COORDINATED MEKONG MINISTERIAL INITIATIVE AGAINST TRAFFICKING

Final COMMIT Sub-Regional Plan of Action

Introduction:

On October 29, 2004, the six Governments of the Greater Mekong Sub-region agreed on a historic COMMIT Memorandum of Understanding on cooperation against human trafficking. The MOU is a comprehensive document, covering trafficking of all persons, and in all its forms. At the same time, it recognizes the special vulnerability of women and children to trafficking; encapsulates the importance of a 'victim-centred' approach that stems from an understanding of human trafficking as a violation of human rights and realizes that marginalized populations have special vulnerabilities that must be addressed.

In order to put their commitments in the MOU into action, the Governments agreed to a set of 18 Activities, grouped within seven broad Areas, which comprise the Sub-regional Plan of Action Framework Document (Framework document). These activities have guided the elaboration of plans contained in this Sub-regional Plan of Action. Through an extensive consultation process, they have been further developed into a series of Project Proposal Concepts (PPCs). This process began in November and December 2004, with input from the COMMIT Taskforces from all six countries. During January and February 2005, seven roundtable discussions covering the areas in the SPA framework were held with UN agencies, NGOs and other interested partners to provide necessary technical input to the SPA framework. Some sixteen agencies participated in the process, which culminated in a final debriefing meeting. National consultations were then held with COMMIT Task Forces and international agencies in all the six Mekong countries.

The PPCs are actively built upon existing initiatives and will not duplicate activities or programmes already being undertaken. The PPCs are mutually reinforcing and not dependent on each other, with some activities fulfilling multiple objectives. The SPA is for an initial period of three years (2005 - 2007). Furthermore, it is to be noted that there is no predetermined order in which PPCs must be implemented. New activities and priorities may arise and be incorporated during this period, while bearing in mind that not all activities identified for this initial period may be completed within the timeframe.

COORDINATED MEKONG MINISTERIAL INITIATIVE AGAINST TRAFFICKING

PPC 1 – SOM 2 Framework Document Activity 3 and Activity 5

Area 2: Development of a regional training program on trafficking for anti-trafficking personnel.

Activity 3: Undertake an assessment on training needs at the regional level.

Activity 5: Development of a regional training mechanism to improve the capacity of anti-trafficking personnel, including curriculum, instruction and manuals, in critical areas as agreed by countries based on the findings of the training needs assessment.

Objectives and expected results:

Assessments of specific training needs are a prerequisite of all training programs. Evaluation of the ways in which participants use training is an essential part of the monitoring process to ensure effective trainings are delivered.

The objective is improved capacity of anti-trafficking personnel to respond to all aspects of human trafficking, and to better understand the immediate and on-going training needs for anti-trafficking personnel.

The expected results include:

- A completed set of assessments on training needs, done by organizations and partners with expertise in the areas being assessed, and a regional seminar to review of these assessments to come up with a concrete way forward to build capacity of anti-trafficking personnel in a systematic way.
- The establishment of a regional training mechanism on human trafficking.
- Creation of specialized training curriculums on human trafficking.
- Expansion of existing training programs already being conducted by partner agencies in their areas of expertise.

Pre-meeting/preparation work:

- A regional assessment of training needs would be best served through a series of assessments conducted by partner organizations and agencies, based on guidance from the Governments and relying on technical expertise of those agencies. These needs assessments would be conducted in a de-centralized fashion with key agencies taking the lead in certain areas of their expertise, with a commitment by all agencies involved to share the results of training needs assessments they undertake with each other and the Governments. A number of partners who participated in the COMMIT Roundtable consultation process are ready to participate in this process.
- Development/establishment of a Regional Training mechanism.

- Development of basic and advanced curriculums on human trafficking, with supportive instructional materials, and piloting of these curriculums at a regional training centre;

- Review existing and planned training programs of collaborating agencies that contribute to objectives.

Meeting/core activity work:

- A sub-regional meeting should be organized between the Governments and representatives of the international agencies to review training assessments and to develop a consensus on which topics/subject areas should be supported for training. To the extent possible, priorities and timelines for training should also be decided at this meeting.

- Support for on-going regional training, by a Regional Centre (possibly existing as a Consortium of agencies working on trafficking and conducting training, or an existing training facility) as well as other training programs conducted by implementing partners.

- There should be six (6) sub-regional training courses held at the Regional Training Centre during the three-year period, each for minimum 5-day duration, with approximately 20-30 qualified persons in each course.

- Expert technical assistance should be sought for development, field-testing, and use of training materials, and trainer preparations for areas identified for special attention, including:
  1. Human Rights/Victims Rights under international and national law.
  2. Safe Repatriation.
  3. Recovery and Reintegration/Victim Services.
  4. Initiatives in Prevention of Trafficking.
  5. Training on research methodologies and evaluation techniques, with focus on understanding the changing dynamics of trafficking and impact evaluation of projects.
  6. Training on methodologies and techniques of monitoring and evaluation.
  7. Structural issues leading to vulnerability to trafficking, such as language, ethnicity, birth registration and legal status, etc.
  8. Justice and legal issues.

