PERMANENT COUNCIL OF THE OEA/Ser.G

 ORGANIZATION OF AMERICAN STATES CSH/GT/RTP VI-4/21 rev. 1

 19 April 2021

 COMMITTEE ON HEMISPHERIC SECURITY Original: Spanish

 Working Group to Prepare for

 the Sixth Meeting of National Authorities on

 on Trafficking in Persons

DRAFT THIRD WORK PLAN

FOR A COMPREHENSIVE RESPONSE TO TRAFFICKING IN PERSONS

IN THE WESTERN HEMISPHERE

2021-2026

[Paragraph 92 of resolution AG/RES. 2950 (L-O/20)]

 Based on their commitment to improve their capacity to prevent trafficking in persons and to protect its victims, survivors, family members, and witnesses, and to punish the perpetrators of this crime, the member states of the Organization of American States (OAS) found consensus in 2010 concerning the need for a work plan to be in place with regional principles, objectives, and guidelines to bolster their response to the crime of trafficking in persons.

 That consensus found expression in the approval of the First Work Plan to Combat Trafficking in Persons in the Western Hemisphere (2010-2014), which was adopted at the meeting of the Committee on Hemispheric Security held on April 29, 2010 and revised during the Third Meeting of National Authorities on Trafficking in Persons held October 15-16, 2012 in Guatemala City, Guatemala.

 The commitment was renewed in 2014, at the Fourth Meeting of National Authorities in Brasilia, Brazil, which approved the Second Work Plan to Combat Trafficking in Persons in the Western Hemisphere (2015-2018) and the Inter-American Declaration to Combat Trafficking in Persons (Declaration of Brasilia). The Second Work Plan was extended in 2018, for another two years – until 2020 – through the “Declaration of Mexico – Hemispheric Efforts to Confront Trafficking in Persons” that was approved at the Fifth Meeting of National Authorities, chaired by Mexico.

 With the Second Work Plan set to expire in 2020, the OAS Department of Public Security (DSP) and the Department against Transnational Organized Crime (DTOC) of the Secretariat for Multidimensional Security, as Joint Technical Secretariat to the Meeting of National Authorities on Trafficking in Persons and within the context of the Sixth Meeting of National Authorities, chaired by Argentina, submitted the Second Work Plan for the consideration of the member states, seeking input for updating it and furthermore for the purpose of building, in a participatory manner, the Third Work Plan for Comprehensive Responses to Trafficking in Persons in the Western Hemisphere (2021-2026).

 The Third Work Plan constitutes a reference to guide action by member states and the OAS General Secretariat during the 2021-2026 period. It also provides member states with specific guidelines and assigns the OAS General Secretariat mandates on prevention, assistance and protection for victims and survivors, prosecution and punishment, information and awareness; and cooperation.

 These guidelines are a follow-up to the guidelines issued by the First, Second, Third, Fourth, and Fifth Meetings of National Authorities on Trafficking in Persons, held on Margarita Island, Bolivarian Republic of Venezuela; in Buenos Aires, Argentina; in Guatemala City, Guatemala; in Brasilia, Brazil; and in Washington, DC; chaired, respectively, by Mexico, and using the United Nations Convention against Transnational Organized Crime (Palermo Convention) and its accompanying Protocols as a reference point.

 For the member states to monitor its implementation and progress made, the General Secretariat will prepare a report every two years after it enters into force. That report will be prepared based on information provided officially by the member states.

 It is worth noting that the Third Work Plan was prepared amidst the COVID-19 pandemic, which had an impact on multidimensional security. Efforts to stop the spread of COVID-19 in order to save lives called for movement restrictions, border closures, increased policing on the streets, and the adjustment of state priorities for containing the virus. Even though street crime rates were trending downwards, UN agencies[[1]](#footnote-2)/ have warned of an increase in human trafficking cases. This is caused by a series of factors, among them, increased unemployment levels and reduction of income, especially in the informal sectors; the closing of schools to children, not only hindering them from getting an education, but also food, often leading them to a street situation, in which they become more **[CAN:** ~~vulnerable~~ **at risk]** to human trafficking for the purpose of begging, **[CAN**: **forced criminality]**, and labor or sexual exploitation; and an increase in domestic violence, which disproportionately affects girls and women, especially those exploited for sexual purposes or bondage; and an increase in the use of the Internet to recruit and exploit victims for various purposes.

 The Third Work Plan is also being prepared against the backdrop of the region being affected by the various phenomena related to human mobility and crimes potentially associated with irregular migration, such as trafficking in persons.

 At the request of member states, the Third Work Plan may be updated based on new trends identified over the period of time it remains in effect. Progress in implementing the program will be measured via periodic reports by the Technical Secretariat and through indicators to be established up to one year after it is approved.

 The Work Plan takes its definition of “trafficking in persons” from the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, which states that “‘Trafficking in persons’ shall mean the recruitment, transportation, transfer, harboring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.”[[2]](#footnote-3)/

1. OBJECTIVES
2. To promote full implementation of the UN Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, as well as other relevant inter-American and international instruments that address trafficking in persons.
3. To promote enactment or updating, as appropriate, of specific domestic laws on trafficking in persons.
4. To promote and foster interagency cooperation and coordination at the bilateral, regional, and international levels among member states and with international organizations specializing in the issue of trafficking in persons and to encourage the establishment of mechanisms to put this cooperation into effect.

