitation of prostitution and take steps to combat the causes, and recommends discouraging the demand for prostitution. The Committee recommends that the State party take action to provide female prostitutes with economic alternatives, so that they may live in

## TRAFFICKING IN PERSONS AND SEXUAL EXPLOITATION - TRAFFICKING IN PERSONS

dignity. The Committee requests the State party to take steps to protect women at risk of exploitation and to take stronger action to combat trading and trafficking in women and girls, including the prosecution and punishment of perpetrators and the provision of adequate support and protection to victims. The Committee recommends the introduction of measures aimed at making such women, particularly teenagers and girls, less vulnerable to traffickers and sexual exploiters.

- Spain, CEDAW, A/59/38 part II (2004) 149 at paras. 336 and 337.

336. While commending the State party for its legal and other measures against trafficking in women and girls, the Committee expresses its concern about increasing incidence of trafficking in women and girls. It is concerned about the situation of trafficked women, particularly those who claim refugee status on grounds of gender-based persecution.

337. The Committee urges the State party to increase its efforts at international cooperation with countries of origin and transit, within and outside of the European Union, both for dealing with the economic forces that make women victims of trafficking and for the prevention of trafficking through information exchange. The Committee further calls on the State party to take all appropriate measures to suppress exploitation of prostitution of women, including discouraging the demand for prostitution. The Committee also urges the State party to continue to collect and analyse data from the police and international sources, prosecute and punish traffickers, and ensure the protection of the human rights of trafficked women and girls. The Committee calls on the State party to ensure that trafficked women and girls have adequate support to be in a position to provide testimony against their traffickers. It further urges the State party to afford full protection under the 1951 Geneva Convention on Refugees, *inter alia*, to trafficked women who seek asylum on grounds of gender-based persecution in line with the latest developments in international refugee law and the practice of other States.

- Lao People's Democratic Republic, CEDAW, A/60/38 part I (2005) 16 at paras. 102 and 103.

102. While recognizing the new measures to combat the increasing incidence of trafficking in the country and in the region, including the strengthened law enforcement system, cooperation with neighbouring countries and the establishment of the service mechanism to assist and protect victims of trafficking, the Committee is concerned that no substantial information was provided on how the mechanism works and its impact on combating trafficking in women and girls. It is also concerned about the increasing occurrences of such

## **TRAFFICKING IN PERSONS AND SEXUAL EXPLOITATION - TRAFFICKING IN PERSONS**

trafficking. The Committee is concerned about the exploitation of prostitution of women and at the lack of information on the prevalence and magnitude of the problem.

103. The Committee requests that the State party provide detailed information on the impact of various measures to combat trafficking in women and girls, including the number of and trends in arrests of traffickers, the number of victims and the manner in which they benefited from the return and repatriation services, as well as information on any additional measures to combat trafficking. The Committee also recommends that the State party collect information and carry out studies on the extent of exploitation of prostitution and take more proactive measures to address the problem, including through discouraging the demand for prostitution.

- Croatia, CEDAW, A/60/38 part I (2005) 30 at paras. 204 and 205.

204. The Committee is concerned about the incidence of trafficking in women and that the State party has become a country of origin, transit and destination of trafficked women and girls. The Committee is concerned that the incidence of trafficking is leading to an increase in exploitation of the prostitution of women.

205. The Committee urges the State party to step up its efforts to combat trafficking in women and girls, including finalization and implementation of its Operative Plan for Prevention of Trafficking, 2004 to 2008. The Committee further calls on the State party to take all appropriate measures to suppress exploitation of the prostitution of women, including through discouraging the demand for prostitution and taking measures to rehabilitate and support women who want to get out of prostitution.

- Gabon, CEDAW, A/60/38 part I (2005) 37 at paras. 237 and 238.

237. While welcoming the adoption of a law to prevent and combat trafficking in children, the Committee is concerned that similar measures have not been undertaken with regard to trafficking in women.

238. The Committee urges the State party to intensify its efforts to combat trafficking in women and girls, including the adoption and implementation of a comprehensive strategy to prevent trafficking, punish offenders and protect and rehabilitate victims.

- Paraguay, CEDAW, A/60/38 part I (2005) 44 at paras. 283 and 284.

## **TRAFFICKING IN PERSONS AND SEXUAL EXPLOITATION - TRAFFICKING IN PERSONS**

283. While appreciating the State party's efforts to address the issue of trafficking in women and girls, including the ratification of the United Nations Convention against Transnational Organized Crime in 2003, its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children in 2004 and the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography in 2003, and the establishment of an inter-agency board including representatives of civil society to combat trafficking, the Committee is concerned that domestic legislation has not been put in place in line with those instruments and that provisions on sexual exploitation and trafficking of girls and boys are absent from the Childhood and Adolescence Code. It also expresses concern about the lack of a comprehensive plan to prevent and eliminate trafficking of women and to protect victims, as well as the lack of systematic data collection on this phenomenon.

284. The Committee recommends that the State party bring its domestic legislation into line with the ratified international instruments and implement and fully fund a national strategy to combat trafficking in women and girls, which should include the prosecution and punishment of offenders. The Committee also encourages the State party to pursue increased international, regional and bilateral cooperation with other countries of origin, transit and destination of trafficked women and girls. It recommends that the State party address the causes of trafficking and introduce measures aimed at improving the economic situation of women so as to eliminate their vulnerability to traffickers, educational initiatives and social support measures, and rehabilitation and reintegration measures for women and girls who have been victims of trafficking.

- Italy, CEDAW, A/60/38 part I (2005) 51 at paras. 328 and 329.

328. The Committee, while noting the legislative reforms in the area of violence against women, remains concerned about the persistence of violence against women, including domestic violence, and the absence of a comprehensive strategy to combat all forms of violence against women. While recognizing the efforts made by the State party to combat trafficking in women, the Committee is concerned about the impact of Law 189/2002 (the so-called Bossi-Fini law) which grants discretionary power to local authorities to place restrictions on victims of trafficking and for the issue of stay permits.

329. The Committee urges the State party to accord priority attention to the adoption of comprehensive measures to address violence against women and girls in accordance with its general recommendation 19 on violence against women. The Committee underscores the need to fully implement and monitor the effectiveness of the laws on sexual violence and

## **TRAFFICKING IN PERSONS AND SEXUAL EXPLOITATION - TRAFFICKING IN PERSONS**

domestic violence, provide shelters, protection and counselling services to victims, punish and rehabilitate offenders, and implement training and awareness-raising for public officials, the judiciary and members of the public. The Committee also encourages the State party to revisit Law 189/2002 with a view to ensuring that all victims of trafficking benefit from stay permits on the grounds of social protection.

- Democratic People's Republic of Korea, CEDAW, A/60/38 part II (2005) 101 at paras. 59 and 60.

59. In the light of the widespread famine and natural disasters that have affected the country from the mid-1990s, the Committee expresses concern about the insufficient explanation provided with respect to the impact of those phenomena on women, in particular on women from rural areas, on women who are the main providers of the household and on young girls. The Committee is concerned that they may become vulnerable to trafficking and other forms of exploitation, such as prostitution.

60. The Committee urges the State party to introduce specific poverty alleviation measures aimed at improving the situation of women to eliminate their vulnerability. The Committee recommends that the State party seek international assistance in guaranteeing that women, particularly women from rural areas, have equal access to food supplies. It urges the State party to assist women economic returnees who went abroad without valid travel permits to reintegrate into their families and society and to protect them from all forms of violations of their rights. It calls on the State party to train law enforcement officials, migration officials and border police on the causes, consequences and incidence of trafficking and other forms of exploitation so as to enable them to render support to women who might be at risk of becoming victims of trafficking or commercial sexual exploitation. It also recommends that the State party conduct nationwide awareness-raising campaigns on the risks and consequences of trafficking targeted at women and girls. The Committee further urges the State party to evaluate those phenomena and systematically compile information on them with a view to formulating a comprehensive strategy that includes measures of prevention, prosecution and punishment of offenders, as well as measures to rehabilitate and reintegrate victims. The Committee also urges the State party to intensify its efforts to deal with these phenomena through increased international, regional and bilateral cooperation...

- Benin, CEDAW, A/60/38 part II (2005) 116 at paras. 151 and 152.

151. While welcoming the adoption of measures to prevent and combat trafficking in

## **TRAFFICKING IN PERSONS AND SEXUAL EXPLOITATION - TRAFFICKING IN PERSONS**

children, the Committee is concerned that similar measures have not been undertaken with regard to trafficking in women.

152. The Committee urges the State party to take measures to combat trafficking in women through the adoption and implementation of a comprehensive strategy, including national laws and subregional cross-border initiatives, to prevent trafficking, punish offenders and protect and rehabilitate victims.

- Gambia, CEDAW, A/60/38 part II (2005) 122 at paras. 197 and 198.

197. The Committee expresses concern at the limited information provided in the report on the sexual exploitation and trafficking of women and girls in the Gambia, and on measures taken to combat these phenomena effectively. The Committee is particularly concerned about the phenomenon of sex tourism in the country.

198. The Committee requests the State party to introduce legislation on the prohibition of trafficking, to implement effectively legislation on the exploitation of the prostitution of women and to prosecute offenders. It recommends that the State party put in place programmes for promoting women's economic independence so as to eliminate their vulnerability to exploitation, and measures for the rehabilitation and social reintegration of women and girls who are victims of exploitation and trafficking. The Committee calls upon the State party to ensure the implementation of the 2003 Tourism Offence Act and to enhance cooperation with tourists' countries of origin aimed at preventing and combating sex tourism...

- Israel, CEDAW, A/60/38 part II (2005) 129 at paras. 249 and 250.

249. While appreciating the State party's efforts to address the issue of trafficking in women and girls, including ratification of the United Nations Convention against Transnational Organized Crime in 2000 and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children in 2001, the establishment of a Parliamentary Investigative Committee on trafficking of women and an amendment to the Penal Law prohibiting trafficking, the Committee is concerned that domestic legislation has not been brought into conformity with international obligations. While noting that a bill to broaden the definition of trafficking is under preparation, the Committee is concerned that the current definition of trafficking in the Penal Law addresses trafficking only for prostitution and bondage and does not cover trafficking for other forms of exploitation. The Committee also expresses concern about the lack of a comprehensive plan to prevent and eliminate trafficking



## **TRAFFICKING IN PERSONS AND SEXUAL EXPLOITATION - TRAFFICKING IN PERSONS**

in women and to protect victims, as well as the lack of systematic data collection on this phenomenon.

