



Commission on Crime Prevention and Criminal Justice (CCPCJ)

Members of CCPCJ:

- Argentina
- Australia
- China
- Cote D'Ivoire
- Dominican Republic
- Equatorial Guinea
- France
- Germany
- Japan
- Kuwait
- Mexico
- New Zealand
- Peru
- Poland
- Russian Federation
- Singapore
- South Africa
- Thailand
- United Kingdom
- United States of America

Purview:

The [Commission on Crime Prevention and Criminal Justice](#) is an ancillary body of the Economic and Social Council, and primarily responsible for the Crime Prevention and Criminal Justice program. The Commission is charged with coordinating international efforts to combat national and transnational crime and utilizing criminal law to address such problems as threats to the environment, youth crime and urban violence. Additionally, the Commission is responsible for

promoting the efficiency, integrity and impartiality of criminal justice systems. The Commission meets on an annual basis to discuss these areas of concern and reports its findings and recommendations.

Topics:

Preventing and combating trafficking in persons facilitated by ICT

The Currently affecting over 40 million individuals, the [International Labour Organization](#) estimates that human trafficking affects over 40 million individuals and is to be valued at 150 billion dollars annually. Although human trafficking has been a pervasive issue, recent developments in information and communication technologies (ICT) have empowered human traffickers and law enforcement alike, complicating prevention. The issue is further complicated because the same ICT infrastructure that enables global commerce, facilitates financial transactions, and drives the global economy is also used to traffick persons and to conduct other illicit activity. States must balance the benefits of ICT on one hand and the risks on the other.

ICT has great potential and power in preventing trafficking in humans through monitoring and investigative capabilities. It can facilitate rapid and efficient information sharing among numerous stakeholders regionally and internationally, including credit card companies, banks and internet service providers, police forces, emergency responders, and governmental and non-governmental agencies.

However, traffickers also benefit from the rapid and efficient spread of information enabled by ICT. Through this [misuse of ICT](#), traffickers broaden the size of the human trafficking marketplace, with facilitated recruitment of both victims and customers due to varied means of advertisement, the ability to hide identities and to finance the illicit transactions. As such, States are working to develop effective, applicable prevention strategies and improved prosecution methods locally, nationally and internationally.

The main international agreement against trafficking in persons is the [United Nations Convention against Transnational Organized Crime](#) and its [Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children](#). Adopted by the General Assembly on 15 November 2000 and entering into force in 2003, this Convention detailed the legal obligations for Member States to combat and prevent transnational crime. The Trafficking Protocol, approved at the same time, represented the first definition for “trafficking in persons” under international law. Previous attempts to address human trafficking at the international level were stymied by a lack of consensus on this definition. Under this protocol, human trafficking is defined as a combination of actions that transport, coerce and exploit its victims, representing the many manners of human trafficking that exist. The protocol also identified a [three Ps](#) framework to combat human trafficking: protection of victims, prevention, and prosecution of traffickers. Other groups have added a fourth P—partnerships or policy and cooperation—to emphasize the importance of a multilateral approach among the various stakeholders. However, the Trafficking Protocol does not give any specific guidance on countering the use of ICT for human trafficking.

Following the adoption of the Trafficking Protocol, the United Nations Office on Drugs and Crime released its first [Report on Trafficking in Persons](#) in 2006, providing the first global overview of the trends and statistics of human trafficking. However, gathering accurate information proved difficult due to inadequate reporting from Member States. With high cooperation from Member States, the [2009 Global Report](#) was able to present a more comprehensive description of the issue. Following the passage of the Trafficking Protocol, States were quick to adopt laws specifically criminalizing human trafficking—increasing from only a third of the 155 Member States surveyed to four-fifths between 2003 and 2008 and reaching 90 percent by 2014. However in terms of population, the remaining 10 percent represents over 2 billion people. Additionally, even among States that have enacted special legislation, convictions of human trafficking are often very low—only about two-fifths of the countries surveyed reported [more than 10 convictions per year](#) between 2010 and 2012—although the overall numbers have been [steadily increasing](#).