To encourage continued inclusion of the issue of human trafficking in public agendas and priority policies at regional, national, and sub-national levels.

1. To expand and strengthen coordination involving government agencies, civil society and other social actors, academia, the private sector, and international organizations, to prevent and prosecute trafficking in persons **[CAN**: **in our societies and in our economies]** and provide comprehensive assistance and protection for victims and survivors, taking into account their needs and applying the principle of care focusing on victims and the trauma they have suffered.
2. To reduce vulnerability and risk factors that facilitate trafficking in persons, taking into account the identities and specificities of population groups and subgroups most **[CAN:** ~~vulnerable~~ **at risk]** to this crime and delivering the necessary care, based on individualized assistance, focused on the victim and taking into consideration his or her experience and trauma.
3. Pursue measures to prevent and reduce risk factors and vulnerabilities that may contribute to **[CRI:** **preventing] [COL:** ~~girls~~ **children or adolescents]** and women becoming the main victims of trafficking in persons in the region.
4. Contribute to ongoing training for professionals, institutions, and organizations engaged in preventing and combating trafficking in persons for them to focus their work on the victims **[CAN:** **and survivors]** **[CRI: with sensitivity and in keeping with the guiding principles of the Work Plan to Combat Trafficking in Persons in the Western Hemisphere.]** [**CRI: ~~their experiences, and traumas they have suffered, and to take into account their age, sexual orientation, gender identity and expression, origin, culture~~]** **[CAN: migration or Indigenous status] [CRI: ~~and possible disabilities~~]**.
5. Strengthen the institutional and human capacities of front-line professionals **[CAN: ~~at the territorial level~~]**, providing them with adequate amounts of the resources and infrastructure needed to fully discharge their duties to identify, assist, and protect victims, and investigate the crime.
6. Strengthen the development and use of national systems for records of cases and support for victims and survivors of trafficking in persons.
7. Step up the use of technology to prevent and investigate trafficking in persons.
8. PRINCIPLES

 The guiding principles of the Third Work Plan to Combat Trafficking in Persons in the Western Hemisphere are:

1. Respect for human dignity;
2. Nondiscrimination for reasons of age, **[CAN:** ~~gender~~,**]** sexual orientation, gender identity or expression, ethnic, social, or cultural background; place of origin, nationality, profession, religion, disability, court record, socio-economic status, health status, immigration status, **[CAN: indigenous status]**, political affiliation, or any other condition, personal or collective, temporary or permanent;
3. Specialized assistance and a comprehensive protection approach that is **[CAN:** ~~individualized~~ **tailored to the gender, age, disability, and culture of victims and survivors** and ~~focused on~~ **informed by**] the experiences and traumas **[CAN: they have endured** ~~suffered by victims and survivors~~**]**, placing their priorities, needs, and interests at the heart of protection measures;
4. Guaranteed access to justice and comprehensive assistance and protection for victims and survivors regardless of whether they are willing or not to collaborate in legal proceedings;
5. Victims should not be punished;
6. Survivors should not be re-victimized;
7. Protection of the identity, privacy, and confidentiality of victims, survivors, and witnesses;
8. **[CAN: Empowerment of victims and survivors and the need for their involvement** ~~Involvement of victims and survivors~~**]** in formulating effective public policies on prevention, assistance and protection for victims, prosecution of cases, and cooperation in tackling this crime;
9. Cross-cutting government policies to prevent and respond to trafficking in persons **[CAN: that are based on evidence and which progress can be measured and evaluated]**;
10. Promoting and safeguarding respect for human rights;
11. A gender perspective and the best interests of the child;
12. **[CAN: A recognition that trafficking in persons occurs in our societies and in our economies;]**
13. **[CAN: A recognition of the invaluable role of civil society organizations, other social actors, and scholars in understanding, preventing, protecting against, and prosecuting trafficking in persons]**
14. Adherence to international treaties and conventions on human rights and on the subject matter;
15. GENERAL GUIDELINES
16. Strongly condemn trafficking in persons, which constitutes a criminal activity that violates human dignity and has negative effects on development, peace and security, and human rights.
17. Establish, update, and strengthen specific **domestic laws** on trafficking in persons, in keeping with the United Nations Convention against Transnational Organized Crime (Palermo Convention) and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children.
18. Strengthen the **rights perspective** in all response and care strategies for survivors of trafficking in persons.
19. Adopt measures to ensure that **what constitutes trafficking in persons applies irrespective of any consent given by the victim**, regardless of age. With regard to children under the age of 18, the crime of trafficking in persons should not require demonstrating that force, fraud, or coercion was used.
20. Ensure that **government policies against trafficking in persons are comprehensive** (prevention of the crime, migration, employment, security, health, and protection of victims, etc.) and coordinated with civil society organizations, other social actors, and national and international organizations.
21. **Strengthen cooperation**, the sharing of information and experiences and technical assistance among security and judicial institutions, front-line agents, migration officers, consular services, social development, and/or other relevant authorities, and take into account the opinions of victims and survivors in the design and implementation of policies and programs.
22. Establish **measures** for victims and survivors of human trafficking **to get** **easy access to regular immigration status**, regardless of whether or not they choose not to participate in the judicial proceedings.
23. Foster awareness and educational programs and employment opportunities that foster **coexistence and diversity**, whether **[CAN: age,]** ethnic, racial, linguistic, cultural, religious, socioeconomic, gender-based, or in terms of sexual orientation and disability, with the aim of preventing and tackling trafficking in persons and helping victims **[CAN: and survivors]**.
24. Address trafficking in persons in **comprehensive strategies and/or broad action plans** **related to organized crime** targeting money laundering; corruption; cyber-crime (including crypto-currency); migrant-smuggling; drug trafficking; violence against children, recruitment of children for armed conflict, **[CAN: gender-based violence** and violence against ~~women~~**]** persons with disabilities, the elderly, **[CAN:** ~~and indigenous persons~~ **indigenous peoples and individuals, and LGBTQI+ persons,]** but not limited to them; as well as in humanitarian and biosecurity emergencies, including armed conflicts and disasters.
25. Develop and implement an evidence-based **national mechanism or system for regular monitoring of** anti-trafficking-in-persons **policies** and strategies and/or action plans, covering management, results-based, and impact indicators to measure their efficacy and identify new human-trafficking trends.
26. Create mechanisms for coordination among national bodies charged with **implementing coordinated national responses to trafficking in persons, including civil society organizations**, other social actors, **[CAN: the private sector,]** and scholars.
27. Create and/or strengthen mechanisms to **decentralize public policies** to prevent and tackle trafficking in persons at the subnational and local government levels.
28. **Facilitate access to information** on trafficking in persons via a variety of mass media, taking into consideration the guarantee to protect the identity and privacy of victims, survivors, and their families.
29. **Strengthen channels for dialogue** involving the state, civil society, and communication media on trafficking in persons.
30. Encourage **ongoing and continuing education and training** of professionals, institutions, and organizations involved in fighting trafficking in persons by promoting, among other things, interaction between them and survivors **[CAN: , in a way that takes into consideration the trauma of victims and survivors]**.
31. **Allocate in** national, subnational, and local government **budgets** specific resources for measures on prevention, care, protection, reparation, and repatriation of victims, as well as resources for the relevant institutions to prosecute and punish the crime, affording them the necessary means for stronger response to trafficking in persons.
32. **Provide care and assistance** to human trafficking victims (citizens and foreigners), including during the investigation and prosecution of the perpetrators, **even when victims and survivors choose not be involved in the judicial proceedings.**
33. **Encourage** member states **to share studies and best practices** in prosecuting trafficking in persons.
34. **Strengthen crossborder action and cooperation**, with a focus on preventing trafficking in persons and identifying and assisting victims and survivors, and helping them to regularize their immigration status and access reintegration programs.
35. Put in place or **strengthen policies** to prevent, investigate online recruitment, enslavement, and **exploitation of victims using information and communication technologies (ICTs)**.
36. Put measures in place to **comprehensively and systemically address the various risks** of human trafficking in domestic and global **supply chains**.

21bis. **[COL: Resolve that human trafficking will be classified as a phenomenon and not just as a crime given its characteristics and the comprehensive approaches States must take to combat it**.]

1. Urge member states that have not yet done so to consider signing and ratifying, or acceding to, as the case may be, the following international agreements:
2. United Nations Convention against Transnational Organized Crime and the Protocols thereto, particularly the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children and the Protocol against the Smuggling of Migrants by Land, Sea and Air;
3. United Nations Convention against Corruption;
4. Inter-American Convention against Corruption;
5. Inter-American Convention on Mutual Assistance in Criminal Matters;
6. United Nations Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families;
7. Protocol of 2014 to the Forced Labour Convention (No. 29) and the Recommendation on Supplementary Measures for the Effective Suppression of Forced Labour (R230); and