250. The Committee urges the State party to intensify its efforts to combat all forms of trafficking in women and girls, including by expanding the provision in the Penal Code to bring it into line with the definition contained in the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children. The Committee also urges the State party to increase its efforts at international, regional and bilateral cooperation with countries of origin and transit so as to address more effectively the causes of trafficking and improve prevention of trafficking through information exchange. The Committee urges the State party to continue to collect and analyse data from the police and international sources, prosecute and punish traffickers, and ensure the protection of the human rights of trafficked women and girls. The Committee further calls on the State party to take all appropriate measures to suppress exploitation of prostitution of women, including discouraging the male demand for prostitution. The Committee calls on the State party to ensure that trafficked women and girls have adequate support to be in a position to provide testimony against their traffickers.

- Burkina Faso, CEDAW, A/60/38 part II (2005) 144 at paras. 343 and 344.

343. While the Committee welcomes the adoption of a law to prevent and combat trafficking in children for purposes of exploitation of their labour, it is unclear that this legislation covers trafficking of children, especially girls, for sexual exploitation. The Committee is further concerned that similar measures have not been taken with respect to trafficking in women.

344. The Committee urges the State party to intensify its efforts to combat trafficking in girls and women for sexual exploitation. The Committee recommends that the State party implement a national strategy to combat trafficking in girls and women, which should include the prosecution and punishment of offenders and measures aimed at improving the economic situation of girls and women so as to eliminate their vulnerability to traffickers, educational initiatives, social support measures and rehabilitation and reintegration measures for girls and women who have been victims of trafficking.

- Ireland, CEDAW, A/60/38 part II (2005) 151 at paras. 388 and 389.

388. The Committee is concerned about trafficking in women and girls into Ireland, the lack of information on the extent of the problem and on specific legislation in this area, and the

## **TRAFFICKING IN PERSONS AND SEXUAL EXPLOITATION - TRAFFICKING IN PERSONS**

lack of a comprehensive strategy to combat it.

389. The Committee recommends the adoption and implementation of a comprehensive strategy to combat trafficking in women and girls, which should include preventive measures, the prosecution and punishment of offenders and the enactment of specific legislation in the area. The Committee also recommends that measures be put in place to provide for the physical, psychological and social recovery of women and girls who have been victims of trafficking, including the provision of shelter, counselling and medical care. It further recommends that border police and law enforcement officials be provided with the requisite skills to recognize and provide support for victims of trafficking...

### **CAT**

- Ukraine, CAT, A/57/44 (2002) 31 at para. 58.

58. The Committee recommends that the State party:

...

(m) Take effective measures to prevent and punish trafficking of women and other forms of violence against women;

...

- Cyprus, CAT, A/58/44 (2002) 21 at para. 33.

33. The Committee welcomes the recent legislative, administrative and institutional developments that took place in the State party since the consideration of its previous periodic report, namely:

...

(d) The enactment of a new law in 2000 for the suppression of trafficking in persons and of the sexual exploitation of children;

...

- Cambodia, CAT, A/58/44 (2003) 40 at para. 99.

99. The Committee recommends that the State party:

## TRAFFICKING IN PERSONS AND SEXUAL EXPLOITATION - TRAFFICKING IN PERSONS

...

(l) Ensure that the reported practice of unlawful trafficking of persons is suppressed;

...

- Germany, CAT, A/59/44 (2004) 45 at para. 90.

90. The Committee welcomes:

...

(h) The State party's initiative to establish the mandate of a Special Rapporteur of the United Nations Commission on Human Rights on trafficking in persons, especially in women and children.

- Greece, CAT, A/60/44 (2004) 20 at paras. 46-48.

46. The Committee notes the following positive developments:

(a) The ongoing efforts by the State party to revise its legislation and adopt other necessary measures, so as to strengthen the respect for human rights in Greece and give effect to the Convention. In particular the Committee welcomes the following:

...

(iii) The new Law on Legal Aid (Law 3226/2004), which stipulates that lawyers must be appointed to draw up and submit complaints on behalf of torture victims and victims of trafficking, and that the prison prosecutor has the duty to offer legal counselling to detainees;

...

(v) The Law on Combating Trafficking in Human Beings (Law 3064/2002), criminalizing trafficking and punishing the perpetrators of such crimes with heavy sentences;

...

(vii) The circulars of the Chief of the Greek Police of July 2003 concerning the detention of undocumented migrants and that of November 2003 regarding the treatment of victims of trafficking;

...

47. The Committee notes that many of the concerns it expressed during the consideration of the third periodic report (A/56/44, para. 87) have not been adequately addressed, and will be reiterated in the present concluding observations. Consequently, the Committee expresses its concern at:

...

## TRAFFICKING IN PERSONS AND SEXUAL EXPLOITATION - TRAFFICKING IN PERSONS

(c) Training provided to public officials which may be inadequate to provide an appropriate response to the numerous challenges with which they are faced, including undocumented migrants and asylum-seekers and victims of trafficking, many of whom are women and children;

...

48. The Committee recommends that the State party:

...

(d) Ensure that all personnel involved in the custody, detention, interrogation and treatment of detainees are trained with regard to the prohibition of torture and ill-treatment. Training should include developing skills needed to recognize the *sequelae* of torture and sensitization with respect to contact with particularly vulnerable persons in situations of risk;

...

### CRC

- Mauritania, CRC, CRC/C/111 (2001) 8 at paras. 76 and 77.

76. ...While recognizing the efforts undertaken by the State party to stop cases of trafficking of children towards Arab countries, it remains concerned that girls involved in domestic service are often not paid or underpaid and that involuntary servitude is reported to exist in some isolated areas.

77. In light of article 32 of the Convention, the Committee recommends that the State party:

(a) Continue to undertake measures to prevent and combat all forms of economic exploitation of children;

(b) Complete the ratification process and implement ILO Convention No. 138 concerning Minimum Age for Admission to Employment and ILO Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour; and

(c) Seek assistance from ILO/IPEC in this regard.

- Qatar, CRC, CRC/C/111 (2001) 59 at paras. 320 and 321.

## **TRAFFICKING IN PERSONS AND SEXUAL EXPLOITATION - TRAFFICKING IN PERSONS**

320. The Committee is seriously concerned at the hazardous situation of children involved in camel racing. In particular, it is concerned that sometimes very young children are involved; are trafficked, particularly from Africa (i.e. the Sudan) and South Asia; and are denied education and health care; and that such involvement produces serious injuries, even fatalities. It concurs with the ILO Committee of Experts on the Application of Conventions and Recommendations which has previously indicated that the employment of children as camel jockeys constitutes dangerous work under article 3 (1) of ILO Convention No. 138.

321. The Committee recommends that the State party in accordance with article 32 of the Convention and the ILO Worst Forms of Child Labour Convention, 1999 (No. 182), which the State party has ratified:

(a) Take immediate and effective steps to ensure the implementation of article 32 of the Convention and ILO Convention No. 182, taking into account ILO Recommendation No. 190;

(b) Implement - in compliance with all international labour standards - the recommendations of the Committee established by the Supreme Council of Family Affairs to examine the issue of children in camel racing;

(c) Continue to strengthen its efforts to undertake a regional initiative in this regard, including bilateral and multilateral cooperation; and

(d) Seek assistance from ILO.

- Cameroon, CRC, CRC/C/111 (2001) 71 at paras. 385 and 386.

385. The Committee is deeply concerned at the large number of children being sold by their parents and subsequently exploited in the labour market. The Committee is also concerned at information on alleged instances of trafficking in children for their exploitation in the State party and in neighbouring countries. The Committee is further concerned at the possible use of intercountry adoption for the purpose of trafficking.

386. The Committee recommends that the State party:

(a) Take measures to prevent and combat the sale and trafficking of children, including an awareness-raising campaign and educational programmes, particularly for parents;

(b) Facilitate the reunification of child victims with their families and provide adequate care

## **TRAFFICKING IN PERSONS AND SEXUAL EXPLOITATION - TRAFFICKING IN PERSONS**

and rehabilitation for them;

(c) Ratify the 1980 Hague Convention on the Civil Aspects of International Child Abduction.

***See also:***

- Malawi, CRC, CRC/C/114 (2002) 104 at paras. 442 and 443.
- Burkina Faso, CRC, CRC/C/121 (2002) 103 at paras. 481 and 482.
  
- Cape Verde, CRC, CRC/C/111 (2001) 135 at paras. 654 and 655.

654. The Committee is concerned at practices of sexual violence and exploitation of children, including child prostitution, primarily affecting girls but also including boys, such as on the island of Sal. The Committee is concerned that, with increasing tourism, sexual exploitation of children may increase and that there may be incidents of trafficking in children.

655. The Committee recommends that the State party:

(a) Conduct a study to assess the extent of the sexual exploitation and prostitution of and potential trafficking in children;

(b) Strengthen its efforts to address sexual violence and exploitation of children, including prostitution, *inter alia* through the judicial system, the media and through information campaigns, while also ensuring the protection of children's right to privacy and other relevant concerns;

(c) Take action to prevent the trafficking of children and to identify and implement solutions;

(d) Develop a National Plan of Action to address sexual exploitation, taking into account the recommendations formulated in the Agenda for Action adopted at the World Congress Against Commercial Exploitation of Children, held in Stockholm in 1996;

(e) Seek technical assistance from UNICEF.

- Greece, CRC, CRC/C/114 (2002) 25 at paras. 168 and 169.

168. Welcoming the State party's recent bill in this regard, the Committee remains concerned:

## **TRAFFICKING IN PERSONS AND SEXUAL EXPLOITATION - TRAFFICKING IN PERSONS**

- (a) At reports of the sexual exploitation of children;
- (b) At reports of children being trafficked into, and sometimes through, the State party for, *inter alia*, sexual exploitation;
- (c) At the absence of available official statistics on the sexual exploitation and/or trafficking of children;
- (d) At the lack of protection under the law of boy prostitutes.