While the CCPCJ and other United Nations bodies have addressed combating human trafficking and criminal misuse of ICT separately, this joint approach is a new development in the CCPCJ. Similarly, many national and international anti-trafficking instruments have [yet to truly incorporate ICT](#) into their strategies. This

hesitation may be due to the problem that many immediate avenues for combatting the use of ICT in human trafficking have undesired side-effects. Shutting down online platforms used in human trafficking makes it more difficult to find and identify victims; in sex trafficking, victims who seek work “on the street” rather than online experience [significantly higher rates of physical and sexual violence](#), and a [2019 study](#) suggested that the availability of an “erotic services” section in a region’s Craigslist reduced female homicide rates by at least ten percent. Efforts to combat cybercrime, including human trafficking, have also historically [raised concerns](#) over privacy rights and internet freedom, from the [2006 Budapest Convention on Cybercrime](#), adopted by the Council of Europe and several other States, to the [Fight Online Sex Trafficking Act of 2017](#) (FOSTA) passed in the United States. FOSTA, in particular, [remains controversial among internet freedom activists](#) due to the risks that vague wording in the law allow prosecution and censorship of legitimate—although possibly unsavory or unpopular—acts. Even if governments do not abuse these statutes for the purposes of censorship, the possibility of prosecution may also lead to websites to self-censor material in order to protect themselves.

Questions to consider from your country’s perspective include:

- How can Member States strike a balance between allowing the use of ICT for legitimate commerce and preventing the use of ICT for trafficking in persons?
- How should considerations about ICT be incorporated into national and international anti-trafficking policies and strategies?
- What effects do efforts to combat trafficking in persons have on the victims of human trafficking? How can States mitigate the potentially negative follow-on effects of limiting and restricting ICT that may facilitate trafficking?

Bibliography

- American Civil Liberties Union (18 December 2003). [Seven Reasons the US Should Reject the International Cybercrime Treaty](#).
- [Convention on Cybercrime](#) (2004).
- Cunningham, Scott, et al. (February 2019). [Craigslist Reduced Violence Against Women](#).
- Freedom Network USA (October 2017). [Freedom Network Urges Caution in Reforming the CDA](#).

- International Labour Organization (20 May 2014). [ILO says forced labour generates annual profits of US\\$ 150 billion.](#)
- Johnson, Mandy (25 August 2017). [The role of technology in human trafficking and sexual exploitation.](#)
- Muraszkievicz, Julia (11 September 2018). [Is it time to include technology in policy and legislation addressing human trafficking?.](#)
- [Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime \(2000\).](#)
- United Nations Institute for Training and Research (2015). [Human Trafficking and the Role of Local Governments.](#)
- [United Nations Convention against Transnational Organized Crime \(2001\).](#)
- United Nations Office on Drugs and Crime (2018). [Global Report on Trafficking in Persons.](#)
- United Nations Office on Drugs and Crime (2014). [Global Report on Trafficking in Persons.](#)
- United Nations Office on Drugs and Crime (February 2009). [Global Report on Trafficking in Persons.](#)
- United Nations Office on Drugs and Crime (April 2006). [Trafficking in Persons: Global Patterns.](#)
- US Statutes at Large 132 (2018). [Allow States and Victims to Fight Online Sex Trafficking Act of 2017.](#)

[Top ↑](#)

United Nations Documents

- United Nations, Commission on Crime Prevention and Criminal Justice (2018). [Improving the protection of children against trafficking in persons, including by addressing the criminal misuse of information and communications technologies. 27/3.](#)
- United Nations, Commission on Crime Prevention and Criminal Justice (2018). [Preventing and combating trafficking in persons facilitated by the criminal misuse of information and communications technologies. 27/2.](#)
- United Nations, Commission on Crime Prevention and Criminal Justice (2018). [Strengthening international cooperation to combat cybercrime. 26/4.](#)