Post-meeting/follow-up work:

- COMMIT Secretariat (UNIAP) will serve as the “clearing house” to facilitate the sharing of training needs assessments among partner organizations.

- Ongoing, established anti-trafficking programs should be continued by various international organizations, UN agencies, and international NGOs that provide mid-to-long term advanced technical training to occupation-specific groups (e.g., police) as well as multi-disciplinary anti-trafficking teams.

COORDINATED MEKONG MINISTERIAL INITIATIVE AGAINST TRAFFICKING

PPC 2 – SOM 2 Framework Document Activities 6, 7, 11 and 12[1]

AREA 3: Cooperation on investigation and prosecution of traffickers, including joint training and cross-border networking.

Activity 6: Training for law enforcers, including investigation, prosecution processes, and knowledge on relevant laws in the respective countries.

Activity 7: Sharing information and intelligence on trafficking cases and traffickers.

AREA 4: Development of effective systems for victim identification, including tracing of victims.

Activity 11: Workshop on criteria and processes for identification of victims.

Activity 12: Regional seminar to develop possible mechanisms for tracing of victims

Objectives and expected results

The objective is to create an effective, standardized system for finding and identifying victims of human trafficking; investigating cases and initiating prosecutions; and exchanging information between countries. Each of these processes will require capacity building for officials.

Expected results include:

- A regional agreement on common guidelines on identification of victims will provide a basis for effective sharing of information and intelligence on trafficking cases and traffickers.
- Establishment of clear and well-understood mechanisms for sharing of information and intelligence on trafficking cases and traffickers between the six Mekong countries.
- Common understandings reached between the six Mekong countries in investigation, prosecution and legal processes that result in effective cross-border cooperation on human trafficking cases.
- Establish clear organizational responsibilities for human trafficking in national police forces through creation of Specialist Anti-Trafficking Police Units by each of the Mekong countries during the course of this Plan of Action.
- A pilot 'tracing' project to track down missing persons who may have been trafficked is established, e.g. –between Lao PDR and Thailand.

[1] Preliminary preparations, as well as specific activities, are interwoven among these four Activities and will be jointly coordinated. The primary outputs from Activity 11 are required as part of preparations for three other Activities listed in this PPC, and therefore will be undertaken first.

Pre-meeting/preparation work:

- Conduct national level assessments and analysis of victim identification *practices* currently used, i.e. a field-based assessment of how victim identification actually occurs (or does not occur). This would include compiling a summary of existing agencies, and their responsibilities and services with regard to victim identification, under guidance from each COMMIT Task Force.

- Develop a draft presentation on "international standards" of trafficking victim identification, in light of an international rights-based approach, as a source document for the regional seminar on victim identification, noting commitments made in the COMMIT MOU.

- Summarize pertinent legal codes, statutes, decrees and regulations that regard trafficking-related crime, and conduct a critical analysis of positive aspects and limitations of both law code and procedures.

- Organize annual (3) roundtable meetings for the respective Heads of Specialist Units to exchange information and advance cooperation. These meetings will address the issues of standardization in response.

- Expand the mandate of existing cross-border exchange mechanism, such as the Border Liaison Offices (BLO) established within the framework of the sub-regional action plan under the six-country anti-narcotics MOU framework, to include human trafficking.

Meeting/core activity work:

- Following completion of preparatory work, conduct a regional workshop focusing on national and regional requirements to systematize and institutionalize the legal and societal frameworks for victim identification and protection, and develop guidelines for common victim identification procedures and policies. This could include a follow-up workshop, if needed to finalize common guidelines.

- Based on preliminary work above, a second regional workshop meeting should be conducted on training assessment outcomes, and work planning for sub-regional training, involving key police and law enforcement personnel and other relevant agencies from each country, and key international partners.

- Based on the results of the sub-regional workshop, a series of bilateral training programs could be initiated between COMMIT countries where significant cross-border trafficking occurs. This could be at the national/central level between countries. Trainings on human trafficking issues and cooperation for BLO-based officials could be made available for BLOs that include human trafficking in their mandate.[2]

[2] For BLO officials, this training will focus, *inter alia*, on conceptual clarity about human trafficking and human rights; education on international standards (Palermo Protocol), government policies and national laws against human trafficking, and good practices in law enforcement against human trafficking, and other matters, as needed.

- Develop and implement a pilot project focusing on Lao PDR and Thailand to test the premise and potentials of a "tracing" program to link communities with missing/trafficked persons with Government and NGO partners in the receiving country.

- Conduct one regional seminar to finalize agreement on standardized operational procedures in sharing of information and intelligence.