169. The Committee recommends that the State party:

- (a) Undertake a study on the causes and scope of sexual exploitation and trafficking of children, including by gathering reliable data on their incidence;
- (b) With reference to the recommendations formulated in the Agenda for Action and the Global Commitment adopted at the World Congresses against Commercial Exploitation of Children, held in 1996 and 2001, develop a national plan of action to address the sexual exploitation and trafficking of children covering, *inter alia*, all aspects of assistance to child victims, and ensure that the plan is implemented in all regions of the country, including through the prosecution of persons responsible for such acts;
- (c) Ensure that in the context of any cross-border efforts to address trafficking, the best interests of the children concerned are a primary consideration;
- (d) Strengthen its efforts to identify and report on practices of child sexual exploitation and strengthen cooperation with NGOs working in this field;
- (e) Strengthen its actions to assist child victims of such abuse, including through the provision of counselling and health and social services.

- Gabon, CRC, CRC/C/114 (2002) 47 at paras. 235-237.

235. While noting the criminalization of trafficking of children in a recent Act of 2001 and the establishment of a national inter-ministerial committee to fight against trafficking in children, and the serious commitment of the State party with regard to this issue, the Committee is deeply concerned at the large number of trafficked children, particularly children coming from abroad, who are still exploited, mostly in the informal labour market, or enslaved.

## **TRAFFICKING IN PERSONS AND SEXUAL EXPLOITATION - TRAFFICKING IN PERSONS**

236. The Committee encourages the State party to pursue its efforts:

- (a) To set up a comprehensive programme to prevent and combat the sale and trafficking of children;
- (b) To implement appropriate policies and programmes for the rehabilitation and recovery of child victims and for access to basic services by children who are awaiting repatriation;
- (c) To monitor the bilateral agreement with Benin and extend this cooperation to other countries where trafficked children come from, as well as envisage signing agreements with these countries;
- (d) To carry out an awareness-raising campaign to prevent this phenomenon.

237. In addition, the Committee recommends that the State party ratify the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, adopted in 2000, and the Convention on the Civil Aspects of International Child Abduction adopted at The Hague in 1980.

- Mozambique, CRC, CRC/C/114 (2002) 65 at paras. 315 and 316.

315. The Committee is concerned that:

- (a) Child prostitution is practised and, according to recent evidence is increasing, especially in the Maputo, Beira and Nacala areas and in some rural areas;
- (b) Some children are victims of trafficking for the purposes of prostitution;
- (c) As noted by the State party in its initial report (para. 646), “the police’s poor knowledge of the main legislation protecting children from prostitution ... their ignorance of children’s rights” and the “lack of guidance on the role of police intervention in this field, as well as the absence of institutions dedicated to the recovery of the child victims” are factors contributing to the vulnerability of children to exploitation.

316. The Committee recommends that the State party:

- (a) Take action to end trafficking, child prostitution and other forms of sexual exploitation of children, with particular attention to the Maputo, Beira and Nacala areas and in relevant



## **TRAFFICKING IN PERSONS AND SEXUAL EXPLOITATION - TRAFFICKING IN PERSONS**

rural areas;

(b) In line with the Declaration and Agenda for Action and the Global Commitment adopted at the 1996 and 2001 World Congresses against Commercial Sexual Exploitation of Children, develop a national plan of action to address the sexual exploitation of children, including with regard to cross-border trafficking and exploitation;

(c) Continue and strengthen the 1997 campaign against the sexual exploitation of children, entitled “Break the silence and end child prostitution” and consider expanding it to include, for example, efforts to educate hotel staff and other relevant workers in the tourist industry on the prevention of child prostitution;

(d) Avoid the prosecution of child victims of prostitution or related offences;

(e) Develop mechanisms to identify the sexual exploitation of children and to work with law enforcement agencies to recover children who are being exploited;

(f) Continue and strengthen training for the police and social services on children’s rights and concerns with regard to child prostitution;

(g) Implement its own recommendations (as described in paragraph 637 of the State party’s report), including:

The revision and implementation of legislation on child prostitution and the sexual abuse of minors;

The development of public education programmes targeting parents, families, schools and the public in general;

The provision of legal, psychological and medical support, including rehabilitation services, for victims.

- Belgium, CRC, CRC/C/118 (2002) 29 at paras. 120 and 121.

120. The Committee reiterates its satisfaction with the numerous measures taken by the State party to combat the sexual exploitation and trafficking of children. It is nevertheless concerned that trafficking for the purposes of sexual or other exploitation is still a problem.

121. The Committee recommends that the State party:

## **TRAFFICKING IN PERSONS AND SEXUAL EXPLOITATION - TRAFFICKING IN PERSONS**

- (a) Fully implement the recommendations of the national commission of experts;
  - (b) Continue to implement policies and programmes in accordance with the Declaration and Agenda for Action, and the Global Commitment adopted at the 1996 and 2001 World Congresses against Commercial Sexual Exploitation of Children;
  - (c) Continue to recruit female police officers to improve communication and contacts with foreign girls and women working in prostitution;
  - (d) Ensure that adequate resources (human and financial) are allocated to policies and programmes in this area;
  - (e) Continue to undertake awareness-raising campaigns in countries of origin;
  - (f) Expand cooperation with countries of origin and transit;
  - (g) Continue to cooperate with the International Organization for Migration.
- Belarus, CRC, CRC/C/118 (2002) 54 at paras. 251 and 252.

251. The Committee is concerned about the information that Belarus is a country of origin and transit for the trafficking of children, in particular girls, for the purpose of sexual and other forms of exploitation. The Committee notes that there is a lack of information and knowledge about this phenomenon and about problems such as sexual exploitation, drug abuse and the involvement of children in the drug trade, and economic exploitation, often related to trafficking.

252. In light of articles 32 to 36 of the Convention, the Committee recommends that the State party:

    - (a) Undertake a study on the issue of trafficking and trafficking-related problems, such as sexual exploitation, drug abuse and the involvement of children in the drug trade, and economic exploitation, in order to assess their scope and causes, and develop and implement effective monitoring and other measures to prevent them;
    - (b) Combat and eliminate child trafficking, sexual exploitation, drug abuse and trade and economic exploitation, including by developing social integration programmes; and
    - (c) Develop and adopt a national plan of action against sexual and commercial exploitation

## **TRAFFICKING IN PERSONS AND SEXUAL EXPLOITATION - TRAFFICKING IN PERSONS**

of children, taking into account the Declaration and Agenda for Action and the Global Commitment adopted at the 1996 and 2001 World Congresses against Commercial Sexual Exploitation of Children.

***See also:***

- Argentina, CRC, CRC/C/121 (2002) 8 at paras. 85 and 86.

- United Arab Emirates, CRC, CRC/C/118 (2002) 90 at paras. 406 and 407.

406. Despite noting some efforts by the State party, the Committee is seriously concerned at the hazardous situation of children involved in camel racing. In particular, it is concerned that very young children are sometimes involved; that children are trafficked, particularly from Africa and South Asia for this purpose; that children are denied education and health care; and that such involvement produces serious injuries, even fatalities. It concurs with the ILO Committee of Experts on the Application of Conventions and Recommendations, which has previously indicated to the State party that the employment of children as camel jockeys constitutes dangerous work under article 3, paragraph 1, of ILO Convention No. 138.

407. In accordance with article 32 of the Convention and ILO Conventions Nos. 138 and 182, which the State party has ratified, the Committee recommends that the State party:

(a) Take immediate and effective steps to ensure the implementation of article 32 of the Convention on the Rights of the Child and ILO Convention Nos. 138 and 182, taking into account ILO Recommendations Nos. 146 and 190;

(b) Undertake awareness-raising campaigns on trafficking in countries of origin and strengthen cooperation with those countries;

(c) Undertake a regional initiative (e.g. through the Gulf Cooperation Council) in this regard, including bilateral and multilateral cooperation; and

(d) Seek assistance from the ILO and UNICEF.

- Saint Vincent and the Grenadines, CRC, CRC/C/118 (2002) 101 at paras. 443 and 444.

443. Acknowledging the State party's efforts to establish an adequate foster care service, the Committee is concerned that:

...

## TRAFFICKING IN PERSONS AND SEXUAL EXPLOITATION - TRAFFICKING IN PERSONS

(c) In some instances of "adoption" (especially international adoption), children are handed over for money or with promises of financial assistance to those giving up the child.

444. The Committee recommends that the State party:

...

(c) Give particular attention to the possibility of abuse of adoption procedures for trafficking in children and consider, *inter alia*, strengthening monitoring of intercountry adoption and ratifying the 1993 Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption;

...

- Republic of Moldova, CRC, CRC/C/121 (2002) 89 at paras. 416 and 417.

416. The Committee notes that some measures have been developed to combat trafficking, but is nevertheless deeply concerned about the serious proportions of trafficking of girls from Moldova. It notes with concern that there is no precise information about the real dimensions of this phenomenon and that very little support in terms of rehabilitation and reintegration is provided to the victims of trafficking.

417. In light of articles 32 to 36 of the Convention, the Committee recommends that the State party:

(a) Undertake a study on the issue of trafficking in order to assess its scope and causes, and develop and implement effective monitoring and other measures to prevent it;

(b) Adopt legislative measures against trafficking and take all necessary measures to strengthen the National Committee against Trafficking, and further develop clear strategies and activities, including for prevention, protection and social reintegration;

(c) Include life-skills education in school curricula;

(d) Develop and adopt a national plan of action against sexual and commercial exploitation of children, taking into account the Declaration and Agenda for Action and the Global Commitment adopted at the 1996 and 2001 World Congresses against Commercial Sexual Exploitation of Children;

(e) Consider ratifying the United Nations Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children supplementing the Convention.

## **TRAFFICKING IN PERSONS AND SEXUAL EXPLOITATION - TRAFFICKING IN PERSONS**

- Poland, CRC, CRC/C/121 (2002) 120 at paras. 541 and 542.

541. While noting the increased efforts of the State party to cooperate in regional programmes to prevent trafficking and repatriate victims, the Committee is nevertheless concerned that Poland continues to be a country of origin, destination and transit for children trafficked for sexual exploitation.

