MEETING AGENDA

Expert Meeting of the UN Special Rapporteur on trafficking in persons, especially women and children, Ms Joy Ngozi Ezeilo on:

“Prosecution of Trafficking in Persons Cases: Integrating a Human Rights-Based Approach in the Administration of Criminal Justice”

Monday, 4 July, 2011
OHCHR Conference Room RI-14, Geneva, Switzerland

09:00 – 09:30: Opening remarks and meeting objectives

Chair: Ms Joy Ngozi EZEILO, UN Special Rapporteur on Trafficking in Persons, Especially Women and Children

The Special Rapporteur will outline the background, modalities and objectives of the meeting.

09:30 – 10:45: Session 1: Human rights, administration of justice system and prosecution of cases of trafficking in persons

Objectives of Session 1:
- To define and provide an overview of the human rights-based approach to prosecuting cases of trafficking in persons;
- To situate prosecution as a key element in the overall strategy to combat trafficking in persons;
- To identify integral components of an effective criminal justice response to combating trafficking in persons;
- To explore the efforts of states to adopt and implement legislation that facilitates the safe and effective involvement of victims in the criminal justice response;
- To provide an overview of state practice with regard to prosecutions.

Facilitator: Mr. Shadrach HARUNA, Legal Adviser, Legal & Constitutional Affairs Division, Commonwealth Secretariat

9:30 – 9:50 – Overview of the human rights-based approach to the prosecution of cases of trafficking in persons and the importance of prosecution as part of a comprehensive strategy to combat trafficking in persons – Ms Joy Ngozi EZEILO, UN Special Rapporteur

9:50 - 10:10 - Key elements of effective criminal justice responses to trafficking in persons – Mr. Martin FOWKE, Officer-in-charge, Anti-Human Trafficking and Migrant Smuggling Unit, UNODC

10:30 – 10:45 – Discussion

10:45 – 11:15: Tea Break

11:15 – 13:00: Session 2: Progress and challenges in the prosecution of cases of trafficking in persons

Objectives of Session 2:
- To identify progress and challenges in efforts to realize an effective, human rights-based approach to prosecuting trafficking in persons cases;
- To distil techniques and strategies from practice;
- To elucidate key areas for future progress.

Facilitator: Mr. Uchenna EMELONYE, Manager, Governance, Institutional & Justice Reform, International Development Law Organization

11:15 – 11:30 – Progress and challenges in prosecuting trafficking in persons cases – Mr. Albert MOSKOWITZ, Senior Prosecutorial Adviser, Asia Regional Trafficking in Persons Project

(Note: Speaker might address the link between effective criminal justice responses and victim identification, protection and assistance; evidentiary and fair trial issues associated with trafficking prosecutions; and the importance of cooperation between agencies such as between investigators and prosecutors and between prosecutors and victim support agencies. He may also discuss the lack of reliable case data to enable accurate evaluations of state efforts; difficulties in implementing new laws; insufficient trainings; challenges to working with traumatized victims; and the importance and challenge of international cooperation.)

11:30 – 11:45 – Experiences from a prosecutor’s perspective - Ms Pam BOWEN, Prosecutor, Crown Prosecution Service Directorate, UK

(Note: Speaker might address evidence gathering techniques, strategies for building rapport with victims and the importance of corroborating testimony, cooperation with victim service providers and also between various government agencies, police and prosecutors.)

11:45 – 12:00 – Progress and challenges in investigation and prosecution of trafficking cases in Belarus – Ms Natallia KOVALIOVA, Chief Investigator, Ministry of Internal Affairs, Belarus

(Note: Speaker might discuss progress achieved so far in prosecuting traffickers and specific examples to highlight any challenges that she may have encountered in investigating and prosecuting traffickers in Belarus.)

12:00 – 12:15 – Developing and implementing a human rights-based approach to the prosecution of cases of trafficking in persons – Mr. Warner ten KATE, Dutch National Public Prosecutor for trafficking in human beings and people smuggling
(Note: Speaker might address the implementation of legislation relating to protections for victims, cooperation with victim support agencies, and efforts to avoid the criminalization of victims. Speaker might also discuss specific prosecutions to highlight important developments.)