Post-meeting/follow-up work:

- A pilot bilateral training program should be initiated between two COMMIT countries. Others may choose to expedite the program through additional bilateral efforts.

    - Options include: (1) Lao-Thai; (2) Cambodia-Thai; (3) Myanmar-Thai; (4) Myanmar-China; (5) China-Vietnam; (6) Vietnam-Cambodia; and (7) Lao-China. These could be conducted in conjunction with PPC 3 for Activity 4 (see below).

COORDINATED MEKONG MINISTERIAL INITIATIVE AGAINST TRAFFICKING

PPC 3 -- SOM 2 Framework Document Activity 4

AREA 2: Development of a regional training programme on trafficking for anti-trafficking personnel.

Activity 4: Training on formulation and implementation of national plans of action.

Objectives and expected results:

Among the COMMIT partner nations, some have national plans in place; others are in the final stages of their national planning process, while some are less far advanced in the process.

The objective of this Activity is to improve the effectiveness and quality of the process to create and implement national plans of action against human trafficking.

The expected results include:

- Each Country will have national plans of action against human trafficking.
- National plans should have an emphasis on the issues of trafficking in women and children, and should include specialized training for law enforcement and specialized inter-ministerial teams.
- Each Country will have an effective national mechanism to monitor implementation of the national plans of action.

Pre-meeting/preparation work:

- An important step for pre-meeting work at the national level for sharing information on national plans requires that each country's plan of action be professionally translated into English.
- Development of detail implementation plan should be carried out if possible within resources available.
- Where implementation of that plan is already in progress, undertake a national analysis, ideally by the Government with technical support from partner organizations, to assess the strengths and weaknesses of the plan (and the process of its implementation) and propose points for improvement.

Meeting/core activity work:

Support, including training where requested, should be provided to build capacity on technical aspects of national plans of action, including:

- What research and analysis is needed in support for plan action;
- Ways to take a multi-sectoral, multi-partner approach to developing and implementing a plan, and the advantages of doing so;
- Complete inventories of agencies and actors engaged in plan-related work or programs, and their complete and respective responsibilities;

- Effective formulation of plan activities that enable “best practice” implementation and delivery of services;
- Building effective mechanisms for monitoring implementation and evaluating impacts of a plan of action;
- Strategies to broaden political support for the plan of action to ensure the most effective response.

Post-meeting/follow-up work:

The follow-up work will be determined in accordance with recommendations from monitoring and evaluation of the progress achieved, support requested, and the impact analysis of the trainings.

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PPC 4 – SOM Framework Document Activities 1, 2 and 10

AREA 1: Policy and Cooperation

Activity 1: Seminar/workshop on mechanisms and systems for exchange of information and data collection.

Activity 2: Seminar/workshop to share experiences on establishment and implementation of bilateral / multilateral agreements on combating trafficking.

AREA 3: Cooperation on investigation and prosecution of traffickers, including joint training and cross-border networking.

Activity 10: Seminar to share knowledge, experiences and skills on multi-sectoral cooperation between the criminal justice sector and other Government Departments and NGOs supporting victims of trafficking.

Objective and expected results:

To explore mechanisms and systems for exchange of information and data collection involving two key elements: the content of information/data to be collected, and the networks (and method) for information exchange.

Bilateral and multilateral MOUs, and similar types of cooperative arrangements to build cooperation against human trafficking, are becoming increasingly prominent in the Government response against trafficking. These agreements help set out obligations by Government partners to them, but to be truly effective they must also be built on a firm base of multi-sector cooperation at the national level. The objective is to increase the effectiveness of multi-sector approaches to combating trafficking, and to improve implementation of bilateral MOUs and cooperation agreements.

An increased appreciation for multi-faceted approaches may lead to expanded use of multi-sectoral partnerships, and contribute to expansion of appropriate cooperation mechanisms between law enforcement officials, local authorities and NGOs. NGOs are key partners in this undertaking and their active participation must be supported throughout the process.

Expected results include:

- Progress on guidelines for improved mechanisms and systems for exchange of information.
- Documentation of lessons learned in multi-sectoral cooperation against trafficking will lead to expanded use of multi-sectoral partnerships, and lead to development of mechanisms promoting close cooperation between law enforcement officials, local authorities and NGOs.
- Identification of critical elements of bilateral MOUs against trafficking that could be used in possible templates for such MOUs.
- Establishment of appropriate cooperation mechanisms between law enforcement officials, local authorities and NGOs.

- Guidelines established for effective monitoring of the implementation of bilateral agreements and national multi-sector cooperation arrangements.
- In-depth assessments regarding information needs to better support capacity building of safe labour migration and trafficking prevention networks at the community level.

Pre-meeting/preparation work:

- Map and document existing bilateral exchange networks, and, with reference to bilateral information received, national information coordination (and exchange) networks (for example, between government departments / ministries), and prepare briefing notes.