542. The Committee recommends that the State party:

- (a) Proceed with its intention to ratify the Worst Forms of Child Labour Convention (No. 182) of the International Labour Organization (ILO) and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, and develop a national plan of action on commercial sexual exploitation of children, as agreed at the first and second World Congresses against Commercial Sexual Exploitation of Children, held in Stockholm in 1996 and Yokohama, Japan, in 2001, respectively;
- (b) Ensure that all persons under 18 involved in prostitution and the production of pornographic materials are not criminalized and enjoy full protection;
- (c) Train law enforcement officials, social workers and prosecutors in how to receive, monitor, investigate and prosecute complaints in a child-sensitive manner;
- (d) Ensure that all victims of trafficking and forced prostitution have access to appropriate recovery and reintegration programmes and services.

- Estonia, CRC, CRC/C/124 (2003) 9 at paras. 58, 59, 70 and 71.

58. The Committee is concerned that there is no effective system for the screening of foster or adoptive parents, including national standards and efficient mechanism to prevent the sale and trafficking of children, to review, monitor and follow up the placement of children, and to collect statistics on foster care and adoption, including intercountry adoption.

59. In the light of articles 20 and 21 of the Convention, the Committee recommends that the State party:

- (a) Establish a comprehensive national policy and guidelines governing foster care and adoption;

## **TRAFFICKING IN PERSONS AND SEXUAL EXPLOITATION - TRAFFICKING IN PERSONS**

(b) Establish a central monitoring mechanism in this regard.

...

70. The Committee is concerned at the insufficient information and awareness of the extent of commercial sexual exploitation and trafficking of children. It is also concerned that there is no specific prohibition in law of trafficking in human beings, including for the purpose of prostitution.

71. In the light of article 34 and other related articles of the Convention, the Committee recommends that the State party undertake studies with a view to assessing the causes, nature and extent of sexual exploitation and trafficking of children, including prostitution and child pornography (including on the Internet), and implement appropriate policies and programmes for prevention and protection and for the recovery and social reintegration of child victims, in accordance with the 1996 Declaration and Agenda for Action and the Global Commitment adopted at the Second World Congress against Commercial Sexual Exploitation of Children, held in 2001.

- Italy, CRC, CRC/124 (2003) 36 at paras. 190 and 191.

190. The Committee welcomes the adoption of Act 269/98 against the exploitation of prostitution, pornography, and sexual tourism targeting children and the establishment of an Inter-Ministerial Committee for the Coordination of the Government Action Against Child Abuse and Trafficking in Minors and Women for Sexual Purposes. Nevertheless, the Committee remains concerned at the numbers of children who are trafficked for sexual purposes in the State party.

191. The Committee recommends that the State party:

(a) Strengthen its efforts to prevent and combat trafficking in children for sexual purposes, in accordance with the Declaration and Agenda for Action and the Global Commitment adopted at the 1996 and 2001 World Congresses against Commercial Sexual Exploitation of Children;

(b) Monitor the implementation of Act 269/68, especially as it addresses the issue of the “demand side” of sexual exploitation;

(c) Ensure that adequate resources, both human and financial, are allocated to policies and programmes in this area.

## TRAFFICKING IN PERSONS AND SEXUAL EXPLOITATION - TRAFFICKING IN PERSONS

- Romania, CRC, CRC/124 (2003) 49 at paras. 256 and 257.

256. The Committee notes the establishment in 2001 of a national Task Force on Trafficking, the adoption of a national plan of action on trafficking, as well as the increased efforts of the State party to cooperate in regional programmes to prevent trafficking and assist victims. Nevertheless, the Committee is concerned that Romania continues to be a country of origin, of transit and, to a lesser extent, of destination for trafficked children, as also noted by CEDAW in June 2000 (A/55/38, paras. 308-309).

257. The Committee recommends that the State party:

(a) Accelerate and ensure sufficient resources and qualified staff for the effective implementation of the National Action Plan for Combating Sexual Exploitation of Children for Commercial Reasons, taking into account the Declaration and Agenda for Action and the Global Commitment adopted at the 1996 and 2001 World Congresses against Commercial Sexual Exploitation of Children;

...

(c) Train law enforcement officials, social workers and prosecutors in how to receive, monitor, investigate and prosecute complaints in a child-sensitive manner;

(d) Ensure that all victims of trafficking and forced prostitution have access to appropriate recovery and reintegration programmes and services.

- Czech Republic, CRC, CRC/C/124 (2003) 78 at paras. 381-383.

381. The Committee welcomes:

(a) The establishment in the spring of 2002 of a trilateral Czech-German-Polish working group to address, *inter alia*, trafficking in human beings, in particular the sexual exploitation of children for prostitution occurring in these areas;

...

(c) The significant work done by NGOs in this field.

382. The Committee remains concerned at:

...

(d) The lengthy duration of investigations into child trafficking;

(e) The failure to date to ratify the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography.

## TRAFFICKING IN PERSONS AND SEXUAL EXPLOITATION - TRAFFICKING IN PERSONS

383. The Committee recommends that the State party:

(a) Increase protection provided to victims of sexual exploitation and trafficking, including prevention, social reintegration, access to health care and psychological assistance, in a coordinated manner, including by enhancing cooperation with NGOs;

(b) Ensure that a confidential, accessible and child-sensitive mechanism is established to receive and effectively address individual complaints of all children, including those in the 15-18 age group;

(c) Implement outstanding recommendations of the Special Rapporteur on the sale of children, child prostitution and child pornography, *inter alia* those related to the cross-border trafficking problem;

...

(e) Ratify the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography.

- Haiti, CRC, CRC/124 (2003) 95 at paras. 452 and 453.

452. The Committee is deeply concerned at the high incidence of trafficking of children from Haiti to the Dominican Republic. The Committee is concerned that these children, once they are separated from their families, are forced to work or beg in the Dominican Republic.

453. The Committee recommends that the State party take all necessary measures to prevent the trafficking of Haitian children to the Dominican Republic. In particular, the Committee recommends that the State party conclude an agreement with the Dominican Republic for the repatriation of trafficked children to Haiti and for tightening border controls. The Committee recommends that the State party continue to seek assistance from, among others, UNICEF and the International Organization for Migration.

- Cyprus, CRC, CRC/C/132 (2003) 21 at paras. 143 and 144.

143. The Committee welcomes the enactment in 2000 of the Law on the Combating of Trafficking of Persons and Sexual Exploitation of Minors and the Protection of Witnesses Law of 2001 making specific provision for the protection of child witnesses. While noting that the State party does not consider that problems relating to trafficking or other forms of sexual exploitation exist, the Committee remains concerned that such problems may remain “hidden” and that the authorities may be unaware of them. In particular, the Committee refers to the



## **TRAFFICKING IN PERSONS AND SEXUAL EXPLOITATION - TRAFFICKING IN PERSONS**

concerns expressed by the Special Rapporteur on the sale of children, child prostitution and child pornography that Cyprus is being used as a transit point for trafficking of young women, including minors.

144. The Committee recommends that the State party strengthen its efforts to identify, prevent and combat trafficking in children for sexual purposes, in accordance with the Declaration and Agenda for Action and the Global Commitment adopted at the 1996 and 2001 World Congresses against Commercial Sexual Exploitation of Children.

- Libyan Arab Jamahiriya, CRC, CRC/C/132 (2003) 74 at paras. 388 and 389.

388. The Committee is concerned about reports of trafficking of children to the State party for the purposes of prostitution and slavery. The Committee is concerned that there is a lack of information on and awareness of the trafficking and prostitution of children.

389. The Committee recommends that the State party:

- (a) Undertake a national study on the nature and extent of these phenomena;
- (b) Take legislative and other measures to combat these practices;
- (c) Carry out awareness-raising campaigns to sensitize and mobilize the general public on the child's right to respect for his/her physical and mental integrity.

- Kazakhstan, CRC, CRC/C/132 (2003) 129 at paras. 626, 627 and 654.

626. The Committee notes the existence of the National Board on Adoption and of regulations for organizations involved in domestic and intercountry adoption. However, taking into account the very large number of abandoned children, the Committee is concerned at the lack of a comprehensive policy regarding domestic and intercountry adoption, including effective monitoring and follow-up of adoptions...

627. The Committee recommends that the State party establish a comprehensive national policy and guidelines governing adoption, including mechanisms to review, monitor and follow up adoptions, in order to prevent any form of abuse of adoption for the purpose of exploitation and trafficking...

...

654. The Committee recommends that the State party:

## **TRAFFICKING IN PERSONS AND SEXUAL EXPLOITATION - TRAFFICKING IN PERSONS**

(a) Develop and implement a comprehensive programme to combat trafficking, child prostitution and other forms of sexual exploitation of children, taking into account the Declaration and Agenda for Action and the Global Commitment adopted at the 1996 and 2001 World Congresses against Commercial Sexual Exploitation of Children and the recommendations of CEDAW in this respect (A/56/38, para. 97);

(b) Adopt measures to reduce the vulnerability of children to traffickers and establish crisis centres and telephone hotlines to give assistance and run rehabilitation and social reintegration programmes for child victims of trafficking and/or sexual exploitation;

...

- Canada, CRC, CRC/C/133 (2003) 14 at paras. 92, 102 and 103.

92. The Committee recommends that further research be carried out to identify the causes of the spread of homelessness, particularly among children, and any links between homelessness and child abuse, child prostitution, child pornography and trafficking in children. The Committee encourages the State party to further strengthen the support services it provides to homeless children while taking measures to reduce and prevent the occurrence of this phenomenon.

...

102. The Committee is encouraged by the role Canada has played nationally and internationally in promoting awareness of sexual exploitation and working towards its reduction, including by adopting amendments to the Criminal Code in 1997 (Bill C-27) and the introduction in 2002 of Bill C-15A, facilitating the apprehension and prosecution of persons seeking the services of child victims of sexual exploitation and allowing for the prosecution in Canada of all acts of child sexual exploitation committed by Canadians abroad. The Committee notes, however, concerns relating to the vulnerability of street children and, in particular, Aboriginal children who, in disproportionate numbers, end up in the sex trade as a means of survival. The Committee is also concerned about the increase of foreign children and women trafficked into Canada.

103. The Committee recommends that the State party further increase the protection and assistance provided to victims of sexual exploitation and trafficking, including prevention measures, social reintegration, access to health care and psychological assistance, in a culturally appropriate and coordinated manner, including by enhancing cooperation with non-governmental organizations and the countries of origin.

- Pakistan, CRC, CRC/C/133 (2003) 37 at paras. 242 and 243.

