

# Creation of the Human Rights Mechanisms in SAARC Region for the Victims of Human Trafficking: An Introspection of the Present Scenario

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## I. Introduction

Trafficking<sup>2</sup> of human beings, especially of women and children, is an organized crime that violates all tenets of basic human rights and dignity. A total of 3,940 incidents of crimes under various provisions of laws relating to human trafficking were reported in India during the year 2013 as compared to 3,554 during the year 2012 recording an increase of 10.9% during the year 2013<sup>3</sup>. Historically, trafficking in human beings was associated with slavery and bonded or forced labour. With time, it almost became synonymous with prostitution or commercial sexual exploitation. It is however, important to note that trafficking is not confined to the commercial sexual exploitation of women and children alone. It has myriad forms and the number of victims has been steadily on the rise over the past few decades. It takes place through and for marriage, sexual exploitation, begging, organ trading, military conflicts, drug peddling and smuggling, labour, adoption, entertainment and sports<sup>4</sup>. As per Article 1(3) of the SAARC<sup>5</sup> Convention on Preventing and Combating Trafficking in Women and Children for Prostitution “Trafficking” means “the moving, selling or buying of women and children for prostitution within and outside a country for monetary or other considerations with or without the consent of the

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<sup>2</sup> Article 3, paragraph (a) of the Protocol to Prevent, Suppress and Punish Trafficking in Persons defines (a) “Trafficking in persons” shall mean the recruitment, transportation, transfer, harbouring 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. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.

<sup>3</sup> Ministry of Home Affairs, Government of India, Report, Crime in India, 2013, p. 99 available at <http://164.100.47.134/intranet/HUMAN%20TRAFFICKING.pdf>.

<sup>4</sup> Harsh Dobhal, *Writings on Human Rights, Law and Society in India: A Combat Law Anthology*, Human Rights Law Network, 1<sup>st</sup> ed., 2011 at p. 553.

<sup>5</sup> SAARC stands for South Asian Association for Regional Cooperation.

person subjected to trafficking”<sup>6</sup>. However, it is a limited definition which only covers trafficking for commercial sexual exploitation<sup>7</sup>. The reasons for the increase in this global phenomenon are multiple and complex, affecting rich and poor countries alike. SAARC countries are no exception to this. The South Asia Region, including India, has lately emerged as a source, destination and transit area for trafficking in persons for both in-country and cross-border trafficking. The region, on account of common cultural, traditional and historical patterns, has similar problems relating to gender discrimination against women and girl children which are compounded by their trafficking. It is, therefore, imperative that a well defined regional perspective and strategy of having human rights mechanisms for combating trafficking is formulated which will augment regional cooperation between the countries.

Trafficking as a crime has seen an increasing trend especially in the last two decades globally<sup>8</sup>. Human trafficking has been identified as the third largest source of profit for organized crime, following arms and drug trafficking, generating billions of dollars annually at the global level. An estimated 6, 00,000 to 8, 00,000 women and children have been trafficked. This estimate does not include those trafficked within their own countries or missing children<sup>9</sup>. Of these 70 percent are women and 50 percent are children<sup>10</sup>.

## II. Human Trafficking in the SAARC Region

The incidence of trafficking has grown to alarming proportions globally in the past two decades, especially within South Asia. The region has become a major source and destination as well as a transit point. Women and children across this region are traded within their own countries and

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<sup>6</sup> South Asian Association for Regional Cooperation Convention on Preventing and Combating Trafficking in Women and Children for Prostitution, 2002, available at <http://www.saarc-sec.org/userfiles/conv-trafficking.pdf>.

<sup>7</sup> Dr. Sarasu Esther Thomas, *Responses to Human Trafficking in Bangladesh, India, Nepal and Sri Lanka*, Legal and Policy Review, United Nations Office on Drugs and Crimes, 2011 at p. 15.

<sup>8</sup> India Country Report To Prevent and Combat Trafficking and Commercial Sexual Exploitation of Children and Women, World Congress III Against Sexual Exploitation of Children and Adolescents (Rio de Janeiro, Brazil, November 2008), Ministry of Women and Child Development, Government of India, at p. 3 available at <http://www.unodc.org/pdf/india/publications/India%20Country%20Report.pdf>.