- Develop a list of MOUs and other agreements aimed at facilitating multi-sectoral cooperation and undertake an analysis on identified key issues and perceived constraints. This may include an analysis of costs and benefits of the Chiang Mai cooperation model.

- An in-depth legal analysis should be commissioned on identified key issues or perceived constraints contained in MOUs against Trafficking. The studies could be conducted by a regional research organization or institute with experience in the field of human trafficking.

- Based on analysis, draft guidelines for effective monitoring and evaluation of agreement implementation efforts.

- Activity 1 includes the development, field-testing and distribution of information for those potentially vulnerable to trafficking. Resource mobilization will include support for such programs as:
    - Labour information packets,
    - Hotline services,
    - Radio programs in appropriate minority languages.

- Existing children and youth led prevention activities in communities, including:
    - Action research with migrant groups and vulnerable communities,
    - Development and dissemination of anti-trafficking awareness materials.
    - Other prevention information approaches that increase self-reliance.

Meeting/core activity work:

- A two-day, regional seminar should be held to explore fully the linkages between trafficking and labour migration, with a focus on bilateral MOUs promoting of safe migration as an effective measure to prevent human trafficking. During the course of the seminar, topics for additional work would be identified. After this seminar, two follow-up bilateral meetings to continue the work on this topic should be organized.

- A two-day sub-regional seminar will be organized to present the experience of developing and implementing internal cooperative agreements and/or MOUs, and present the advantages of encouraging a multi-sector, multi-stakeholder approach to combat human trafficking.[3]

- A two-day regional seminar should be organized to examine the practical implementation of bilateral MOUs against human trafficking, taking as a starting point the MOUs between Thailand-Cambodia, the soon to be signed MOU between Thailand-Lao PDR and the Thai use of national MOUs, and explore how to further increase the efficacy of bilateral MOUs to combat human trafficking.

- A two-day, regional seminar should be conducted on the cooperation between governments and NGOs on the implementation of the bilateral and multilateral agreement on combating trafficking.

Post-meeting/follow-up work:

- Expanding on the multi-sector, multi-stakeholder model of cooperation, a two-day regional seminar will be organized to examine closely the issue of cooperation between criminal justice authorities, especially police, and other Government Departments and NGOs tasked with providing post-rescue support to victims.

[3] Attention will be given to preparations for developing such internal agreements, which span from prevention to recovery, and the relation between these agreements and an effective national plan to combat trafficking and bilateral agreements and MOUs.

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PPC 5 – SOM 2 Framework Document Activity 8

AREA 3: Cooperation on investigation and prosecution of traffickers, including joint training and cross-border networking.

Activity 8: Seminar to share experience in strengthening legal frameworks, including legal procedures to provide better protection of victims and more effective prosecution of traffickers.

Objectives and expected results:

The objective of this activity is to develop a strong legal framework across the region, through improving national laws and procedures significantly, in close step with other countries and in line with international legal instruments already adopted by the Governments and referenced in the COMMIT MOU.

Expected results include:

- Progress toward legal frameworks, including laws and procedures that are compatible with the Palermo Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.
- Development of standards of evidence and evidentiary rules, and sharing among countries
- Progress in use of money laundering statutes in combating trafficking, including possible development/modification of supporting legislation.
- Progress in use of civil law in combating trafficking, including possible development/modification of supporting legislation.
- Development of operational guidelines on protection of victims and prosecution of traffickers.

Pre-meeting/preparation work:

- Initial pre-meeting activities will include: an assessment of the legal framework, summarizing existing legal codes pertinent to law enforcement and prosecution of trafficking in the Mekong sub-region, will be compiled, produced, and formally published for distribution to law enforcement personnel. Support will be sought to translate this legal framework assessment into the national Mekong languages. Where it has not already been done, this assessment will also provide an analysis of the legal changes that would be needed to bring the legal framework in line with the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the UN Convention against Transnational Organized Crime, and other related international commitments.

- A second preparatory activity is to conduct a field-based assessment on how legal procedures are actually implemented in practice and to specify which elements of law actually protect victims in a substantive way and which elements of law actually support effective prosecution of traffickers. The TOR will be clear on the meaning of "protection of victims" so that a standard of comparison is maintained. Each country will be assessed in this manner.

- The analytical synthesis of law and practice will be compared against a third document to be produced, outlining current international standards of good practice in legal frameworks, protection, and prosecution.

- Review existing money laundering statutes in the Mekong region.

- Review the feasibility and applicability of civil law in efforts to combat human trafficking in the Mekong sub-region, including coverage on use of civil law internationally.

- Summarize progress from preceding inputs prior to sub-regional seminar

Meeting/core activity work:

- With these analytic inputs in place, a series of consultative sub-regional meetings will be held (with duration of three days or more, to allow maximum interaction and consensus building) including:

  1. A sub-regional seminar held to exchange information on evidence and evidentiary rules, and building cross-border cooperation on these issues.