## **TRAFFICKING IN PERSONS AND SEXUAL EXPLOITATION - TRAFFICKING IN PERSONS**

242. While noting the serious efforts undertaken by the State party to prevent child trafficking, the Committee is deeply concerned at the very high incidence of trafficking in children for the purposes of sexual exploitation, bonded labour and use as camel jockeys.

243. The Committee recommends that the State party:

- (a) Ensure that cases of disappeared children are registered and investigated appropriately;
- (b) Continue and strengthen its efforts to combat the problem of child trafficking;
- (c) Strengthen national and regional strategies and programmes on the prevention and suppression of sexual exploitation and trafficking, and ensure that these strategies take into account the commitments made at the two World Congress against Commercial Sexual Exploitation of Children in 1996 and 2001.

- Bangladesh, CRC, CRC/C/133 (2003) 93 at paras. 505 and 506.

505. The Committee is deeply concerned at the high incidence of trafficking in children for purposes of prostitution, domestic service and to serve as camel jockeys and at the lack of long-term, concentrated efforts on the part of the State party to combat this phenomenon.

506. The Committee recommends that the State party:

- (a) Undertake all necessary efforts to prevent and combat domestic and cross-border child trafficking, including through international cooperation;
- (b) Take all necessary measures for the recovery and reintegration of children victims of trafficking;
- (c) Investigate, prosecute and sentence perpetrators of trafficking, including through international cooperation;
- (d) Seek assistance from, among others, UNICEF and the International Organization for Migration.

- Georgia, CRC, CRC/C/133 (2003) 111 at paras. 576 and 577.

576. The Committee notes that the human rights treaty bodies which considered the reports

## **TRAFFICKING IN PERSONS AND SEXUAL EXPLOITATION - TRAFFICKING IN PERSONS**

of Georgia have consistently expressed concern at the practice of trafficking in persons, in particular women, and at the lack of protection of women, including young children, from, *inter alia*, sexual exploitation and trafficking.

577. The Committee recommends that the State party:

- (a) Undertake measures to reduce and prevent the occurrence of sexual exploitation and trafficking, including by sensitizing professionals and the general public to the problems of sexual abuse of children and trafficking, through education including media campaigns;
- (b) Increase protection provided to victims of sexual exploitation and trafficking, including prevention, social reintegration, access to health care and psychological assistance in a coordinated manner, including by enhancing cooperation with NGOs, taking into account the Declaration and Agenda for Action and the Global Commitment adopted at the 1996 and 2001 World Congresses against Commercial Sexual Exploitation of Children;
- (c) Ensure that a confidential, accessible and child-sensitive mechanism is established to receive and effectively address individual complaints from all children, including those in the 15-18 years age group;
- (d) Train law enforcement officials, social workers and prosecutors on how to receive, monitor, investigate and prosecute reported cases of sexual abuse, in a child-sensitive manner;
- (e) Ratify the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography;
- (f) Seek technical assistance from, *inter alia*, UNICEF.

- Indonesia, CRC, CRC/C/137 (2004) 8 at paras. 71, 72, 103 and 107-109.

71. The Committee is concerned that the current adoption legislation discriminates between groups of different ethnic origins, does not provide sufficient safeguards against abusive practices, including trafficking of children, and does not take sufficiently into account the principle of the best interest of the child.

72. The Committee recommends that the State party:

- (a) Amend the current legislation on adoption so as to ensure that it conforms to articles 2 and 3 of the Convention;

## TRAFFICKING IN PERSONS AND SEXUAL EXPLOITATION - TRAFFICKING IN PERSONS

(b) Take the necessary measures to monitor and supervise effectively the system of adoption of children in accordance with the principle of the best interest of the child;

...

103. The Committee recommends that the State party:

(a) Develop and implement legislation that adequately protects child victims of sexual exploitation, including trafficking, pornography and prostitution, that includes a significant increase in the minimum age of sexual consent;

...

107. The Committee welcomes the endorsement by the State party of relevant international and regional agreements such as the Regional Commitment and Action Plan of the East Asia and Pacific Region against Commercial Sexual Exploitation of Children of 2001 and the Yokohama Global Commitment of 2001. The Committee further welcomes the launching of the National Plans of Action for the Elimination of Commercial Sexual Exploitation of Children and on the Elimination of Trafficking in Women and Children in 2002.

108. The Committee is...concerned at the lack of awareness in the State party on this phenomenon, at the insufficient legal protection for victims of trafficking, and that few measures have been taken to prevent and protect children from sale, trafficking and abduction.

109. The Committee recommends that the State party:

...

(b) Establish an appropriate definition of trafficking, increase legal protection for child victims, take effective measures to strengthen law enforcement, and intensify efforts to raise awareness in communities about the sale, trafficking and abduction of children;

(c) Seek to establish bilateral and multilateral agreements with neighbouring countries to prevent the sale, trafficking and abduction of children, and facilitate their protection and safe return to their families;

(d) Seek cooperation with and assistance from, *inter alia*, UNICEF and IOM.

- Armenia, CRC, CRC/C/137 (2004) 36 at paras. 243 and 244.

243. The Committee welcomes the recent efforts made by the State party to combat the phenomenon of trafficking and sale of children in the State party, including the establishment

## **TRAFFICKING IN PERSONS AND SEXUAL EXPLOITATION - TRAFFICKING IN PERSONS**

of an inter-agency commission to deal with trafficking in women and children and the amendment of the Criminal Code in April 2003 whereby trafficking and sexual exploitation are made specific criminal offences. However, the Committee notes that a comprehensive policy to combat trafficking in women, girls and boys is still lacking. Furthermore the Committee is concerned that refugee children and children living in orphanages may be particularly at risk.

244. The Committee recommends that the State party:

(a) Adopt and ensure the effective implementation of the National Programme to Combat Trafficking, which is currently under consideration, taking into account the Declaration and Agenda for Action and the Global Commitment adopted at the 1996 and 2001 World Congresses against Commercial Sexual Exploitation of Children and the recommendations by the Committee on the Elimination of Discrimination against Women in this respect (A/56/38, para. 97);

(b) Adopt measures to reduce vulnerability of children, especially refugee children and children living in orphanages, to traffickers, and establish crisis centres, telephone helplines and social reintegration programmes for victims of trafficking and/or sexual exploitation;

(c) Conduct further research related to the occurrence of child trafficking and strengthen regional cooperation with countries to which Armenian children are trafficked, and consider seeking technical cooperation from, among others, UNICEF, ILO and the International Organization for Migration in this respect.

- Germany, CRC, CRC/C/137 (2004) 51 at paras. 307 and 308.

307. The Committee welcomes the adoption of the Plan of Action of the Federal Government for the Protection of Children and Young People from Sexual Violence and Exploitation (January 2003), but remains concerned at the various ages retained in the Criminal Code depending on the offence committed by an adult against a child.

308. In light of article 34 and other related articles of the Convention, the Committee recommends that the State party:

(a) Extend the protection against sexual exploitation and trafficking provided for in all relevant legislation to all boys and girls below the age of 18 years;

(b) Pursue its efforts to combat sexual exploitation of and trafficking in children by

## TRAFFICKING IN PERSONS AND SEXUAL EXPLOITATION - TRAFFICKING IN PERSONS

effectively implementing its Plan of Action, in accordance with the 1996 Declaration and Agenda for Action and the 2001 Global Commitment adopted at the World Congresses against Commercial Sexual Exploitation of Children.

- The Netherlands (Netherlands and Aruba), CRC, CRC/C/137 (2004) 63 at paras. 371 and 372.

371. The Committee welcomes the State party's efforts in the Netherlands to address the sexual exploitation of children, in particular, through training of the police. However, it is concerned that the "complaint requirement" by victims over the age of 12 and the "double criminality" requirement hamper the prosecution of cases of child sexual abuse committed in the Netherlands and abroad. In Aruba, the Committee is concerned that children are vulnerable to trafficking for the purposes of drug trafficking or sexual exploitation, including through tourism.

372. The Committee recommends that the State party:

...

(c) Strengthen the capacity of the police in the Netherlands and Aruba to receive and investigate complaints of trafficking and sexual exploitation in a child-sensitive manner, *inter alia*, by increasing human and financial resources and, where necessary, providing appropriate training;

(d) Ensure that all victims of trafficking and prostitution in the State party have access to appropriate recovery and reintegration programmes and services;

(e) Undertake an in-depth study of trafficking and sexual exploitation of children in Aruba, including the possible existence of sex tourism.

- India, CRC, CRC/C/137 (2004) 75 at paras. 452 and 453.

452. The Committee welcomes the ratification of the South Asian Association for Regional Cooperation (SAARC) Convention on Preventing and Combating Trafficking in Women and Children for Prostitution; the adoption of a plan of action to combat trafficking and commercial sexual exploitation of women and children; the initiative to undertake a study, *inter alia*, to collect data on the number of children and women who become victims of sexual exploitation and trafficking; and the Pilot Projects to Combat Trafficking of Children for Commercial Sexual Exploitation in Destination and Source Areas, but remains concerned that the Immoral Traffic Prevention Act, 1986 does not define trafficking and limits its scope to

## **TRAFFICKING IN PERSONS AND SEXUAL EXPLOITATION - TRAFFICKING IN PERSONS**

sexual exploitation. In addition, the Committee expresses its concern at the increasing number of child victims of sexual exploitation, including prostitution and pornography. Concern is also expressed at the insufficient programmes for the physical and psychological recovery and social reintegration of child victims of such abuse and exploitation.

453. In light of articles 34 and 35 and other related articles of the Convention, the Committee recommends that the State party:

(a) Extend the scope of the Immoral Traffic Prevention Act to all forms of trafficking of children and ensure that all trafficked children are always treated as victims;

...

(d) Adopt multidisciplinary and multisectoral approaches and take measures to prevent and combat sexual exploitation and trafficking of children, including an awareness-raising campaign and educational programmes, particularly for parents;

(e) Ensure that perpetrators are brought to justice;

(f) Strengthen its policies to facilitate the reunification of child victims of trafficking with their families and provide adequate care and reintegration programmes for children who have been sexually exploited and/or trafficked, in accordance with the Declaration and Agenda for Action and the Global Commitment adopted at the 1996 and 2001 World Congresses against Commercial Sexual Exploitation of Children;

(g) Ratify the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime; and

(h) Collaborate with non-governmental organizations working on these issues and seek technical assistance from, among others, UNICEF.