- United Nations, Commission on Crime Prevention and Criminal Justice (2018). [Strengthening measures against trafficking in persons](#). 27/4.
- United Nations, Economic and Social Council (2018). [Commission on Crime Prevention and Criminal Justice Report on the twenty-seventh session](#). E/2018/30.
- United Nations, General Assembly (2019). [Strengthening and promoting effective measures and international cooperation on organ donation and transplantation to prevent and combat trafficking in persons for the purpose of organ removal and trafficking in human organs](#). A/RES/73/189.
- United Nations, General Assembly (2018). [Strengthening the United Nations crime prevention and criminal justice programme, in particular its technical cooperation capacity](#). A/RES/72/196.
- United Nations, General Assembly (2017). [Political Declaration on the implementation of the United Nations Global Plan of Action to Combat Trafficking in Persons](#). A/RES/72/1.

[Top ↑](#)

Taking action against gender-related killing of women and girls

Gender-related killing of women and girls is a serious problem in all regions of the world. It comes in a number of forms, ranging from fatal domestic violence to killing of family members in the name of “honor” to violence directed towards women and girls in a conflict setting. Additionally, there are numerous gender-related killings of a more indirect nature, such as maternal mortality caused by denial of proper medical care or deaths of girls due to neglect by responsible parties. Intimate partner homicide, the most common form of gender-related killing representing [over a third of all cases](#) of female murder victims, claimed 50,000 lives in 2017. The unifying theme in these instances is that the motive or nature of the killing is gendered, and rooted in unequal power relations between men and women. In accordance with the [Declaration on the Elimination of Violence Against Women](#), States are obligated to “exercise due diligence to prevent, investigate and in accordance with national legislation, punish acts of violence against women,” especially the most heinous forms of violence that lead

to death. However, violence against women is [severely under-reported](#), and in many cases it is [difficult to bring the perpetrators of gender-related killing to justice](#) due to the same unequal power relations of which the crime was itself a manifestation. These can take the form of unwillingness of the legal system to believe women and girls as witnesses, delays in investigations, and the use of shaming and gaslighting tactics to discourage the families of victims from participating in the investigation.

United Nations efforts on women's rights began with a more general scope, not focused on gender-related killings. The United Nations established the [Commission on the Status of Women](#) (CSW) in 1946, which—until the creation of [UN Women](#) in 2010—was the premier United Nations body responsible for promoting women's rights, researching the state of women's rights worldwide and establishing policy standards on gender equality. In 1979, the General Assembly adopted the CSW draft [Convention on the Elimination of All Forms of Discrimination against Women](#) (CEDAW), which included calls to abolish customs and laws that perpetuate discrimination against women. The Convention took effect on 3 September, 1981, and today has been ratified by 189 States.

Between 1975 and 1995, the United Nations also organized four [World Conferences on Women](#); the last, in Beijing, marked a significant change in the global strategy for gender equality. The unanimously-adopted [Beijing Declaration and Platform for Action](#) set strategic objectives and targets to achieve gender equality worldwide, making it the key global policy document in this area. The agenda in the Platform for Action is notable for its very progressive goals, which remain relevant—and unmet—today as States and organizations measure progress and craft policies on gender equality using the Platform as guidance.

Due to the seriousness of gender-related violence in general, and gender-related killing in particular, multiple UN bodies have taken action on the issue. The General Assembly adopted the [Declaration on the Elimination of Violence Against Women](#) in 1993, which stated, among other things, that “States should condemn violence against women and should not invoke any custom, tradition, or religious consideration to avoid their obligations with regard to its elimination.” The CCPCJ has acted on this issue since 2008, when it [decided to convene](#) an expert group on the matter and drew special attention to migrant women.

While present across all States, the prevalence and types of gender-related killing vary. “Femicide,” as it is sometimes called, is [most prevalent](#) in Africa, with

3.1 deaths per 100,000 women in 2017, and the Americas, with 1.9 deaths per 100,000. Regional organizations have taken large strides to address the problem of gender-based violence across the globe. In Central America, the United Nations Office of the High Commissioner for Human Rights developed the [Latin American Model Protocol for the investigation of gender-related killings of women](#) in 2014. This Model Protocol is meant to act as a guide for those working in the justice system to better investigate and prosecute crimes involving gender-based violence. In 2017, the European Union and the United Nations launched the [Spotlight Initiative](#), which works in Latin America, Africa, Asia and the Pacific to eliminate violence against women and girls.