  2. A sub regional seminar on use of legal mandates on money-laundering to be organized, with the aim to build national and regional capacity to use money-laundering statutes to prosecute and eliminate organized trafficker networks.

  3. A sub regional seminar held on development and use of civil law to combat human trafficking in the Mekong sub-region, including coverage on use of civil law internationally.

  4. A sub-regional seminar held to produce a draft set of common guidelines within existing legal frameworks for an increased operational cooperation in both protection of victims and prosecution of perpetrators.

Post-meeting/follow-up work:

This will be determined after review of the recommendations of the seminar series.

COORDINATED MEKONG MINISTERIAL INITIATIVE AGAINST TRAFFICKING

PPC 6 – SOM 2 Framework Document Activities 13

AREA 5: Enhance and strengthen repatriation and reintegration programs.

Activity 13: Regional Workshop on procedures for repatriation of victims, including development of common guidelines.

Objectives and expected results:

The objective is to establish mutually accepted procedures for repatriation of victims of human trafficking in line with the standards set out by the COMMIT MOU, and the international instruments referenced in that MOU.

The expected results include:

- Agreement on sub-regional common procedures for repatriation of victims of trafficking, with guidelines to ensure effective implementation of the agreement.

Pre-meeting/preparation work:

- Assessment of the specific repatriation procedures in each of the six nations, and how these are operationalized.

- As the assessments are going forward, prepare a paper providing a summary of international standards and good practices in repatriation of trafficking victims.

- Prepare a draft working paper on the proposed common guidelines on repatriation procedures, to be considered by the Governments, and submitted to a sub-regional seminar for further negotiation and discussions.

Meeting/core activity work:

- A sub-regional seminar held to assess gaps, examine current practices, and to refine and recommend the common guidelines for procedures of repatriation of victims among the six countries, based on the six nation specific assessments and the international standards ("best practices") paper.

- Should one sub-regional seminar not be sufficient to finalize the common guidelines, a follow-on seminar could be held to complete the recommendations and agree to the announcement of those common guidelines.

Post-meeting/follow-up work:

- Post-meeting follow-on activities would include translation of the guidelines into all six national languages, and promotion of mechanisms and systems for better exchange of information (based on the common guidelines developed) between governments on repatriation of trafficking victims. This links with PPC 1 and 4.

COORDINATED MEKONG MINISTERIAL INITIATIVE AGAINST TRAFFICKING

PPC 7 – SOM 2 Framework Document Activity 14

AREA 5: Enhance and strengthen repatriation and reintegration programmes:

5.1 Improve repatriation systems

5.2 Facilitate reintegration of victims and prevent their re-trafficking

5.3 Improve post-harm support and services for the victims

Activity 14: **Regional seminar on improving post-harm support and services, taking into account the views of those who are trafficked, to facilitate successful reintegration of victims and prevent their re-trafficking.**

Objectives and expected results:

The objective of this Activity is to raise the level and quality of support and services provided to victims of human trafficking.

The expected result is development of a clear consensus among the Governments on post-harm support and services that shall be provided to victims of human trafficking in order to ensure successful reintegration of the victim.

Pre-meeting/preparation work:

- In collaboration with preparations made for Activity 10, compile information on existing agencies, organizations and government institutions, and their responsibilities and services to victims after identification and throughout the process of reintegration.
- A technical working group of government representatives, experts and international agencies should meet and agree on the essential elements of reintegration services, clarifying what might constitute "successful" re-integration in the Mekong Sub-region.
- Based on international standards and good practices for reintegration of trafficking victims, elements considered by the technical working group would include:
    - Standards of/for "successful" return in the context of cross-border repatriation;
    - Identify necessary "risk" assessments to be undertaken, as well as alternate approaches to "re-integration" or "return";
    - Minimum standards for child-focused repatriation;
    - Primary "elements" in successful reintegration;
    - Resource availability and dedication of resources in assessments of "return" potential(s); and,
    - Systemic analysis of what a "network of services" would resemble and require.
- Based on the assessment(s) of existing services for victims, and the results of the technical working groups deliberations, draft common guidelines for basic services that should be available, and, importantly, would assess the level of potential international financial and technical support for provision of those services to victims.

Meeting/core activity work:

- A regional seminar held on improving post-harm support and services to facilitate successful reintegration of victims. The seminar would start by examining the assessments of (1) existing services, (2) technical group recommendations, and (3) the draft common guidelines (and potential donor support). Consensus would be sought to answer the following critical questions: "what services should be provided to victims?" and "What services can feasibly be expected to be provided to victims at this time, and in the future?"

- Development of common services guidelines for victims, which are finalized, and ways found to fund services in accordance with the guidelines adopted.