1. ILO Domestic Workers Convention (Convention No. 189) and taking into account Recommendation 201.
2. GUIDELINES ON PREVENTION
3. Coordinate laws, policies, and programs designed to prevent the multiple risk factors of human trafficking, taking into consideration the protection of human rights, eradication of poverty – especially extreme poverty – and **[CAN: social and economic]** marginalization, prevention of violence against women and gender-based violence, and prevention of irregular migration, as well as comprehensive protection of children, promotion of education and job training, access to justice, security, and health, and non-discrimination.
4. Establish, update, and/or strengthen specific domestic laws on trafficking in persons, as well as policies and/or programs thereon, in accordance with the Palermo Convention and its Protocols, with a view to: defining all forms of trafficking in persons as a crime; its concept being clearly defined; including the acts, means, and aims of the crime and, in the case of child victims, that means not be required to establish trafficking in persons; and the relocation of an individual not being a requirement for deciding whether a case of trafficking in persons has been established.
5. Identify specific population groups **[CAN:** ~~vulnerable~~ **at risk]** to trafficking in persons, including women, children, LGBTQI+ persons, people of African descent, Indigenous **[CAN: peoples]** and other traditionally marginalized populations, migrants, persons with disabilities, and other subgroups, and adopt **[CAN:** ~~rapid response]~~ measuresto prevent and reduce the chances of them becoming victims of human trafficking and, where appropriate, ensure that comprehensive systems are in place to assist and protect them.
6. Facilitate access to identity documents, such as birth certificates, identification certificates, passports, or other documents confirming an individual's existence to the competent bodies.
7. Help victims and survivors to retrieve their personal documents, in order to facilitate and ensure their autonomy and access to their rights.
8. Implement information campaigns and awareness and sensitivity training for society at large and for specific population groups, [**CAN: that are victim-centered, trauma-informed, and age-, gender-, disability-, and culturally-responsive and relevant]**, in cooperation with civil society, survivors of trafficking in persons, and other social actors.
9. Use outreach campaigns to address risk factors that fuel human trafficking, including legal and criminal consequences for perpetrators of the crime **[CAN: in a way that takes into consideration the trauma that victims and survivors have endured]**.
10. Implement programs that apply a holistic perspective to human trafficking prevention, coupled with empowerment strategies and strategies to reduce the vulnerabilities that lead to trafficking, especially among girls and women.
11. Produce and disseminate information on trafficking in persons and measures to address it, especially as regards new modalities, the connection to information and communication technologies (ICTs), online sexual harassment of children (grooming), active search for victims in the virtual setting (hunting), and passive search for victims in the virtual setting (phishing), and the changing nature of the crime that can occur in the context of disasters and health emergencies, such as the COVID-19 pandemic.
12. Put in place or strengthen public policies at the country level, stimulating the creation or consolidation of support networks at the local level and promoting interventions to raise awareness about the risk factors of human trafficking and related crimes, involving key actors and community leaders in joint efforts in this field.
13. Establish and/or strengthen measures to discourage and reduce the demand for goods, products, and services from entities related to human trafficking.
14. Develop and/or revise policies or regulations to prevent government from procuring goods, assets, and services derived from the exploitation of victims of trafficking in persons, and to pursue or overhaul risk-assessment mechanisms to **[CAN:** ~~identify compliance~~ **support implementation]**.
15. Encourage the creation of partnerships involving the public and private sectors, civil society, and other actors, for the purpose of sharing information on effective practices to prevent, reduce, and eliminate trafficking in persons **[CAN: for the purpose of sexual exploitation or]** in the supply chains for all goods and services.
16. Include in national regulatory frameworks measures for warning, investigation, and punishment for public officials proven to be connected to human trafficking.
17. Where possible, require public officials who will work directly with victims, survivors, and cases related to the crime to undergo mandatory training on human trafficking.
18. Encourage the private sector, trade unions, relevant civil society institutions, and other social actors, to promote codes of conduct to ensure the protection of the human rights and fundamental freedoms of workers throughout the supply chain in order to prevent the exploitative situations that are conducive to trafficking in persons.
19. Develop clear criteria and regulations, in accordance with domestic laws, for the official registration of recruitment and placement agencies; inspect and monitor the activities of such agencies in an effort to prevent any form of trafficking in persons; and explore the possibility of prohibiting recruitment fees charged to employees.
20. Encourage the establishment of measures to regulate and supervise travel, employment, or recruitment agencies in countries of origin, transit, and destination, to prevent them from being used to facilitate trafficking in persons, and encourage these agencies to adopt measures to train their personnel in detection of signs of human trafficking, the risks associated with that crime, and the guidelines in force for compliance with laws and regulations to prevent and prosecute that crime.
21. Ensure that the relevant government personnel involved in peacekeeping operations and assisting in humanitarian crises and disasters are briefed on how to detect potential victims (especially those in vulnerable situations) and criminal networks and what to do about the problem of human trafficking in order to prevent behaviors that contribute to this type of crime].
22. Brief government personnel assigned to diplomatic missions abroad on how to handle the crime of trafficking in persons, especially with regard **[CAN:** ~~to domestic servants~~ **to domestic workers]**.
23. Promote legislative and other measures to define the types of **[COL: forced labor and services,** ~~work and~~**]** sexual exploitation, promote access to comprehensive information on victim's rights, as well as reporting channels; ensuring that victims and survivors of trafficking in persons receive the necessary assistance.
24. Adopt measures to prevent trafficking in persons, focusing on the most prevalent **[COL: aims** ~~forms~~**]** of the crime in the states party and on the forms of exploitation that are the most invisible ones in their countries in terms of the methods used to recruit trafficked persons.
25. Adopt measures to prevent trafficking in persons, focusing on the **[COL: aims** ~~forms~~**]** of **[COL: exploitation of forced labor and services** ~~forced labor, work exploitation]~~, and exploitation of child labor, especially for boys and men.
26. Train communicators, journalists, and social media influencers on human trafficking in order to promote better coverage of the crime, and to **[CRI: properly inform and raise awareness among the audience** ~~provide audience balanced information and awareness~~**]** **[CAN: in a way that takes victims’ and survivors’ trauma into consideration]**.
27. Deliver innovative, culturally appropriate communication channels to the various population subgroups – in the appropriate language, including in the predominant Indigenous languages in member states – on services and measures to prevent, report, assist, and protect against trafficking in persons, as well as information on: legal procedures for obtaining employment, vocational training for employment and education, immigration policies, psychosocial assistance, healthcare, and other services.
28. Design, produce, and disseminate human trafficking fact sheets containing key information on the crime and reporting channels (telephone numbers, phone apps, websites, etc.), as well as targeted materials for population groups identified as **[CAN:** ~~vulnerable~~ **at-risk]**.
29. Design and execute prevention measures aimed at reducing the incidence of internal trafficking in persons (domestic trafficking) and strengthen efforts with countries identified as having the highest incidence of victims who are foreign nationals.

