

Ireland ratifies UN Convention on Transnational Organised Crime and Human Trafficking Protocol

The Minister for Justice and Law Reform, Mr. Dermot Ahern, T.D. has today announced that Ireland has ratified the UN Convention against Transnational Organised Crime (known as the Palermo Convention) and the Protocol to Prevent, Suppress, and Punish Trafficking in Persons, especially Women and Children.

A Special High Level Meeting on Transnational Organised Crime was held at the United Nations General Assembly to celebrate the 10th Anniversary of the adoption of the UN Convention and its additional protocols. Ms. Marion Walsh, Executive Director of the Anti Human Trafficking Unit represented Ireland at that event. Ireland's instruments of ratification of the Convention and Protocol were deposited with the UN Secretary General to coincide with that Anniversary.

Minister Ahern said **"These are most important global instruments for tackling transnational organised crime, in all its forms. Criminals have no respect for borders and it was important for Ireland to demonstrate that we will play our part in the international effort to disrupt and destroy these criminal activities.**

Ireland has introduced a wide range of legislation in the last few years to tackle organised crime, gangland crime, gun crime and human trafficking. We are now in a position to become a Party to these international instruments and to demonstrate that our commitment to international cooperation is resolute. We have had a number of successful operations in recent times that would not have happened without the assistance of other States and international organisations. These crimes are all transnational. Our response must also be transnational".

Recent operations include:

- **Operation Shovel** against an organised crime gang operating in the south of Spain,
- **Operation Samhna** against tobacco smugglers,
- **Operation Abbey** tackling the sexual exploitation of females, and
- **Operation Seabight** which was against the smuggling of cocaine into Europe.

The Convention and the Protocol are available on the website of the United Nations Office on Drugs and Crime - www.unodc.org

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Note for Editors

UN Convention against Transnational Organised Crime (also known as the Palermo Convention)

The Palermo Convention is widely accepted as being the most important international instrument in the fight against transnational organised crime.

The key provisions of the Convention relate to specific offences:

- Organised crime offences
- Corruption offences
- Money laundering offences
- Obstruction of justice offences

The Convention also includes provisions relating to mutual legal assistance, extradition, the use of joint investigation teams, the protection of victims and witnesses and for the confiscation and seizure of the proceeds of crime.

Legislation providing for this Convention is in place via a number of Acts including the Criminal Justice Act 2006, as amended by the Criminal Justice (Amendment) Act 2009, the Prevention of Corruption Acts 1889-2001, Criminal Justice (Mutual Assistance) Act 2008 and most recently, the Criminal Justice (Money Laundering and Terrorist Financing) Act 2010 which provides the final measures for Irish compliance with the requirements of the Convention.

The Protocol to Prevent, Suppress, and Punish Trafficking in Persons, especially Women and Children

The Protocol is the first International Treaty aimed at comprehensively defining and addressing the problem of human trafficking. Its purpose is threefold:

- to prevent and combat trafficking in persons, paying particular attention to women and children.
- to protect and assist victims of trafficking, and
- to promote cooperation among States Parties in order to meet those objectives.

A National Action Plan, which sets out the legislative and administrative structures to give effect to the Protocol, was published on 10 June 2009.

Some of the key arrangements which have been put in place to date include:

- Enactment of the Criminal Law (Human Trafficking) Act 2008 which became operational on 7 June 2008. This gives effect to the criminal law/law enforcement elements of the Protocol.
- Administrative arrangements which provide a period of recovery and reflection of 60 days for potential or suspected victims and periods of temporary residency where the suspected victim is assisting with an investigation or prosecution. Pending the re-publication and enactment of the Immigration, Residence and Protection Bill these administrative arrangements in relation to recovery and reflection periods and temporary residence, broadly reflecting the provisions in the Bill were introduced on 7 June 2008.
- Dedicated units to combat human trafficking established in the Department of Justice and Law Reform and in the Garda Síochána.
- An Interdepartmental High Level Group to recommend the most appropriate and effective responses to trafficking in human beings to the Minister for Justice and Law Reform.
- Engagement with NGOs and representatives of the High Level Group through roundtable discussions held every 4 months approximately. 5 interdisciplinary Working Groups have been established to progress matters in relation to Child Trafficking, Development of a National Referral Mechanism, Awareness Raising and Training, Sexual Exploitation issues and Labour Exploitation issues and, in turn, report to the High Level Group.
- Suspected adult victims are provided with accommodation and all necessary medical and material assistance by the Reception and Integration Agency (RIA) in conjunction with the HSE, prior to identification as a suspected victim and during 60 day recovery and reflection period, following referral by the GNIB.
- HSE provide a care plan for potential and suspected victims of human trafficking for sexual and labour exploitation.
- Provision of legal aid and legal advice to potential and suspected victims of trafficking in both civil and criminal cases by the Legal Aid Board.
- The HSE make all necessary provisions regarding any unaccompanied child who is suspected of being or who is identified as a victim of trafficking. This involves initial counselling/debriefing, multidisciplinary assessment of need and a care plan overseen by a HSE person.

- An ongoing awareness raising campaign directed at the public and law enforcement agencies initially launched in October, 2008.
- Training courses entitled 'Tackling Trafficking in Human Beings: Prevention, Protection and Prosecution' delivered to members of the Garda Síochána and a probationer Garda training module on human trafficking.
- Awareness raising training for relevant Government officials e.g. HSE, PSA, INIS, ORAC, Crime Victims helpline, DETE, NERA, probation service staff, Social welfare inspectors and staff of youth detention schools.
- Development, design and delivery of a 'Train the Trainer' course for staff of Government and Public Sector organisations to enable training on human trafficking to be rolled out to all staff in these organisations.
- Data Strategy being developed further to help establish the nature and extent of trafficking in human beings in Ireland.