Post-meeting/follow-up work:

- A post-meeting activity to establish better mechanisms for monitoring of victims who return across borders, could also be developed in line with the information exchange mandate under Activity 1.

- There are clear linkages to Activities under PPC 2, 6 and 10.

COORDINATED MEKONG MINISTERIAL INITIATIVE AGAINST TRAFFICKING

PPC 8 – SOM 2 Framework Document Activity 9

AREA 3: Cooperation on investigation and prosecution of traffickers, including joint training and cross-border networking.

Activity 9: Regional seminar to explore procedural agreements on extradition and mutual legal assistance in criminal matters.

Objectives and expected results:

Mutual legal assistance in criminal matters addresses directly operational matters of legal cooperation across borders, including matters of victim identification and protection and evidentiary procedures.

The objective is to ensure that there are effective mutual legal assistance and extradition mechanisms that can be used for cases of human trafficking

Expected results include***:***

Expanded accessibility to and greater documented use of mutual legal assistance in cases of human trafficking, as well as more effective use of extraterritoriality provisions in securing prosecution of foreign nationals.

Pre-meeting/preparation work:

- A major tool in combating child sex tourism has been use of extraterritoriality (ET) provisions that allows foreign nationals paedophiles committing criminal acts overseas to face trial in their home country for offences committed abroad. Extraterritorial laws, in themselves, do not allow offenders to be sent back home. Rather, they create jurisdiction outside a state's borders. Repatriation by extradition depends on existing treaties and agreements between states.

  Survey current extradition laws and mutual legal assistance agreements in relation to applying such laws and agreements in cases of human trafficking in the Mekong sub-region, and compare current practice in the Mekong region against international best practices in mutual legal assistance.

- For the issue of child sex tourism involving foreign nationals, provide technical assistance to conduct a survey of the COMMIT countries' legislation to determine whether extraterritorial provisions exist and, if so, whether they have been implemented since their enactment. These preparations will have linkages to activities in PPC 12.

Meeting/core activity work:

- A regional seminar held with key judicial personnel (prosecutors, attorney general's offices, as well as investigating judges and other relevant personnel) to discuss steps to expand and improve use of mutual legal assistance systems in human trafficking cases.

- A regional seminar will be held with key judicial and other relevant personnel to discuss current extradition arrangements and explore the possibilities for strengthening the extradition process.
- Working with key partners, as well as embassies of countries from which sex tourists originate, a regional seminar on expanding the effective use of extraterritorial laws to combat human trafficking will be held.

Post-meeting/follow-up work:

A follow-on regional seminar should be scheduled on amending mutual legal assistance agreements to make them more amenable to application in human trafficking cases.

COORDINATED MEKONG MINISTERIAL INITIATIVE AGAINST TRAFFICKING

PPC 9 - Activity 15

AREA 5: Enhance and strengthen repatriation and reintegration programmes:

5.1 Improve repatriation systems

5.2 Facilitate reintegration of victims and prevent their re-trafficking

5.3 Improve post-harm support and services for the victims

Activity 15: **Seminar with international organizations and donors to explore ways of providing resources for better economic and social support for victims of trafficking as appropriate to each country's situation.**

Objectives and expected results:

The objective is to expand the engagement of donors and implementing partners in innovative programs of economic development that provide support for victims of trafficking.

The expected results include:

The expected result is expanded access to resources and improved economic support for victims of trafficking from international organizations and donors.

Pre-meeting/preparation work;

- A technical working group should be convened to work with the Governments to agree on key principles and agenda items for a regional seminar, including:
  - The occupational and social aspects of reintegration (earning a living), provision of core social services that should be offered to victims.
  - Links between rural development initiatives, especially income generation activities, community networks, reduction of migration, and human trafficking.
  - Addressing structural vulnerabilities for victims, including access to and control over land and resources.

Meeting/core activity work:

- A regional seminar will be held, in collaboration with international organizations and donors, to explore the need to expand resources dedicated to social and economic support for victims of trafficking.

Post-meeting/follow-up work:

- Follow-up activities will be determined through the seminar process and negotiations with donors and partners.

COORDINATED MEKONG MINISTERIAL INITIATIVE AGAINST TRAFFICKING

PPC 10 – Activity 16

Area 6: Strengthen regional cooperation to prevent and suppress illegal and/or exploitative brokering practices that lead to trafficking.

Activity 16: Collection of information on job, marriage and adoption brokers and agencies that the governments reasonably believe are involved in trafficking in persons.

Objectives and expected results:

The objective is to improve regional cooperation to prevent and suppress illegal and/or exploitative brokerage practices.

Expected results include:

- Research and analysis is completed on the connections between brokering, trafficking and migration, and legal regulation of brokering, with a view to enhancing regional cooperation in these areas.

- Increased engagement of labour regulators from Ministries of Labour (and other Ministries, as needed) against brokerage practices that lead to human trafficking.