- Panama, CRC, CRC/C/140 (2004) 23 at paras. 151 and 152.

151. ...The Committee..remains concerned about the lack of data to determine the real dimension of the problem of child abuse and sexual exploitation and about the insufficient measures to prevent and combat trafficking of children.

152. The Committee recommends the adoption and effective implementation of adequate legislation to prevent and combat trafficking, sexual exploitation and pornography involving children... The Committee further recommends that the State party:



## **TRAFFICKING IN PERSONS AND SEXUAL EXPLOITATION - TRAFFICKING IN PERSONS**

(a) Undertake awareness-raising campaigns, particularly for children, parents and other caregivers;

(b) Ensure that trafficked children and children who have been subjected to sexual exploitation are always treated as victims and that perpetrators are prosecuted;

(c) Provide adequate programmes of assistance and reintegration for sexually exploited and/or trafficked children in accordance with the Declaration and Agenda for Action and the Global Commitment adopted at the 1996 and 2001 World Congresses against Commercial Sexual Exploitation of Children.

- Rwanda, CRC, CRC/C/140 (2004) 36 at paras. 225 and 226.

225. The Committee welcomes the ratification of the Optional Protocol to the Convention on the sale of children, child prostitution and child pornography, but remains concerned about the increasing number of child victims of sexual exploitation, including for prostitution and pornography, especially among girls, child orphans and abandoned and other disadvantaged children...

226. In the light of article 34 and other related articles of the Convention, the Committee recommends that the State party:

(a) Extend the protection from sexual exploitation and trafficking contained in all relevant legislation to all boys and girls below the age of 18 years;

...

- France, CRC, CRC/C/140 (2004) 124 at paras. 631-634.

631. The Committee welcomes the legislative and other efforts aimed at providing protection of children from economic exploitation. However, the Committee is concerned that illegal networks of forced labour continue to operate and that foreign children fall victims of networks which are not countered vigorously enough.

632. The Committee recommends that the State party, in accordance with article 32 of the Convention and ILO Conventions No. 138 on the minimum age for admission to employment and No. 182 on the worst forms of child labour, which the State party has ratified, vigorously pursue measures at the national and international level to dismantle trafficking and exploitation networks, in particular of foreign children, which continue to operate, as well as

## **TRAFFICKING IN PERSONS AND SEXUAL EXPLOITATION - TRAFFICKING IN PERSONS**

to strengthen its cooperation and support to non-governmental organizations working in this area.

633. The Committee notes that, following the World Congress against Commercial Sexual Exploitation of Children in Stockholm in 1996, a National Plan of Action was adopted to protect children from abuse and ill-treatment. The following year, in 1997, protection of abused children was declared a national priority. However, the Committee is concerned at the occurrence of trafficking of children, prostitution and related issues, as noted in the Report of the Special Rapporteur on the sale of children, child prostitution and child pornography following his mission to France in November 2002.

634. The Committee recommends that the State party:

(a) Conduct a comprehensive study to assess the causes, nature and extent of trafficking and commercial sexual exploitation of children;

(b) Undertake measures to reduce and prevent the occurrence of sexual exploitation and trafficking, including by sensitizing professionals and the general public to the problems of sexual abuse of children and trafficking through education, including media campaigns, and establishing cooperation;

(c) Establish or strengthen existing cooperation with the authorities of countries from which children are trafficked;

(d) Increase protection provided to victims of sexual exploitation and trafficking, including prevention, witness protection, social reintegration, access to health care and psychological assistance in a coordinated manner including by enhancing cooperation with non-governmental organizations, taking into account the Declaration and Agenda for Action and the Global Commitment adopted at the 1996 and 2001 World Congresses against Commercial Sexual Exploitation of Children;

(e) Ensure that a confidential, accessible and child-sensitive mechanism is established to receive and effectively address individual complaints of all children, including those in the age group 15-18;

(f) Train law enforcement officials, social workers and prosecutors on how to receive, monitor, investigate and prosecute complaints in a child-sensitive manner.

- Angola, CRC, CRC/C/143 (2004) 78 at paras. 443 and 444.

## **TRAFFICKING IN PERSONS AND SEXUAL EXPLOITATION - TRAFFICKING IN PERSONS**

443. The Committee is concerned about the extent of the problem of sexual exploitation of and trafficking in children in the State party and notes that internally displaced and street children are particularly vulnerable to such abuse.

444. The Committee recommends that the State party further strengthen its efforts to identify, prevent and combat trafficking in children for sexual and other exploitative purposes, including by finalizing the national plan of action in this area and providing the appropriate legal framework and sufficient human and financial resources for its implementation. The Committee also encourages the State party to define “trafficking” as a special criminal offence under the Penal Code.

- Antigua and Barbuda, CRC, CRC/C/143 (2004) 93 at paras. 518 and 519.

518. The Committee notes the lack of information in the State party’s report on trafficking of persons, including children, and that there are no laws that specifically address this issue.

519. The Committee recommends that the State party undertake a comprehensive study to examine the phenomenon of trafficking, including of children, gathering accurate data on its prevalence, and introduce legislation prohibiting it. The Committee also recommends that the State party consider ratifying the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

- Sweden, CRC, CRC/C/146 (2005) 8 at paras. 67 and 68.

67. The Committee notes with appreciation that, following the First World Congress against Commercial Sexual Exploitation of Children, held in Stockholm in 1996, a National Plan of Action was adopted to protect children against sexual abuse and ill-treatment, which was brought up to date in 2001 for the Second World Congress, held in Yokohama, Japan. It also welcomes the proposed revisions to the Criminal Code regarding sexual offences, which, if adopted, will improve the protection of children against sexual exploitation. However, the Committee is concerned at:

(a) The occurrence of trafficking in children, prostitution and related issues in Sweden and abroad committed by Swedish citizens;

...

68. The Committee recommends that the State party:

## TRAFFICKING IN PERSONS AND SEXUAL EXPLOITATION - TRAFFICKING IN PERSONS

...

(b) Strengthen measures to reduce and prevent the occurrence of sexual exploitation and trafficking, including by sensitizing professionals and the general public to the problems of sexual abuse of children and trafficking through education, including media campaigns;

...

(e) Increase the protection provided to victims of sexual exploitation and trafficking, including prevention, witness protection, social reintegration, access to health care and psychological assistance in a coordinated manner, including by enhancing cooperation with NGOs, taking into account the Declaration and Agenda for Action and the Global Commitment adopted at the First and Second World Congresses against Commercial Sexual Exploitation of Children, held in 1996 and 2001 respectively

- Albania, CRC, CRC/C/146 (2005) 19 at paras. 139, 140 and 144-146.

139. The Committee welcomes the progress made in establishing a clearer legal framework governing the treatment of refugees and the prevention of statelessness, including the progress made in securing access by all refugee and asylum-seeking children to Albanian schools. Nevertheless, the Committee considers that additional steps need to be taken to ensure full compliance of the relevant legislation and practice with the Convention.

140. The Committee recommends that the State party amend the current asylum legislation by introducing specific provisions ensuring that the best interests and the views of the child are taken into account, in particular during the status determination procedures. It further recommends that pre-screening procedures of foreigners be extended to the border-points with a view to guaranteeing maximum protection to child asylum-seekers and trafficked children, who may otherwise risk *refoulement*. The provision of adequate training on refugee child issues to all persons involved is highly desirable. The Committee further recommends that the State party consider seeking assistance from UNHCR in this respect.

...

144. The Committee recommends that the State party, in accordance with article 32 of the Convention, and ILO Conventions No. 138 concerning the Minimum Age for Admission to Employment and No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, which the State party has ratified:

...

(b) Vigorously pursue measures, at the national and international level, to dismantle trafficking and exploitation networks;

...

145. The Committee notes the concerns expressed by the State party at the extent of the problem of sexual exploitation of children in Albania. It also welcomes the measures taken

## **TRAFFICKING IN PERSONS AND SEXUAL EXPLOITATION - TRAFFICKING IN PERSONS**

by the State party to combat trafficking in children, such as the establishment of an anti-trafficking centre in Vlora. However, the Committee notes with concern that the sale of children is not criminalized in domestic legislation, that children reportedly continue to be trafficked, in particular to Italy and Greece, and considers that additional efforts must be vigorously pursued to combat this persistent phenomenon.

146. The Committee recommends that the State party:

- (a) Considerably strengthen its efforts to reduce and prevent the occurrence of sexual exploitation, sale of children and trafficking, including by amending legislation and sensitizing professionals and the general public to the problems of sexual abuse of children and trafficking through education, including media campaigns;
- (b) Strengthen existing cooperation with the authorities of countries from or to which children are trafficked in order to combat the phenomenon and harmonize legislation in this respect;
- (c) Increase protection provided to victims of sexual exploitation and trafficking, including prevention, witness protection, social reintegration, access to health care and psychological assistance in a coordinated manner, including by enhancing cooperation with NGOs. In this respect, account should be taken of the Declaration and Agenda for Action and the Global Commitment adopted at the First and Second World Congresses against Commercial Sexual Exploitation of Children, held in 1996 and 2001 respectively;
- (d) Ensure that a confidential, accessible and child-sensitive mechanism is established to receive and effectively address individual complaints of all children, including those in the 14-18 years age group;
- (e) Train law enforcement officials, social workers and prosecutors on how to receive, monitor, investigate and prosecute complaints, in a child-sensitive manner;
- (f) Proceed with the ratification of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, as planned.

- Luxembourg, CRC, CRC/C/146 (2005) 36 at paras. 213 and 214.

213. While welcoming the many legislative and other measures taken by the State party to

## **TRAFFICKING IN PERSONS AND SEXUAL EXPLOITATION - TRAFFICKING IN PERSONS**

combat and raise awareness of the problem of sexual exploitation, trafficking in persons and child pornography, the Committee is concerned that the conditions of work for women and girls arriving in Luxembourg to work in the entertainment sector are such that they may be exposed to the risk of prostitution and trafficking in human beings.

214. In the light of article 34 and other related articles of the Convention, the Committee recommends that the State party continue and strengthen its efforts to identify, prevent and combat trafficking in children for sexual and other exploitative purposes, including by undertaking studies to assess the nature and magnitude of the problem and allocating sufficient resources to addressing it.