49bis. **[CAN:** **Take appropriate actions and coordinate with domestic and international partners, as well as civil society and the private sector, in the planning and hosting of international cultural and sporting events, to prevent these from increasing risks of trafficking in persons for the purpose of sexual exploitation or forced labour**.**]**

1. GUIDELINES ON COMBATTING AND PUNISHMENT OF TRAFFICKING IN PERSONS
2. Adopt, as warranted, appropriate, comprehensive legislation criminalizing all forms or modes of trafficking in persons, as defined in Article 3 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 with punishments commensurate with those of other serious crimes under that Convention.
3. Adopt national anti-trafficking laws to clearly define and criminalize the **[CAN:** ~~specific acts, means, and purposes~~ **elements**] of human trafficking offenses and which do not require movement to constitute a trafficking offense or evidence of coercion, fraud, or duress in cases involving children, or which remove the essential elements of coercion in cases of sex trafficking involving adults, or in cases of forced labor, as required of states party to the Palermo Protocol.
4. Consider, depending on national capacity and needs, creating or strengthening police units and prosecutor offices specialized in trafficking in persons, and joint investigation teams or task forces specialized in trafficking in persons.
5. Establish specialized investigation and prosecution units staffed with personnel highly experienced in victim identification and investigating and prosecuting complex human trafficking cases and training these units in victim-centered and trauma-informed approaches.
6. Encourage the establishment of specialized human trafficking courts and institute training for law enforcement officers on how to conduct investigations with a focus on the victim and the victim’s experiences and trauma suffered.
7. Institute comprehensive training, preferably virtual, for personnel working in security, migration, and justice, as well as of workplace inspectors, social workers, and personnel involved in investigating and prosecuting human trafficking and together maintain a common line for interpretation of the phenomenon of this crime.
8. Train personnel from a human rights defense and protection perspective, taking into account the victim-centered approach that is informed by the trauma suffered by the victim, taking into account **[CRI: the guiding principles of the Plan** **~~the victim's age, sexual orientation, gender identity and expression,~~]** **[CAN, CRI:** **~~possible~~]** **[CRI:** **~~disability, origin, and culture~~]**.
9. Develop training on existing cooperation mechanisms or those to be strengthened together with civil society, networks of experts, survivors, and other social actors, bearing in mind that human trafficking occurs in both domestic and international contexts and is not necessarily a crime stemming from human mobility.
10. Reinforce institutional and human capacities to prevent individuals affected by the crime from being victimized again and punished.
11. Conclude and/or enhance bilateral and multilateral accords for sharing information through formal and informal channels to enable effective communication on trafficking in persons and related crimes, in keeping with each country's legal system.
12. Adopt investigative procedures and evidence-gathering techniques that do not depend exclusively on the testimony of victims of trafficking in persons – such as financial intelligence, **[COL: undercover agents]** – and take into consideration in the investigation the trauma experienced by victims, as well as their age and gender, avoiding revictimization in the evidentiary stage and during the investigation and taking of statements.
13. Enact legislation or other regulations for interviews with victims and survivors using a Gesell Chamber to be admissible as pre-established evidence in order to expedite proceedings and investigations that are open or underway.
14. Develop expertise in legal and court-authorized investigative techniques for use in domestic and international investigations concerning trafficking in persons, taking into account the special case of child victims of trafficking in persons.
15. Continue to strengthen immediate operational contacts for information exchange, as well as means of cooperation and coordinated judicial investigation, special investigative techniques, administrative cooperation, mutual legal assistance, extradition, and, insofar as possible, crime and financial intelligence, so as to identify the modus operandi of traffickers, their routes, and new trafficking-in-persons trends among countries of origin, transit, and destination.
16. Leverage international cooperation to promote procedures and practices within domestic criminal justice systems, such as parallel financial investigations and associated money laundering, to ensure tracing and confiscation of the proceeds and, where appropriate, the means of trafficking in persons.
17. Encourage the adoption of domestic legislation containing legal provisions establishing civil, criminal, or administrative sanctions, as the case may be, for individuals acting alone, for organized crime groups, and for corporations that act with the intent to commit the crime of trafficking in persons.
18. Enact appropriate legislation for the purpose of investigating and punishing service providers and institutions that assist in committing acts of the crime of trafficking in persons by not having appropriate filters in place to restrict the trafficking in information with sexual overtones and trafficking in persons.
19. GUIDELINES ON ASSISTANCE AND PROTECTION FOR VICTIMS **[CAN: AND SURVIVORS]**
20. Include appropriate measures to assist and protect victims and survivors (nationals and foreigners) of trafficking in persons in domestic laws, regulations, guidelines, or plans and considering the principles established in this Third Work Plan **[CAN: , such as victim-centered and trauma-informed services]**.