<sup>9</sup> Human Trafficking, Lok Sabha Secretariat Parliament Library and Reference, Research, Documentation and Information Service (Larrdis) available at <http://164.100.47.134/intranet/HUMAN%20TRAFFICKING.pdf>

<sup>10</sup> Supra note 3.

across international borders against their will in a clandestine slave trade. According to estimation, every year 1 to 2 million women, men and children are trafficked worldwide; around 225,000 of them are from SAARC region. Other estimates show that over the last 30 years, trafficking for sexual exploitation alone has victimized some 30 million Asian women and children<sup>11</sup>. In view of this alarming trend, there have been important steps taken at the regional level in the past five years. Presently, international conventions are invoked to protect the rights of trafficked persons within the region, especially women and children. Simultaneously, regional instruments like the Rawalpindi Resolution of 1996 and the SAARC Convention on Preventing and Combating Trafficking in Women and Children have been developed to specifically address the problem<sup>12</sup>.

### III. A Step Towards Anti-trafficking<sup>13</sup>

The governments, NGOs and INGOs have undertaken several measures to deal with the problem of trafficking. Anti-trafficking intervention is usually divided into three phases: prevention, protection and prosecution. In the prevention phase, improvements have been observed as the governments have provided skills training for different officials through workshops, seminars, anti-trafficking materials (e.g., posters, publications, street dramas) and initiated awareness raising programs jointly with NGOs. Nonetheless, problems still remain in protection and prosecution. Prosecution of trafficking offence, especially registration of trafficking cases and conviction of traffickers, is considerably low in these countries. As for the protection phase, rescue and rehabilitation are some of the persisting challenges that the governments are experiencing. Simultaneously, repatriation of trafficked persons particularly from India to Bangladesh and Nepal is also a critical challenge for these countries. Governments of Bangladesh and Nepal have lack of resources and means to deal with the problem as they are already weighed down by other burning issues such as poverty, natural disaster and socio-political instability. On that account, the receiving country, India, should take the initiative, particularly in rescue and rehabilitation as well as repatriation for cross-border trafficking victims. They should respect the human rights of the trafficked persons and rectify their own obligations under the UN Trafficking Protocol and other anti-trafficking legal instruments. International convention such as UN

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<sup>11</sup> International Conference on Human Trafficking Combating Human Trafficking: South Asian Solidarity Meet, Prayas Jac Society, India International Centre, New Delhi, 3<sup>rd</sup>-4<sup>th</sup> Feb., 2014.

<sup>12</sup> Supra note 3 at p. 555.

<sup>13</sup> M Bashir Uddin, *Human Trafficking in South Asia: Issues of Corruption and Human Security*, International Journal of Social Work and Human Services Practice, Horizon Research Publishing, Vol.2. No.1 Feb, 2014, pp. 18-27.

Trafficking Protocol has yet to be ratified by Bangladesh and Nepal. Besides, reforms of regional/national legislations have yet to be implemented in practice in all these countries because of the pitfalls associated with legal frameworks and conventions themselves. For example, at the regional level, although the South Asian Association for Regional Cooperation (SAARC) Trafficking Convention is being treated as a landmark for combined efforts to eradicate trafficking, the definition of trafficking provided in the Convention does not address trafficking from a general perspective. Since trafficking does not occur only for prostitution, the text of the SAARC Convention needs to be revised in order to broaden its scope.

The worst of all factors is the lack of implementations of the anti-trafficking laws among the member countries. Where laws are implemented, the punishments are not enough to put a positive effect on trafficking sensitization programs for general public and specifically for stakeholders. Moreover, SAARC Governments should provide resources for training, technical assistance, and auditing to ensure that trafficking is completely prevented from their supply chains.

#### **IV. Human Trafficking: A Tool for Abusing Human Rights**

Human rights law provides universal standards that are applicable to all persons. While the means to achieve human rights guarantees can and should be locally appropriate and contextually determined, the universality of their applicability to all persons, including everyone who has been trafficked, is indisputable. As a conceptual framework for dealing with a phenomenon such as trafficking, a human rights-based approach is one that is normatively based on international human rights standards and is operationally directed to promoting and protecting human rights. Such an approach requires an analysis of the ways in which human rights violations arise throughout the trafficking cycle, as well as of States' obligations under international human rights law. It seeks to both identify and redress the discriminatory practices and unjust distributions of power that underlie trafficking, that maintain impunity for traffickers, and that deny justice to victims of trafficking.

It has widely been accepted in modern times that trafficking entails a human rights dimension. In addressing trafficking in human rights terms it is possible to rely on existing human rights instruments. There is wide range of instruments both at a regional<sup>14</sup> and international<sup>15</sup> level, which can be applicable to trafficking<sup>16</sup>.