- Belize, CRC, CRC/C/146 (2005) 59 at paras. 359 and 361.

359. The Committee welcomes the adoption in 2003 of the Trafficking in Persons (Prohibition) Act, which provides special protection for children, and the subsequent establishment of a special Task Force to give greater effect to the implementation of the Act... Notwithstanding these positive steps taken by the State party, the Committee is concerned about the sexual exploitation of children, child pornography and trafficking of children in Belize and draws attention to the existing risk factors, such as the growing tourism.

...

361. The Committee recommends that the State party continue and strengthen its efforts:

(a) To conduct a comprehensive study to assess the causes, nature and extent of trafficking and commercial sexual exploitation of children;

(b) To take all necessary measures to effectively prevent, and protect all children from, trafficking, sexual exploitation and child pornography, including through implementing the Trafficking in Persons (Prohibition) Act, and to provide the recently established Task Force with adequate financial, human and technical resources;

...

(d) To provide adequate programmes of assistance and reintegration for sexually exploited and/or trafficked children in accordance with the Declaration and Agenda for Action and the Global Commitment adopted at the 1996 and 2001 World Congresses against Commercial Sexual Exploitation of Children;

...

(g) To introduce awareness-raising campaigns for children, parents and other caregivers, in order to prevent trafficking, sexual exploitation and pornography involving children, and to strengthen its cooperation with NGOs in this respect.

## TRAFFICKING IN PERSONS AND SEXUAL EXPLOITATION - TRAFFICKING IN PERSONS

- Islamic Republic of Iran, CRC, CRC/C/146 (2005) 88 at paras. 505 and 506.

505. The Committee is concerned about reports of trafficking and sale of persons under 18 years of age, particularly young girls from rural areas, facilitated by “temporary marriages” (*siqeh*) - marriages which last from 1 hour to 99 years. It is also concerned at reports of the trafficking of such persons from Afghanistan to Iran, who are apparently sold or sent by their families in Afghanistan for exploitation, including cheap labour.

506. Considering that the sale and trafficking of children is a criminal offence, the Committee recommends that the State party take all appropriate legislative and administrative measures, to prevent and eliminate this phenomenon and to ensure that traffickers are prosecuted, convicted and punished.

- Togo, CRC, CRC/C/146 (2005) 104 at paras. 583-586.

583. While noting the efforts made by the State party to prevent and combat sexual exploitation of children, the Committee is concerned that:

...

(b) Existing legislation intended to protect children from sexual exploitation and prostitution is neither sufficient nor effective;

...

584. The Committee recommends that the State party:

...

(b) Enact a law providing adequate protection to children victims of sexual exploitation, including trafficking, child pornography and prostitution;

...

585. The Committee welcomes the adoption of the National Plan of Action on the fight against child trafficking for commercial exploitation and labour in 2001 as well as the establishment of the *Comités de vigilance*. However, the Committee is concerned that the Plan of Action did not sufficiently involve civil society and is not efficiently implemented. It is further concerned that trafficking of children is not a separate offence under the law, despite the prevalence of the phenomenon. The Committee is further concerned at the lack of measures taken to combat and protect children from sale, trafficking and abduction.

586. The Committee recommends that the State party:

(a) Establish trafficking of children as a separate offence;

(b) Upgrade its system of data collection to cover sale, trafficking and abduction of children,

## **TRAFFICKING IN PERSONS AND SEXUAL EXPLOITATION - TRAFFICKING IN PERSONS**

and ensure that all data and indicators are used for the formulation, monitoring and evaluation of policies, programmes and projects;

(c) Ensure effective programmes for child protection, prosecution of offenders, repatriation, recovery and preventive programmes for victims;

(d) Take effective measures to strengthen law enforcement, including immigration laws, intensify efforts to raise awareness among communities of the sale, trafficking and abduction of children, and prosecute the perpetrators;

(e) Ratify the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime;

(f) Continue its efforts to establish bilateral and multilateral agreements with neighbouring countries to prevent the sale, trafficking and abduction of children, to facilitate their protection and safe return to their families and to implement reintegration programmes for the victims.

- Bolivia, CRC, CRC/C/146 (2005) 121 at paras. 656-657.

656. The Committee is concerned about the extent of sexual exploitation and trafficking of children for this or other purposes, in particular economic exploitation, and about the lack of effective programmes to address this problem.

657. In light of articles 34 and 35 and other related articles of the Convention, the Committee recommends that the State party:

(a) Conduct a comprehensive study to assess the causes, nature and extent of trafficking in children for various purposes, including commercial sexual exploitation;

(b) Proceed with plans to amend the Penal Code so as to make the exploitation and trafficking of children criminal offences;

(c) Strengthen measures and adopt multidisciplinary and multisectoral approaches to prevent and combat trafficking in children and sexual exploitation of children and adolescents;

(d) Undertake awareness-raising campaigns, particularly for parents;



## **TRAFFICKING IN PERSONS AND SEXUAL EXPLOITATION - TRAFFICKING IN PERSONS**

- (e) Ensure that trafficked children and children who have been subjected to sexual and economic exploitation are always treated as victims and that perpetrators are prosecuted;
  - (f) Provide adequate programmes of assistance and reintegration for sexually exploited and/or trafficked children in accordance with the Declaration and Agenda for Action and the Global Commitment adopted at the 1996 and 2001 World Congresses against Commercial Sexual Exploitation of Children;
  - (g) Ratify the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, signed by the State party in December 2000;
  - (h) Collaborate with NGOs working on these issues and seek technical assistance from, among others, the Inter-American Children's Institute and UNICEF.
- Philippines, CRC, CRC/C/150 (2005) 24 at paras. 189-191.

189. The Committee welcomes the adoption of, in 2003, the new Anti-Trafficking in Persons law and other measures taken by the State party in the areas of prevention of trafficking and protection of victims, such as the establishment of Anti-Illegal Recruitment Coordination Councils, the Trade Union Child Labour Advocate initiative and the establishment of an Executive Council to suppress trafficking in persons particularly women and children. But the Committee is gravely concerned about trafficked Philippine children both within the country and across borders. The Committee expresses its concern about existing risk factors contributing to trafficking activities, such as persistent poverty, temporary overseas migration, growing sex tourism and weak law enforcement in the State party.

190. The Committee urges the State party to:

- (a) Review its domestic laws on the protection of children against sexual exploitation, including the use of children for pornography, in order to provide all child victims of such exploitation with equal protection, *inter alia*, by including in the law equal sanctions to all perpetrators of sexual offences against children;
- (b) Set a clearly defined minimum age of sexual consent at an internationally acceptable level in its domestic law;
- (c) Conduct a comprehensive study to assess the causes, nature and extent of commercial sexual exploitation and trafficking of children;

## TRAFFICKING IN PERSONS AND SEXUAL EXPLOITATION - TRAFFICKING IN PERSONS

(d) Provide adequate programmes of assistance and reintegration for sexually exploited and/or trafficked children in accordance with the Declaration and Agenda for Action and the Global Commitment adopted at the First and Second World Congresses against Commercial Sexual Exploitation of Children;

(e) Pay particular attention to existing risk factors, such as the growing sex tourism in the region and continue to collaborate with the Department of Tourism and tourism service providers in this respect;

(f) Launch awareness-raising campaigns for children, parents and other caregivers, in order to prevent trafficking, sexual exploitation and pornography involving children, and sensitize officials working with and for victims of trafficking.

191. With regard to the trafficking of children in the Philippines, within the country and across its borders, the Committee endorses the recommendation adopted by the Human Rights Committee at its seventy-ninth session in 2003 (CCPR/CO/79/PHL, para. 13) on taking appropriate measures to combat trafficking in all its forms, by ensuring effective enforcement of the relevant legislation and imposing sanctions on those found responsible.

- Bosnia and Herzegovina, CRC, CRC/C/150 (2005) 49 at paras. 271-274.

271. While the Committee welcomes some positive developments in the prosecution of those responsible for serious crimes against women and girls in the context of trafficking and forced prostitution, as well as the adoption by the Council of Ministers of a national plan of action to combat trafficking in 2001, it is concerned that a growing number of children under 18, especially adolescent girls, are still being trafficked for the purpose of sexual exploitation. The Committee is further concerned that the Optional Protocol to the Convention on the sale of children, child prostitution and child pornography has not been adequately addressed within the criminal justice systems.

272. In the light of article 34 and other related articles of the Convention, the Committee recommends that the State party further strengthen its efforts to fully implement and incorporate the above-mentioned Optional Protocol in the criminal justice systems as well as to identify, prevent and combat trafficking in children for sexual and other exploitative purposes, including by undertaking studies to assess the nature and magnitude of the problem and allocating sufficient resources to this field. Furthermore, the Committee should, *inter alia*:

- Provide adequate and systematic training to all professional groups concerned, in particular

## TRAFFICKING IN PERSONS AND SEXUAL EXPLOITATION - TRAFFICKING IN PERSONS

law enforcement officials;

- Launch awareness-raising and prevention campaigns targeting in particular children;
- Seek assistance from UNICEF, among others.

273. The Committee is also concerned at reports that, at the local level, police officers are believed to be often acquiescent, if not actively involved, in trafficking-related activities.

274. The Committee recommends that thorough, independent and effective investigations be carried out regarding the allegations that police officers may be involved in trafficking-related activities and to impose on them - if found guilty - appropriate penal and/or other sanctions.

- Nepal, CRC, CRC/C/150 (2005) 66 at paras. 334, 334, 376 and 377.

334. Given the significant number of Nepalese children who are adopted by foreigners and in the context of the current armed conflict in the State party, the Committee is concerned at the lack of a clear policy and appropriate legislation on intercountry adoption, which results in various practices, such as trafficking and smuggling of babies. The Committee is particularly concerned about the absence of due judicial process, including technical assessment of the capacity of the parents or guardians, in cases involving termination of the parental responsibility. The Committee also expresses concern regarding the practice of the so-called informal adoption, which may entail exploitation of children as domestic servants.