21. Promote timely identification of human trafficking victims, survivors, and witnesses for comprehensive assistance and protection, based on informed care and trauma they have suffered.
22. Establish an integrated response team, bringing together all relevant agencies, to provide victims and survivors, as well as witnesses to the crime, with immediate and first- and second-order assistance, and/or to coordinate same.
23. Establish workflows and other interagency and cross-sector mechanisms to promote comprehensive and coordinated assistance for victims and survivors of trafficking in persons and supervision and tracking of cases and victims and survivors on a case-by-case basis.
24. Increase victim assistance and protection policies in the places where the crime is most prevalent by strengthening victim support networks in each territory.
25. Create, in cooperation with civil society, other social actors, the private sector, and survivors, support programs in the labor, educational, and vocational areas for victims of trafficking in persons, including those who have returned from abroad (repatriated) and the most **[CAN:** ~~vulnerable~~ **at-risk]** persons.
26. Develop and offer, in cooperation with civil society, comprehensive and specialized services for all victims in large urban centers, as well as in territories and rural areas, including psychological, medical, and legal services, housing, shelter, and preparation of individualized life plans for each survivor.
27. Encourage government-private sector joint efforts to guarantee observance of the human rights of workers including by establishing and/or strengthening **[CAN: safe]** access to information and accessible complaint channels **[CAN: exit mechanism]** and relevant information for workers to enable them to notify the authorities of abusive practices that foster trafficking in persons without reprisal, and taking measures to prevent such abuses.
28. Complement victim care programs with interventions that are sustainable over time, aimed at effectively restoring rights, and consolidate the process of social inclusion for survivors, with positive medium- and long-term effects on their living conditions.
29. Make all economic, labor, social, and educational inclusion programs and services, both general and specific, accessible to victims and survivors of trafficking in persons.
30. Ensure that victims and survivors of trafficking in persons are informed of available assistance and protective and other services, at both the **[CAN:** ~~territorial~~ **sub-national]** and national levels and, when in another country, of services available through their consular network, in a language they understand and respecting the victim’s individuality and culture.
31. Ensure that victims of trafficking in persons have full information about their case, to be able to make informed decisions and be aware of existing services at all levels (international, domestic, and local) and in all sectors (healthcare, psychosocial, consular, legal aid, etc.) and know how to access them.
32. Ensure that personnel with whom a victim first makes contact, such as front-line professionals, consular authorities, immigration officers, police, workplace inspectors, social workers, healthcare professionals, or representatives of civil society and other social actors, have received training to identify, assist, and refer victims to existing protection mechanisms and, when applicable, to assist witnesses and the victim’s family members.
33. Promote the creation of suitable emergency, transitional, and long-term housing for victims of trafficking in persons, taking into account gender, age, **[CAN: disability,]** culture, and other relevant factors, or, as the case may be, expand existing ones.
34. As far as possible, make more shelters and safe houses available for victims **[CRI:** ~~and~~**]** survivors.
35. Devise policies and programs to protect victims **[CRI:** ~~and~~**]** survivors of trafficking in persons, based on respect for human rights and taking into consideration **[CRI: the guiding principles of the Plan]** **[CAN, CRI:** ~~gender~~], **[CRI:** ~~gender identity or expression, sexual orientation, age, health, disability~~**] [CAN: culture, migration, or Indigenous status] [CRI:** ~~and other factors~~**]** and based on input from survivors of trafficking in persons.
36. Adapt laws and procedures, when necessary, to protect the identity, privacy, and confidentiality of victims and survivors of, and/or witnesses to, trafficking in persons, adopting measures to ensure the legality and integrity of their statements and testimony, based on universal, individual, and human rights, and ensuring their protection from exposure to the media, where appropriate.
37. Adopt measures to provide victims and survivors of, and/or witnesses to human trafficking with physical protection before, during, and after trial and the end of proceedings, including when a victim chooses not to participate in the judicial process.
38. Ensure that victims **[CRI:** ~~and~~**]** survivors of trafficking in persons have access to justice, legal counsel, and proper and cost-free legal representation.
39. Adopt in their domestic systems of laws, as appropriate, measures that would offer victims **[CRI:** ~~and~~**]** survivors of trafficking in persons the possibility of seeking **[CAN:**~~financial reparation/~~**]** compensation for harm suffered.
40. Cooperate with other states in providing protective measures for victims of trafficking in persons, including, *inter alia*, lodging for victims and witnesses.
41. Adopt policies to ensure that victims of trafficking in persons with irregular migration status have access to the same comprehensive assistance and protection extended to nationals who are victims, and that they be permitted to remain **[CAN: and, if possible, work]** in the territory, either temporarily or permanently, as appropriate.
42. Encourage the adoption of laws and procedures to prevent deportation proceedings from being instituted against trafficking-in-persons victims, regardless of their cooperation with law enforcement authorities or participation in the trial process against human traffickers.