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<sup>14</sup> The Arab Charter on Human Rights, 1995, The Inter-American Convention on International Trafficking in Minors, The Convention on Preventing and

All recent instruments on trafficking refer to the human rights dimension of the issue. They also, to a greater or lesser extent, outline specific obligations undertaken by the state which may be considered human rights obligations, either because they reflect existing requirements, such as the duty not to return an individual to a territory where his/her life is under threat, or else constitute new positive duties voluntarily assumed by the state towards those within its jurisdiction<sup>17</sup>.

## **V. International Human Rights Law and its Ratification by the SAARC Countries**

Majority of the SAARC member states have yet to ratify the optional protocols (OP) to the International Convention on Civil and Political Rights (ICCPR) and the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) which would enable the respective bodies to receive individuals complaints on violations of these treaties. Only Maldives and Nepal have ratified both optional protocols, while Sri Lanka has ratified only the CEDAW OP. Among the SAARC countries, Bhutan has still not ratified the ICCPR, the International Convention on Economic, Social and Cultural Rights (ICESCR), and the Convention against Torture (CAT). Sri Lanka is the only member to have ratified the Convention on the Rights of Migrant Workers (CMW). Only Nepal has ratified the Second Optional Protocol to the ICCPR aimed at the abolition of the death penalty<sup>18</sup>.

## **VI. SAARC Charter and Convention on Human Rights and Human Trafficking**

In the light of the international human rights law as referred, on the 8th December 1985, the presidents of Bangladesh, the Maldives, Pakistan and Sri Lanka, the Prime Minister of India, and the kings of Bhutan and

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Combatting trafficking in Women and Children for Prostitution are examples of regional instruments on Human Rights

<sup>15</sup> The European Union has adopted the Charter of Fundamental Rights of the European Union 2000. The African Charter of Human and People's Rights, The European Convention on Human Rights, The American Convention on Human Rights are few examples of International instruments on human rights.

<sup>16</sup> Kristina Touzenis, *Trafficking in Human beings: Human Rights and Transnational Criminal Law, Developments in law and Practices*, United National Educational, Scientific and Cultural Organization, 2010, at p. 66.

<sup>17</sup> *Ibid.* at p. 65.

<sup>18</sup> Surya Deuja, *Establishing a Robust Regional Human Rights Mechanism in South Asia*, South Asia Regional Human Rights Mechanism, Vol. 6, No. 1, 2010 at p. 5.

Nepal, all signed the SAARC Charter at the end of the 1st SAARC Summit held in Dhaka, Bangladesh. It was initially conceived of as a trade bloc in the late 70s. By the early 80s, its ambitions had broadened to include regional cooperation on technological, social and cultural matters, as well as on broader international affairs<sup>19</sup>.

The objectives of SAARC as set out in its Charter are broad in scope, and can be interpreted to lead the organisation down a pathway to various human rights commitments. One objective which aims “to provide all individuals the opportunity to live in dignity and to realize their full potential”, is a foundational pledge which implies preserving and protecting for their citizens the rights to health, education, adequate care and adequate standard of living, among others. “To promote the welfare of the people of South Asia and to improve their quality of life” would confer similar obligations to its Member States<sup>20</sup>.

These rights are not explicitly guaranteed by the SAARC Charter. Nevertheless, the SAARC Charter states in Article II that “[SAARC] cooperation shall not be a substitute for bilateral and multilateral cooperation but shall complement them”, and that “[SAARC] cooperation shall not be inconsistent with bilateral and multilateral obligations.” All SAARC members, with the exception of Bhutan, have signed and ratified (or acceded to) the International Covenant on Civil and Political Rights, and the International Covenant on Economic, Social and Cultural Rights, two multilateral treaties at the core of the International Bill of Human Rights along with the Universal Declaration of Human Rights. Perhaps also compelling is the fact that all eight members have agreed to comply with the responsibilities prescribed by the Convention on the Elimination of All Forms of Discrimination against Women, as well as the Convention on the Rights of the Child. As such, these countries have multilateral obligations to reinforce the rights stipulated in these two Covenants, which are all the basic human rights including the rights mentioned above. What is more, as stated above, according to the SAARC Charter, “cooperation shall not be inconsistent with bilateral and multilateral obligations<sup>21</sup>.”