12:15 – 13:00 – Discussion

13:00 – 14:00: Lunch Break

14:00 – 16:30: Session 3: Good practices and lessons learned

Objectives of Session 3:
- To identify state efforts to adopt an effective, human rights-based approach to prosecuting trafficking cases;
- To highlight specific cases and practices from various jurisdictions in order to establish effective practices and lessons learned.

Facilitator: Mr. Martin FOWKE, Officer-in-charge, Anti-Human Trafficking and Migrant Smuggling Unit, UNODC

14:00 – 14:15 – Cooperation between criminal justice and victim support agencies: Lessons learned from the French experience – Mr. Nicolas LE COZ, Senior Officer, Criminal Police Sub-Directorate, French National Gendarmerie’s General

(Note: Speaker might discuss any specific examples where cooperation with victim support agencies contributed to effective investigation and prosecution of traffickers, as well as any lessons learned.)

14:15 – 14:30 – Development of the Nigerian specialized unit, National Agency for Prohibition of Traffic in Persons (NAPTIP): Experiences and lessons learned in prosecuting trafficking in persons cases – Mr. Obiwulu Emmanuel AGUSIOBO, Senior Prosecutor, NAPTIP

(Note: Speaker might address specific examples of successful prosecutions, partnerships with victim service providers, provision of safety for victim-witnesses, and how NAPTIP works to address corruption in the criminal justice response to trafficking in persons.)

14:30 – 14:45 – Indian efforts to prosecute traffickers - Justice Usha MEHRA

(Note: Speaker might address the status of the law, application of the law and the development of specialized units and courts to handle trafficking in persons cases, commenting on the effectiveness of the specialization model. Speaker might reference specific cases.)

14:45 – 15:00 – Capacity-building for law enforcement, prosecutors, judges and victim service providers on the implementation of the human rights-based approach to the prosecution of cases of trafficking in persons - Mr. Shadrach HARUNA, Legal Adviser, Legal & Constitutional Affairs Division, Commonwealth Secretariat

(Note: Speaker might address the importance of training for all officials that could come into contact with trafficking victims or their traffickers, and discuss the different needs of
these various groups. Speaker might also explore lessons learned in relation to the development and provision of TIP training for criminal justice officials (e.g. integration of international standards; involvement of victim support agencies in training; different pedagogical approaches; etc.)

15:00 – 15:30: Tea Break

15:30 – 15:45 – Lessons learned for the investigation and prosecution of human trafficking - best practices for vulnerable victims - Ms Aimée COMRIE, Advisor to the OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings

(Note: Speaker might address strategic considerations in developing an investigation plan, the importance of transnational legal cooperation, best interview practices for vulnerable victims including children, tactics for eliciting free narratives from victims, challenges relating to traumatic memory and repetition, the importance of covert investigation techniques and intercept evidence, and the added value of crime pattern and network analysis. Speaker may also discuss practical operational suggestions for protecting victims and witnesses throughout the investigation and trial phase in addition to formal relocation)

15:45 – 16:00 – Gender-related challenges in prosecuting cases of trafficking in persons: Good practices and lessons learned - Mr. Albert MOSKOWITZ, Senior Prosecutorial Adviser, Asia Regional Trafficking in Persons Project

(Note: Speaker might discuss case studies to illustrate challenges in prosecuting cases involving victims of trafficking for gender-based exploitation, as well as good practices and lessons learned from a prosecutor’s perspectives.)

16:00 – 16:30: Discussion

16:30 – 18:00: Conclusions and Recommendations

Facilitator: Ms Joy Ngozi EZEILO, UN Special Rapporteur

16:30 – 17:00: Overview of main conclusions and key recommendations from the meeting (Facilitators)

17:00 – 18:00: Discussion on recommendations and way forward (Tour de table)

Closing Remarks: Ms Joy Ngozi EZEILO, UN Special Rapporteur