43. Consider the security risks associated with the repatriation and reintegration of trafficking-in-persons victims, allowing victims to make fully informed decisions.
44. Strengthen, consistent with national laws, mechanisms for cooperation among member states in terms of the assisted return of victims and survivors so needing, and in terms of judicial investigation, mutual legal assistance, and the extradition of traffickers.
45. Consider allocating national budgetary resources to prevention and providing care, protection, and **[CAN:** ~~reparation~~ compensation**]** for victims **[CRI:** ~~and~~**]** survivors of trafficking in persons and, where appropriate, for the dependents of or persons responsible for the victim, in accordance with national laws.
46. As part of victim **[CAN:** ~~reparation~~ **compensation]** processes, promote measures to protect victims from any financial or other obligations that may have arisen before or while they were being exploited.
47. Encourage adoption or strengthening of legislative measures to expressly stipulate the principle that victims cannot be punished, given that they should not be prosecuted, detained, or punished for involvement in illegal activities into which they were coerced and, where victims have been prosecuted or punished for such acts, permit convictions to be vacated and/or records to be expunged.
48. Adopt standardized protocols for assistance to and referral of trafficking-in-persons victims, especially those who are among the groups most **[CAN:** ~~vulnerable~~ **at risk]** to this crime, such as women, children, and LGBTQI+ persons.
49. Encourage community participation in identifying and assisting victims and survivors.
50. Promote the drafting/creation or updating of protocols and routes for approaching human trafficking victims, based on the competencies of the institutions engaged in detection, care, protection, and repatriation of victims of this crime.
51. Create models for care or action to follow up with outpatient care for victims of human trafficking, especially as regards outpatient medical and psychological care, legal, educational, training, and inclusion in social programs.
52. Create and/or periodically update the directories of institutions providing victims with different types of assistance and protection services (access to justice, healthcare, psychological, labor, and social reintegration, etc.).
53. Consider COVID-19's impact on human trafficking victims and support initiatives to identify gaps and risks in protection, particularly in access to primary healthcare, counseling, legal, shelter and psychosocial support.
54. Put measures in place to foster economic independence for victims, **[CAN: and survivors]** such as income-generating activities, educational and vocational programs, and job placement opportunities.
55. Establish public-private partnerships to strengthen social and economic reintegration programs for surviving victims **[CAN: survivors]** and to prevent re-victimization **[CAN: such as encouraging the financial sector to facilitate access to bank accounts and micro-loans for victims and survivors]**.
56. GUIDELINES ON INFORMATION AND AWARENESS
57. As national capability permits, strengthen the collection of data on human trafficking crimes, as well as the sharing of information digitally through cooperation among the member states.
58. Promote the records and statistics system for trafficking in persons and related crimes, which records information on complaints filed and cases prosecuted, as well as victim and witness protection measures issued, taking into consideration the new *modus operandi* of criminals because of the COVID-19 pandemic.
59. Establish and/or strengthen **[CAN:, as appropriate,]** systems for recording trafficking-in-persons cases so as to ensure the information remains confidential and secure and enable the relevant authorities to properly track cases, victim by victim, with systems possibly interoperable with one another at the regional, national, or sub-national levels.
60. **[CAN: Continue or establish,** ~~Establish~~ **as appropriate,]** information-sharing agreements among public sector agencies to facilitate timely access to data, situation reports, legislation, policies, and programs related to trafficking in persons.
61. Encourage regular research and studies, taking national and regional differences into account, and share data and information with relevant authorities with a view to fostering informed decision-making and effective policy execution.
62. Gather, in collaboration with civil society organizations, information on the areas of highest risk and prevalence and on the routes traveled by groups **[CAN:** ~~vulnerable~~ **at risk]** to trafficking in persons, in order to prioritize preventive measures in the locations where vulnerability is greatest.
63. Compile information on best practices at the **[CAN:** ~~territorial~~ **sub-national]** and national levels, and disseminate it to the competent authorities.
64. Develop or increase the dissemination of a directory of services available to victims and survivors of trafficking in persons at the **[CAN:** ~~territorial~~ **sub-national]** and national levels.
65. Strengthen national case registration systems based on international standards and the United Nations Office on Drugs and Crime international classification of crime.
66. Establish and/or strengthen systems for registering trafficking in persons cases at the **[CAN:** ~~territorial~~ **sub-national]** and national levels, compiling complete and reliable data and information, preferably geo-referenced and disaggregated by gender, age, nationality, **[CAN: ethnicity,]** type of exploitation and immigration status, ensuring the information security mechanisms needed are in place to keep victim and survivor identity private and confidential.
67. Consider using indicators from the United Nations Office on Drugs and Crime International Classification of Crime for Statistical Purposes to design case registration systems.