Currently SAARC does not have a human rights mechanism to deliver justice where the national setting is unable or unwilling to do so. It has a cooperative approach of focussing on treaties linked with specific human rights issues. In 2002, it adopted two treaties that impact on human rights:

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<sup>19</sup> *SAARC and Human Rights: Looking Back and Way Forward* at p. 29, available at [http://www.forum-asia.org/uploads/books/SAARC\\_PR\\_body\\_final.pdf](http://www.forum-asia.org/uploads/books/SAARC_PR_body_final.pdf).

<sup>20</sup> *Ibid.*

<sup>21</sup> *Ibid.* at p. 25.

- a. the SAARC Convention on Preventing and Combating Trafficking in Women and Children for Prostitution and
- b. the SAARC Convention on Regional Arrangements for the Promotion of Child Welfare in South Asia<sup>22</sup>.

Ratified in 2005, the Convention represented a significant step towards combating human trafficking at a regional level, “the first regional treaty of its kind and first treaty in Asia to address human trafficking”<sup>23</sup>.

In 2004, SAARC adopted the SAARC Social Charter which impacts on many economic, social and cultural rights. The Charter is the outcome of the Tenth Summit held in Colombo in July 1996 which was formally signed at the Twelfth Summit in 2004. Article II(2) of the Charter establishes a 21-point agreement on “Principles, Goals and Objectives,” including the following:

- vi. Promote participatory governance, human dignity, social justice and solidarity at the national, regional and international levels;
- vii. Ensure tolerance, non-violence, pluralism and non-discrimination in respect of diversity within and among societies; and
- xii. Promote universal respect for and observance and protection of human rights and fundamental freedoms for all, in particular the right to development<sup>24</sup>.

An attempt to push forward regional cooperation on human rights on these technical grounds would meet the stumbling block of the fact that Bhutan has neither signed nor ratified either treaty, although it is moving in the right direction by having recently ratified the Convention on the Elimination of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination Against Women, and the Convention on the Rights of the Child. Still, the real constraints on effective regional cooperation on human rights can be found in caveats entered into the SAARC Charter; caveats reflecting the reality of South Asian geopolitics<sup>25</sup>.

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<sup>22</sup> Sou Chiam, *Asia's Experience in the Quest for a Regional Human Rights Mechanism*, available at [http://www.upf.pf/IMG/pdf/10-DH-Asia\\_s-Experience.pdf](http://www.upf.pf/IMG/pdf/10-DH-Asia_s-Experience.pdf).

<sup>23</sup> Monika Barthwal-Datta, *Understanding Security Practices in South Asia: Securitization Theory and the Role of Non-State Actor*, Routledge, 2012, at p. 91.

<sup>24</sup> Tae-Ung Baik, *Emerging Regional Human Rights Systems in India*, Cambridge University press, 1<sup>st</sup> ed., 2012, at p. 144.

<sup>25</sup> Supra note 18 at p. 26.

## VII. SAARC Commitment Towards the Elimination of Human Trafficking

The South Asian countries first expressed their commitment towards the elimination of human trafficking at the SAARC Summit in Male, Maldives, 1997, through a declaration that expressed grave concern at the trafficking of women and children and pledged action on the part of member nations. The issue occupied a prominent place in the SAARC Summit in Colombo, Sri Lanka, 1998. The international significance of a SAARC Convention on trafficking in persons cannot be underestimated. It is an important step since it recognizes the need for extraterritorial application of jurisdiction and extradition laws<sup>26</sup>.

Nevertheless, the convention has been criticized for limiting its application only to the commercial sexual exploitation of women and children and for not addressing trafficking in the broader perspective. It lacks a strong treaty body and does not clarify the rights of victims.

In January 2002, at the Kathmandu SAARC summit held after a four-year gap, the Member States adopted the Convention on Preventing and Combating Trafficking in Women and Children for Prostitution. The Convention was ratified by all seven countries by 2006 and came into force that year. Afghanistan, which joined SAARC in 2005, signed the Convention in 2007. The Convention on Trafficking, along with the SAARC Convention on Regional Arrangements for the Promotion of Child Welfare in South Asia and the SAARC Social Charter, form the core of SAARC's commitment to empowering women and children<sup>27</sup>.

When it was signed, it was heralded as a “significant and substantial” step forward in terms of combating trafficking and moving SAARC towards taking on a greater role in human rights. It was the first treaty in Asia to address human trafficking and, in fact, the first regional treaty of its kind. It is a criminal justice instrument which aims to improve regional cooperation on law enforcement, not only a key factor in addressing trafficking but also in many other problems. The Convention establishes trafficking of women and children for prostitution as a violation of basic human rights<sup>28</sup>.