335. The Committee recommends the State party to develop and implement policies and legal provisions regarding intercountry adoption to guarantee that the practice of this form of adoption is in full conformity with the principles and provisions of the Convention, in particular, article 21. In this regard, the Committee recommends the State party to, in particular:

- (a) Ratify the Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption, in order to *inter alia*, prevent trafficking and smuggling of children;
- (b) Review the current mechanisms and procedures for domestic and intercountry adoption, particularly the role and the responsibilities of the national and district level decision-making bodies with a view to ensuring that professionals responsible for adoption cases are fully equipped with the technical expertise needed to review and process cases in the light of the Hague Convention;

## **TRAFFICKING IN PERSONS AND SEXUAL EXPLOITATION - TRAFFICKING IN PERSONS**

(c) Develop and implement strict criteria for the adoption of Nepalese children, ensuring in particular that reasonable time is given for an effective tracing of the parents or close relatives of children separated from them as a result of the armed conflicts, and abolish the provisions in the Conditions and Procedures made to provide Nepalese Children to Foreign Nationals for Adoption (2000), that states that poverty of the parents of a child can be a legal ground for adoption;

(d) Ensure that exhaustion of all means to prevent termination of parental responsibility and/or separation of the child is set as a clear criteria in all cases involving adoption;

(e) Regulate and monitor the practice of placing children with close relatives or others, to prevent children from being exploited, and to ensure that all their rights, including the right to education and to health care are fully respected.

...

376. The Committee takes note of the various efforts undertaken by the State party to combat child trafficking and welcomes the information that police officers are being trained in issues relating to sexual exploitation and trafficking of women and children. However, the Committee remains deeply concerned about the perversity of the phenomenon of trafficking and sale of children within Nepal and across the border for the purposes of sexual exploitation and bonded labour. The Committee notes with grave concern that certain groups of children are at a particularly higher risk of being sold and trafficked, including girls, internally displaced children, street children, orphans, children from rural areas, refugee children and children belonging to more vulnerable castes. The Committee further expresses concern that the existing legal protection for victims of trafficking, most notably the Human Trafficking Control Act, is inadequate, and that its implementation is seriously inadequate. The Committee is also concerned that the child victims of sexual exploitation do not receive adequate protection and recovery assistance.

377. The Committee recommends that the State party:

(a) Upgrade its system of data collection on the sale, trafficking and abduction of children and ensure that all data and indicators are used for the formulation, monitoring and evaluation of policies, programmes and projects;

(b) Develop a comprehensive legal framework to protect children from trafficking;

(c) Take effective measures to strengthen law enforcement, and intensify efforts to raise awareness in communities about the sale, trafficking and abduction of children;

(d) Ensure that the implementation of the National Strategy on HIV/AIDS 2002-2006,

## **TRAFFICKING IN PERSONS AND SEXUAL EXPLOITATION - TRAFFICKING IN PERSONS**

Education for All Programme 2004-2009, Master Plan of Action on Child Labour, are all linked to the National Plan of Action on Trafficking, in order to achieve a comprehensive and effective approach;

(e) Ensure that appropriate assistance and support are provided to all child victims, including access to basic services by children who are awaiting repatriation;

(f) Seek to establish bilateral agreements with neighbouring countries, in particular India, to prevent the sale, trafficking and abduction of children, and to facilitate their protection and safe return to their families;

(g) Ratify the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime; and

(h) Seek cooperation with, and assistance from, *inter alia*, UNICEF and the International Organization for Migration.

- Norway, CRC, CRC/C/150 (2005) 105 at paras. 511 and 512.

511. While welcoming measures taken to combat trafficking in women and children, the Committee is concerned that trafficking in women and children for sexual exploitation remains a problem in the State party.

512. The Committee encourages the State party to strengthen its efforts for an effective implementation of its plan to combat sexual exploitation and trafficking in persons. The Committee also encourages the State party to extend its cooperation to countries/regions which face serious problems in this area and to undertake a study to assess the nature and extent of trafficking and sexual exploitation of children and to identify groups which are particularly vulnerable to this form of exploitation.

- Mongolia, CRC, CRC/C/150 (2005) 113 at paras. 579 and 580.

579. The Committee is deeply concerned at the increasing number of children engaged in prostitution. While noting that trafficking in children is a relatively new human rights problem in Mongolia, the Committee is concerned about certain risk factors, including persisting

## **TRAFFICKING IN PERSONS AND SEXUAL EXPLOITATION - TRAFFICKING IN PERSONS**

poverty, the high rate of unemployment, difficult family circumstances that lead to runaways from home and a growth in tourism, which may increase sexual exploitation and trafficking in children.

580. In order to prevent and combat trafficking in children for sexual and other exploitative purposes, the Committee recommends that the State party:

(a) Develop and adopt a comprehensive national policy to prevent and combat sexual exploitation and trafficking in children, including the root causes and factors that place children at risk of such exploitation;

(b) Strengthen its efforts and legislation to identify and investigate trafficking cases, to improve understanding of the issues of trafficking and ensure that perpetrators are prosecuted;

(c) Provide adequate programmes of assistance and reintegration for sexually exploited and/or trafficked children in accordance with the Declaration and Agenda for Action and the Global Commitment adopted, respectively, at the 1996 and 2001 World Congresses against Commercial Sexual Exploitation of Children;

(d) Sign and ratify the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

- Nicaragua, CRC, CRC/C/150 (2005) 132 at paras. 652, 653, 660 and 661.

652. The Committee...notes that domestic legislation does not seem to contain provisions punishing the sale and trafficking of children for the purpose of economic exploitation.

653. The Committee recommends that the State party:

...

(b) Secure the prohibition of the sale and trafficking of children for the purpose of economic exploitation;

(c) Ensure the implementation of legislation fully covering article 32 of the Convention, and ILO Conventions No. 138 (1973) and No. 182 (1999);

(d) Ensure the implementation of the National Strategy Plan for the Prevention and Eradication of Child Labour and Protection of Young Workers (2001-2005);

## **TRAFFICKING IN PERSONS AND SEXUAL EXPLOITATION - TRAFFICKING IN PERSONS**

(e) Undertake awareness-raising campaigns to prevent and combat the economic exploitation of children;

(f) Seek technical assistance from the International Programme on the Elimination of Child Labour (IPEC/ILO) and UNICEF, among others.

...

660. While welcoming the measures taken by the State party to combat and raise awareness about the problem of sexual exploitation and trafficking in persons, the Committee is concerned at the information that a consistent number of children are victims of sexual violence, pornography, paid sexual activity and sexual tourism in Nicaragua and that sexual abuse and exploitation in its various forms, including trafficking, pornography and sexual tourism, have not been classified yet as crimes in the Penal Code.

661. The Committee recommends that the State party:

(a) Rapidly adopt the proposed new Nicaraguan Penal Code, which classifies sexual exploitation as a crime in its various forms;

(b) Undertake a study on the sexual exploitation of children in order to assess its scope and causes, enable effective monitoring of the problem and develop measures and programmes, including social reintegration programmes, to prevent, combat and eliminate it;

(c) Approve and implement a national plan of action against sexual exploitation and trafficking of children, taking into account the Declaration and Agenda for Action and the Global Commitment adopted, respectively, at the 1996 and 2001 World Congresses against Commercial Sexual Exploitation of Children;

(d) Train law enforcement officials, social workers and prosecutors on how to receive, monitor, investigate and prosecute complaints, in a child-sensitive manner that respects the privacy of the victim;

(e) Seek technical assistance from among others, UNICEF and the International Labour Organization (ILO).

- Costa Rica, CRC, CRC/C/150 (2005) 149 at paras. 704 and 705.

704. The Committee welcomes the proposed amendment of the Adoption Act as a follow-up to its previous recommendation (CRC/C/15/Add.117, para. 19) to review its legislation in order to bring it into full compliance with article 21 of the Convention and the Hague

## **TRAFFICKING IN PERSONS AND SEXUAL EXPLOITATION - TRAFFICKING IN PERSONS**

Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption. But it remains concerned that this bill is still pending with the Legislative Assembly and that the practice of private or direct adoption which results in cases of trafficking is still not effectively prohibited.

705. The Committee recommends to the State party that it take all effective measures to expedite the adoption of the above-mentioned amendments, implement the recommendations made by the Office of the Ombudsman (2001-2002) following the investigation undertaken on the process of adoption both at the national and international level, in order to put an end to the practice of private/direct adoptions, and ensure that they fully comply with article 21 of the Convention and the Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption, in particular by providing the Council on Adoption and the national commission on adoption with the resources necessary for the effective performance of their mandates.

- Yemen, CRC, CRC/C/150 (2005) 161 at paras. 801 and 802.

801. The Committee is deeply concerned at the information that many children are trafficked to Saudi Arabia, often with the support of their parents, and that quite a number of them are sent back to Yemen and end up in the streets of larger cities.

802. The Committee urges that the State party strengthen its efforts to address this problem and pay particular attention, in close cooperation with the authorities of Saudi Arabia, *inter alia*, to children who are abused and exploited and undertake measures to prevent children who are sent back from ending up in the streets. The Committee also recommends that the State party undertake awareness campaigns on the risks that children are running when they are sent abroad.

- Norway, CRC (Optional Protocol - Sale of Children, Prostitution, Pornography), CRC/C/150 (2005) 177 at paras. 820, 821 and 836-838.

820. The Committee expresses its concern at the lack of efforts to raise awareness among the public about the provisions of the Optional Protocol. It also notes with concern that it has been difficult to estimate the need for specific training courses due to a general lack of research-based information on the areas covered by the Optional Protocol.

821. The Committee recommends that the State party take measures to raise awareness among its population, including children and parents, about the provisions of the Optional



**TRAFFICKING IN PERSONS AND SEXUAL EXPLOITATION  
- TRAFFICKING IN PERSONS**

Protocol.

...

836. The Committee notes that the State party is very active in initiating prevention projects in the Baltic States, and encourages the State party to continue its efforts of cooperation at the regional and international levels.

837. The Committee notes the positive efforts made by the State party to strengthen law-enforcement policies at the European and international levels, and it encourages the State party to continue these efforts and to further strengthen and improve its bilateral cooperation with law-enforcement agencies in States which face problems in the area covered by the Optional Protocol.

838. The Committee recommends that the State party continue to strengthen systematic education and training on the provisions of the Convention for all relevant professional groups. In addition, the Committee recommends that the State party make the provisions of the Optional Protocol widely known, particularly to children, through, *inter alia*, school curricula.