114. Establish and/or strengthen case management systems to promote individualized support for victims and survivors.

115. **[CAN: Continue or enhance, as appropriate,** ~~Enhance~~**]** the sharing of data and information on individuals and crime networks, in order to facilitate cooperation within and among countries.

1. GUIDELINES FOR COOPERATION
2. Promote policy decentralization at the **[CAN:** ~~territorial~~ **sub-national]** level in order to identify more victims, assist more survivors, and prosecute more traffickers through interagency, intersectoral, and inter-municipal cooperation.
3. Enhance cooperation involving public and private sector entities, academia, and nongovernmental organizations, with a view to improving multisectoral responses in terms of prevention, assistance, protection, and prosecution of trafficking in persons.
4. Maintain a databank that is interoperable among domestic and international institutions, to help detect more individuals or criminal networks involved in trafficking in persons.
5. MANDATES ASSIGNED TO THE GENERAL SECRETARIAT
6. Develop and publish a report on the effects of the COVID-19 pandemic on human trafficking in the Western Hemisphere and the long-term impacts, including new vulnerabilities and the *modus operandi* of criminal organizations.
7. Render member states technical assistance with the design, implementation, monitoring, and evaluation of interventions, projects, programs, and policies aimed at preventing and prosecuting trafficking in persons; and assisting and protecting victims, survivors, and witnesses.
8. Provide member states, upon request, with training and support to address and assess the risks of trafficking in persons in domestic and global supply chains.
9. **[CAN:** ~~Develop mechanisms to measure compliance with domestic rules prohibiting the procurement of products, goods, and services sourced from companies or persons known to be involved in human trafficking~~].

**[4ALT. CAN: Strengthen and implement existing policies and regulations to increase protection against trafficking in persons in the OAS’s procurement of goods and services, in that regard collaborate with other international organizations, such as the OSCE, and report back to member states on progress made to that effect.]**

1. Develop materials to inform and train law enforcement personnel, consular service technicians, law enforcement officials, immigration officers, prosecutors, judges, front-line professionals such as health and social work professionals in the region in prevention, investigation, and prosecution of trafficking in persons, as well as in identification, assistance, and protection of victims **[CAN: and survivors]** of trafficking in persons.
2. Identify opportunities to incorporate the issue of human trafficking and training modules into the curricula of police academies, schools of the Public Prosecutor's Office (or equivalent) and entities that are part of interagency councils, committees, or commissions (or equivalent) for trafficking in persons.
3. Request member states to designate a national point of contact on trafficking in persons and to notify the General Secretariat of this information.
4. Prepare, disseminate, and annually update the Regional Directory of National Authorities on Trafficking in Persons.
5. Develop indicators to measure progress in implementing the present Work Plan and submit them to the member states for approval.
6. Publish biannual reports based on the indicators developed to track progress in implementing this Plan.
7. Share with the National Authorities on Trafficking in Persons the reports referenced in the preceding paragraph.
8. Promote among the member states cooperation activities, technical assistance, and sharing of information and best practices in implementing the Work Plan, including events and in-person or virtual meetings, which seek to involve experts in issues related to trafficking in persons.
9. Finish developing the Knowledge Platform on Trafficking in Persons and submit it to the member states.
10. Develop standardized regional guidelines for assistance to **[CRI: vulnerable populations, especially]** LGBTQI+ **[CAN: and Indigenous]** victims **[CAN: and survivors]** of trafficking in persons.
11. Subject to funds available, develop regional guidelines for grooming, hunting, and phishing prevention and enhance the technical capacity of member states to apply those guidelines.
12. Request member states to increase training for law enforcement and justice personnel tasked with addressing human trafficking on the Internet, including modules on analytical tools to proactively identify **[CAN:** ~~vulnerable~~ **at-risk]** individuals and groups, and recruitment tactics for traffickers using popular social media platforms.
13. Coordinate GS/OAS cooperation with other international organizations with mandates related to this issue.
14. Participate on a regular basis in the Inter-Agency Coordination Group against Trafficking in Persons (ICAT).
15. Consider setting up a voluntary hemispheric advisory council comprised of survivors of trafficking in persons to operate as a formal forum for individuals who have experienced and survived trafficking in persons to give member states and the OAS recommendations on strategies to combat trafficking in persons.

CP43847E04

1. . UNHCR, 2020. Available at: <https://www.unhcr.org/news/press/2020/7/5f22e2844/unhcr-warns-increased-covid-19-related-trafficking-risks-refugees-displaced.html> and UNODC, 2020. Available at:

 <https://www.unodc.org/documents/Advocacy-Section/HTMSS_Thematic_Brief_on_COVID-19.pdf?mc_cid=e744db66e5&mc_eid=96ce13ad78>. [↑](#footnote-ref-2)
2. . The Palermo Protocol Article 3 further defines trafficking in persons by providing that:

“(b) The consent of the victims of trafficking in persons to the intended exploitation set forth in subparagraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used;

(c) The recruitment, transportation, transfer, harboring or receipt of a child for the purpose of exploitation shall be considered ‘trafficking in persons’ even if this does not involve any of the means set forth in subparagraph (a) of this article;

(d) ‘Child’ shall mean any person under eighteen years of age.” [↑](#footnote-ref-3)