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<sup>26</sup> *Ibid.*

<sup>27</sup> *SAARC and Human Rights: Looking Back and Way Forward* at p. 29, available at [http://www.forum-asia.org/uploads/books/SAARC\\_PR\\_body\\_final.pdf](http://www.forum-asia.org/uploads/books/SAARC_PR_body_final.pdf).

<sup>28</sup> *Ibid.*

## VIII. Overview of the SAARC Convention<sup>29</sup>

The stated purpose of the SAARC Convention is to promote regional cooperation to effectively deal with the prevention, interdiction and suppression of trafficking and the repatriation and rehabilitation of victims. The Convention also seeks to prevent the use of women and children in international prostitution networks, especially within SAARC Member States. States Parties are required to make trafficking and involvements in trafficking criminal offences to which appropriate penalties apply. These offences are also to be regarded as extraditable offences in any existing extradition treaty and, in addition, to the extent possible under national law. Where extradition is not possible, States Parties are to ensure that offending nationals are prosecuted and punished by their own court. The Convention sets out a range of “aggravating circumstances” that can be taken into account during the judicial consideration of trafficking offences, including involvement in an organized criminal group or international organized criminal activities, the use of arms or violence and the victimization of or trafficking in children. Abuse of public authority to commit trafficking offences is also to be considered an aggravating circumstance<sup>30</sup>.

The SAARC Convention contains detailed provisions on mutual legal assistance, designed to ensure improved cooperation in relation to investigations, inquiries, trials and other proceedings. Such assistance is to include regular information exchange aimed at identifying trafficking patterns and routes, as well as possible bilateral mechanisms. At the national level, States Parties are required to provide the resources, training and assistance necessary for the investigation and prosecution of trafficking offenses. The Convention includes an optional provision relating to the supervision of employment agencies to prevent trafficking under the guise of employment<sup>31</sup>.

The Convention includes a number of important assistance and protection provisions, several of which go beyond their strictly optional equivalents contained in the UN Trafficking Protocol. For example, States Parties are required to provide legal advice and health care to victims of trafficking pending their repatriation, as well as suitable provision for their care and maintenance. Rehabilitation of trafficked persons in protective homes or shelters is also envisaged with States Parties being required to make “suitable provisions” for granting legal advice, counseling, job training and health care facilities<sup>32</sup>.

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<sup>29</sup> Anne T. Gallagher, *The International Law of Human Trafficking*, Cambridge University Press, 1<sup>st</sup> ed., 2010, at p. 129.

<sup>30</sup> *Ibid.*

<sup>31</sup> *Id.*

<sup>32</sup> *Ibid.* at p. 131.

## IX. Need for the Human Rights Mechanism in SAARC Region<sup>33</sup>

Established in 1985 with the great hope of promoting sub-regional cooperation among the South Asian countries with one-fifth of the world's population, the countries are facing formidable challenges resulting from poverty, under-development and conflict with and among themselves. Their low economic production, unemployment and population pressure are not helped by historic exploitation and by other adverse legacies. In addition, deep-rooted divisions and animosities throughout the sub-region make any commonality across nations impossible, and the whole sub-region has to grapple with gross violations of human rights. Consequently, governments in the sub-region lack effective initiative and political commitment needed to meet their obligations to respect, protect and fulfill human rights and fundamental freedoms. The very diversity of South Asia demands a gradual implementation of conceptual steps that could build towards a distinct regional identity. One example of such conceptualization could well be the establishment of a SAARC human rights mechanism<sup>34</sup>.

A robust human rights mechanism is necessary for the protection and promotion of human rights in the region especially on common human rights issues including rights of the migrant workers, human trafficking, minority rights and right to development. Such a mechanism could provide a less costly, more accessible and effective redress alternative to existing international processes and procedures. Some of the major opportunities that could be addressed by a regional mechanism are as follows:

- Overcome procedural and institutional weaknesses and shortcomings of some domestic jurisdictions and the international system.
- Overcome the lack of expertise and experience in human rights jurisprudence.
- More effective implementation and enforcement of human rights norms and standards.
- Draw on the concepts and values which are integral to the intellectual and religious traditions and world-views of South Asia.
- Address regional human rights problems (e.g. trafficking, refugees and displaced persons, migrant workers) more effectively.
- Establish credibility which would stem from being drawn up by governments, scholars, lawyers and civil society representatives of the region.