Pre-meeting/preparation work;

- Research should be commissioned to better understand emerging patterns of brokering, trafficking and migration. Donor support should be sought for in-depth research and analysis on such issues, including:
  - Traditional/informal mobility networks and vulnerability to trafficking,
  - Methods to strengthen community-based protection,
  - Adoption brokering practices,
  - Migration and labour brokerage practices,
  - Marriage patterns, particularly across borders, including traditional marriage brokerage, and instances of forced marriage,
  - Risk and vulnerability among ethnic minorities and special populations.

- A review of laws pertinent to brokering under criminal law.

- A review of laws pertinent to brokering under civil law. These reviews will have links to legal and administrative reviews under other activities.

- Ministries of Labour and other relevant Ministries from each of the COMMIT nations convene national technical meetings to examine and strengthen frameworks for control of brokerage activities as precursor meetings in preparation for a regional seminar.

- Governments will develop a focal point registry of legally licensed or registered job brokers and adoption agencies, with provision that the registry be regularly updated.
- A separate blacklist of persons and companies suspected to be involved in trafficking for work, marriage, or adoption should also be produced, updated and publicized.
- Information about activities of persons and companies suspected to be involved in trafficking for work, marriage, or adoption should also be collected, updated and shared among functional agencies of relevant COMMIT countries for purpose of prevention, investigation and treatment.

Meeting/core activity work:

- Conduct a sub-regional workshop based on findings of reviews, research and analysis on connections between brokering, trafficking and migration, and legal regulation of brokering, to explore steps towards greater collaboration on these issues.
- The Ministries of Labour and other relevant line Ministries from each of the COMMIT nations should meet to share experience and discuss roles of Ministries of Labour in combating human trafficking, and make recommendations for a framework of regional cooperation among Ministries of Labour as well as employer and employee organizations.
- A regional seminar on Ministry of Labour efforts against human trafficking should be held.
- The Workshops should address strengthening of positive incentives for excellence in labour and employment brokerage, as well as strong and effective punitive sanctions on improper or illegal practices. These workshops would be supported by research done in the pre-activity phase conducted under PPC 10.

Post-meeting/follow-up work:

With support from international donors and partners, training for community leaders on brokers, trafficking and enhanced migrant support networks should be organized and sponsored. Local communities and leaders have a primary responsibility – and opportunity – to protect against trafficking. There are numerous possible activities that could be considered, and selection among these activities will reflect the consensus reached at the regional seminar of Ministries of Labour.

Examples include:

- Local training programs in governance, civic participation leadership should be expanded to further include migrant support and trafficking prevention.
- Migrant support networks include communities and community leaders, as well as community-based and non-governmental organizations that require policy and financial support, as well as technical training. This should be made available reflecting COMMIT principles.

- Provide mechanisms for feedback from community groups and leaders to policy makers in government, national fronts and mass organizations to ensure that brokers that are traffickers are identified and prevented from operating.
- Clear guidelines should to be developed for local officials on how to report suspected traffickers (or unscrupulous labour brokers), including how to arrest or detain suspected traffickers, as part of legal (Areas 3, 4 and 5) workshops.
- Support to community-based programs empowers local police by showing/giving community backing for protection and prosecution.
- Improve information campaigns. Make clear sources of migrant and labour information that are available. Make materials available to low-literate populations and in appropriate vernacular languages.
- Support research, development and scaling-up of Information and Community-focused Prevention Campaigns.
- Support cross-border meetings of operational-level officials for immigration and labour officials. Inclusion of community leaders in such meetings may also be explored. Fostering opportunities for operational-level officials to meet, build trust and share views across national borders is proving productive across multiple sectors.

COORDINATED MEKONG MINISTERIAL INITIATIVE AGAINST TRAFFICKING

PPC 11 – Activity 17

Area 7: Strengthen regional cooperation with the tourism sector to prevent and combat trafficking in persons, especially children and women.

Activity 17: Regional Seminar with the tourism sector to prevent and combat trafficking in persons, especially children and women.

Objectives and expected results:

The objective is to expand the effective contribution to combating human trafficking that is made by the transport and tourism service sectors in countries of the Mekong Sub-region.

Expected results include:

- A greater engagement of private and public sector transport and tourist services stakeholders (government, private sector, workers, communities) in combating human trafficking by promoting capacity building and information sharing among key stakeholders.
- Development and implementation of anti-trafficking policies related to tourism and support for anti-trafficking campaigns, targeted to specific groups of national and foreign tourists.
- Training programs targeting workers and management in the tourism and transport services sectors developed and conducted.

Pre-meeting/preparation work;

- Compile and analyze selected "best practices" of Cambodia and Thailand in dealing with trafficking and the tourism services sector in preparation for the regional seminar.
- Conduct an in-depth social impact assessment on the development of tourism on vulnerable groups in isolated areas, with special focus on ethnic minorities. Donor interest has already been expressed in the activity.
- Expanded use of positive incentives for transport and tourism services operators that effectively combat human trafficking.