However, despite the attention paid to this issue at the international and regional levels, action against gender-based killings must be taken at the State and local levels. [UN Women has worked](#) to increase the legal instruments against femicide, however enforcement of those laws still lags behind. For example, while many countries in the Latin America and the Caribbean region have [laws explicitly against femicide](#), around 98 percent of femicide and other cases of violence against women were left unpunished in 2016. Statistics on this issue can also be difficult to interpret, due to differing legal definitions and priorities among Member States. In many cases, homicide data [do not include crosstabs on the sex of the victims](#), impeding the ability to measure progress. The International Classification of Crime for Statistical Purposes (ICCS) program, established in 2015, aims to set uniform reporting rules to allow for easier comparisons among Member States. However, while the United Nations Office on Drugs and Crime has run several trainings to increase implementation of the ICCS among Member States, [only 48 countries have implemented it](#).

Questions to consider from your country's perspective include the following:

- What types of femicide are common in your country? What conditions make combating gender-based violence difficult in your country?
- How might existing laws against murder fail to adequately protect women? How should laws be updated to fix these weaknesses?
- How can the international community work with States and regional organizations to ensure perpetrators of gender-based killings are brought to justice?

Bibliography

- Alter, Charlotte (18 February 2015). [Someone is Finally Starting to Count 'Femicides'](#).
- [Beijing Declaration and Platform for Action \(1995\)](#).
- [Convention on the Elimination of All Forms of Discrimination against Women \(1979\)](#).
- Black, Meg (10 December 2018). [Violence Against Women is an Issue that Concerns Us All](#).
- Global Americans (2019). [Femicide and International Women's Rights](#).
- Rauls, Leonie, and Tamar Ziffs (15 October 2018). [High Rates of Violence Against Women in Latin America Despite Femicide Legislation: Possible Steps Forward](#).
- Sarmiento, Camilo, et al. (2014). [Latin American Model Protocol for the investigation of gender-related killings of women \(femicide/feminicide\)](#).
- Spotlight Initiative. [Spotlight Initiative](#).
- TeleSur (13 April 2016). [98% de los feminicidios en América Latina siguen impunes](#).
- UN Women. [Passing and Implementing Effective Laws and Policies](#).
- United Nations Office on Drugs and Crime (November 2018). [Global Study on Homicide: Gender-related Killing of Women and Girls, 2018](#).
- United Nations Office on Drugs and Crime. [International Classification of Crime for Statistical Purposes \(ICCS\)](#).
- Zraick, Karen (27 November 2018). [Most Dangerous Place for Women Is the Home, U.N. Report Finds](#).

[Top ↑](#)

United Nations Documents

- United Nations, Commission on Crime Prevention and Criminal Justice (2008). [Strengthening crime prevention and criminal justice responses to violence against women and girls](#) . 17/1.
- United Nations, Economic and Social Council (2015). [Outcome of the meeting of the open-ended intergovernmental expert group on gender-related killing of women and girls](#) . E/CN.15/2015/16.
- United Nations, Economic and Social Council (2013). [Commission on Crime Prevention and Criminal Justice](#). E/2013/30.
- United Nations, General Assembly (2015). [Action against gender-related killing of women and girls](#). A/70/93.

- United Nations, General Assembly (2015). [Taking action against gender-related killing of women and girls](#). A/RES/70/176 .
- United Nations, General Assembly (1993). [Declaration on the Elimination of Violence against Women](#). A/RES/48/104.
- United Nations, Human Rights Council (2016). [Accelerating efforts to eliminate violence against women: preventing and responding to violence against women and girls, including indigenous women and girls](#). A/HRC/RES/32/19.
- United Nations, Office on Drugs and Crime (2014). [Expert Group on gender-related killing of women and girls](#). UNODC/CCPCJ/EG.8/2014/2.