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<sup>33</sup> Supra note 17 at p. 6.

<sup>34</sup> Gyan Basnet, *Human Rights System for SAARC: Problems and Perspectives*, FOCUS, Vol. 76, 2014.

## **X. The Establishment of South Asian Human Rights Mechanism**

The South Asian Human Rights Mechanism is a civil society forum that was created subsequent to the sub-regional consultations held in Kathmandu in 2010 and 2011. This forum is a collaborative platform of civil society and individuals from the region committed to the cause of furthering human rights and peace in the region. The mission of the forum is to advocate for, and help create an environment conducive for the establishment of a South Asia Human Rights Mechanism. The Regional Initiative is guided and led by a Task-Force comprising of one representative of each SAARC member states. FORUM-ASIA, (Asian Forum for Human Rights and Development) a regional human rights organisation with 47 members in 16 countries across Asia is the Secretariat of the Regional Initiative. WGHR, a national human rights organisation in India is the Office of the Task Force.

The Regional Initiative has convened several national consultations in Nepal, Bangladesh, Afghanistan and Pakistan over the last few years. The consultation in Delhi on 26-27 August, 2014 is a part of this series of consultations in South Asia. The Delhi consultation was attended by over a 100 participants from 20 States across India where detailed discussions relating to future strategies, wider consultation and basic standards for an effective regional mechanism took place.

## **XI. The Benefits and Feasibility of Regional Human Rights Institutions**

Regionalism has achieved positive results most significantly in Europe and the Americas. The most notable achievement involves the promotion of human rights. Regional arrangements enhance the legitimacy of interventions. A state's unilateral intervention in the internal affairs of another is viewed as less legitimate than regional interventions in which a group of states impose a combined will on a member state. If a regional human rights institution is established, SAARC states will surely benefit from its geographical proximity and historical and cultural bonds. Furthermore, a regional institution can ensure higher standards, or effective enforcement of human rights. Regional human rights systems emerged as a result of frustration with the ineffectiveness of mechanisms at the global level. The global human rights systems have less ability to reflect the diversity and particularities of each region than a regional body. The UN Charter and the global human rights treaties cannot incorporate regional contexts. Moreover, a regional human rights body is developed out of the need to provide an additional mechanism to be more effective than the global human rights treaties<sup>35</sup>.

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<sup>35</sup> Supra note 21 at p. 166.

## **XII. Conclusion and Suggestions**

Trafficking is a regional and global phenomenon. Enormous trafficking takes place not only within the country but also across borders, especially between the neighbouring countries. A coherent approach is therefore required to tackle the problem of cross-border trafficking which cannot be dealt with at the national level alone. A strengthened national response can often result in the operations of traffickers moving elsewhere. International, multilateral and bilateral cooperation can play an important role in preventing and combating trafficking activities. States should thus consider:

1. Adopting bilateral agreements with neighbouring countries in order to prevent trafficking and protecting the rights and dignity of trafficked persons and promoting their welfare.
2. Follow the international human rights standards as a baseline and framework for elaborating bilateral agreements mentioned at serial no. 1 above.
3. Adopting labour migration agreements, which may include provision for work standards, model contracts, modes of repatriation, etc. in accordance with existing international standards.
4. Developing cooperation arrangements to facilitate the rapid identification of trafficked victims including the sharing and exchange of information in relation to their nationality and right of residence.
6. Developing procedures and protocols for the conduct of proactive joint investigations by law enforcement authorities of different concerned countries.
7. Ensuring judicial cooperation between countries in investigations and judicial processes relating to trafficking and related offences. This cooperation should include assistance in: identifying and interviewing witnesses with due regard for their safety; identifying, obtaining and preserving evidence; producing and serving the legal documents necessary to secure evidence and witnesses; and the enforcement of judgments.
8. Ensuring that requests for extradition for offences related to trafficking are dealt with by the authorities of the requested countries without undue delay.
9. Establishing cooperative mechanisms for the confiscation of the proceeds of trafficking. This cooperation should include the provision of assistance in identifying, tracing, freezing and confiscating assets connected to trafficking and related exploitation.

10. Encouraging and facilitating cooperation between non-governmental organizations and other civil society organizations in countries of origin, transit and destination. This is particularly important to ensure support and assistance to trafficked victims who are repatriated.