Meeting/core activity work:

- A three-day regional seminar conducted to devise a COMMIT approach to cooperation of the transport and tourism services sectors in combating human trafficking.
- Support innovative research based on findings from social impact assessment of tourism development plans, with special focus on vulnerable populations, and ethnic minorities.

- Develop cooperation on transport and tourism services between government, private sector, and communities against human trafficking, with special attention to involving small and medium enterprises with grass-roots reach and connections to communities.

- Support for training and information campaigns against human trafficking in the tourism services sector, with special attention to distinct segments (tourists, workers, vulnerable communities) within the sector.

  - Local initiatives to combat trafficking
    - Review recent changes in nexus between trafficking and tourism services, and "best practices" in Cambodia and Thailand in fighting human trafficking in the tourism sector.
    - Build a transport and tourism services coalition between government, private sector, and communities against human trafficking, with special attention to involving small and medium enterprises with grass-roots reach and connections to communities.
    - Support for information campaigns against human trafficking in the tourism services sector, with special attention to distinct segments (tourists, workers, vulnerable communities) within the sector.
    - Providing positive incentives for transport and tourism services operators that effectively combat human trafficking.
    - Development of training programs targeting workers and management in the transport and tourism services sectors.

  - Sub-regional level programs:
    - Conducting Social Impact Assessment of tourism development plans, with special focus on vulnerable populations, and ethnic minorities.
    - Promoting the international Codes of Conduct for the Travel Industry against human trafficking.
    - Promoting capacity building and information sharing among key stakeholders.

Post-meeting/follow-up work:

- Development of follow-on workshops preventing trafficking in relation to Greater Mekong Sub-regional transport and tourism initiatives and projects that link countries should also be supported.

- Creation of positive incentives by Government tourist authorities for transport and tourism services partners that work to combat human trafficking.

- Government and donor support for training programs to educate stakeholders in the transport and tourism services sectors on human trafficking.

COORDINATED MEKONG MINISTERIAL INITIATIVE AGAINST TRAFFICKING

PP 12 - Cross-Cutting Issues

Activity 18: Maintain existing COMMIT Task Forces in each country and work with UNIAP to develop the following for finalization at SOM 3:

- **Terms of reference for Senior Officials Meeting**
- **Schedule for implementation of the Plan of Action**
- **Activities for monitoring and evaluating implementation of this Plan of Action, including UNIAP COMMIT Secretariat staffing and reporting roles**

Objectives and expected results:

The objective is to ensure timely and accurate reporting on activities, and effective evaluation of impacts, of the actions taken under the Sub-regional Plan of Action. Reports and evaluation findings will be reported to the Governments, donors, and other key stakeholders.

The expected results include the following:

In the area of reporting:

- A report on each activity will be written by the COMMIT Secretariat and/or the implementing agency partner. In cases where the report is not written by the COMMIT Secretariat, the report will be sent to the COMMIT Secretariat. These reports will be made available upon request.

- Activity reports would be compiled, reviewed, and analyzed by the COMMIT Secretariat and a summary report on activities will be sent to the Governments every 6 months;

- A final report will be written at the end of the three-year Sub-regional Plan of Action, with critical analysis of progress made, obstacles encountered, failures that occurred and lessons learned, and concrete recommendations for the next Sub-region Plan of Action;

In the area of evaluation:

- Evaluation will be done for each PPC area, with progress measured against clear indicators. Provisions for evaluation will be included in each Project Proposal submitted for financial and technical support from donors and implementing agencies;

- An external evaluation of the Sub-regional Plan of Action would be conducted during the third year of Plan. The TOR for the external evaluation would be shared with the Governments for approval prior to recruitment.

Meeting/core activity work:

- UNIAP to develop Terms of Reference and recruit three staff persons dedicated to COMMIT Sub-regional Plan of Action coordination and implementation, with appropriate administrative support: Planning/Liaison Officer; Reporting Officer; and Evaluation Officer.

    - Planning/Liaison Officer: Responsible for "clearing house" function of COMMIT Secretariat; planning, coordination and scheduling work with implementing partner agencies; support for organization of annual SOM of Governments; responding to and providing support for Governments;
    - Reporting Officer: Responsible for all aspects of reporting on activities implemented under COMMIT Sub-regional Plan of Action, and liaison with donors;
    - Evaluation Officer: Responsible for design and implementation of evaluation plans for PPs, support for reporting function of COMMIT Secretariat, and recruitment and oversight of external evaluator.

- UNIAP to seek donor support to provide administrative costs required by all six (6) National COMMIT Task Forces for effective work at the national and regional level.

- UNIAP to develop Terms of Reference for external evaluator, seek and secure approval for that TOR from Governments, recruit evaluator, and support evaluation missions.