

*Карачебан Ю. А.,
студентка,*

Национальный университет «Одесская юридическая академия»

INTERNATIONAL COOPERATION AGAINST HUMAN TRAFFICKING

Human trafficking is a global problem and one of the world's most shameful crimes, affecting the lives of millions of people around the world and robbing them of their dignity. Traffickers deceive women, men and children from all corners of the world and force them into exploitative situations every day. While the best-known form of human trafficking is for the purpose of sexual exploitation, hundreds of thousands of victims are trafficked for the purposes of forced labour, domestic servitude, child begging or the removal of their organs.

Every year, thousands of men, women and children fall into the hands of traffickers, in their own countries and abroad. Scholars and international organizations, even within the UN system itself, looked at human trafficking or trafficking in persons differently depending on whether it was seen as a form of modern-day slavery, illegal migration, forced migration, prostitution or human smuggling. Therefore it wasn't until 15 November 2000 when the United Nations for the first time in international law defined human trafficking in the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (the Trafficking Protocol also called the Palermo Protocol). The Trafficking Protocol supplements the United Nations Convention against Transnational Organized Crime and entered into force on 25 December 2003.

According to the Trafficking Protocol human trafficking means «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 others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs». Since the adoption of the Trafficking Protocol a lot of states have enacted antitrafficking laws that generally reflect this

broad definition, while international and regional organisations have adopted documents combating trafficking in persons.

As we see human trafficking is not just a huge problem, but a global one which needs proper solution. To make sure it is really important let us go through some facts:

Nearly every country in the world is affected by human trafficking, as a point of origin, transit or destination, and victims from at least 127 countries have been reported to have been exploited in 137 States;

Human trafficking is one of the most lucrative illicit businesses in Europe, with criminal groups making about \$3 billion from it per year, making it a considerable criminal business that preys on the world's most marginalized persons;

In Europe, over 140, 000 victims are trapped in a situation of violence and degradation for sexual exploitation and up to one in seven sex workers in the region may have been enslaved into prostitution through trafficking;

Globally, one in five victims of human trafficking are children, although in poorer regions and subregions, such as Africa and Greater Mekong, they make up the majority of trafficked persons. Women meanwhile make up two thirds of the world's human trafficking victims.

At the national level, countries continue to implement the Protocol and work towards integrating anti-human trafficking legislation into their domestic laws. There are also annual improvements in the number of countries with specific legislation, as well as those with special anti-human trafficking police units and national action plans to deal with the issue. However, despite increasing conviction rates for the crime of human trafficking, the number of such convictions remains low. In an effort to tackle this, more effective implementation of the Protocol at the national level and greater degrees of regional and international cooperation are needed.

As human trafficking is a phenomenon that has a variety of forms, the process of dealing with it doesn't have an easy solution.

States, law enforcement and security agencies must unite and coordinate their actions in the fight against this crime. First of all, to prevent and deal with the consequences of human trafficking it is needed the international cooperation of states.

Secondly, it is necessary that the legislation providing penalties for human trafficking was related to the legislation on organized crimes and

procedural norms. At the same time, legislators should pay attention to the corpus delicti of the crime.

The third problem to solve is the strengthening of international cooperation in the fight against human trafficking. It includes the international law enforcement cooperation in the field of detection and prevention of transnational criminal groups, cooperation in combating crimes in each country.

The next way to solve the problem of human trafficking is education and practical training of law enforcement officials at all levels of decision-making and the employees. The training should include the understanding of the situation that has the evidence of human trafficking, the definition of crimes, the identification of the phenomenon of organized crime in the trafficking.

However fighting human trafficking should not just be seen as the responsibility of the authorities. Ordinary people can help tackle the crime by being aware of it and by making sure that the plight of victims does not go unnoticed. There are many ways that everybody can help tackle this crime and make a difference:

Be alert: if there is anything that might be related to trafficking, it is necessary to tell the police or telephone the local anti-trafficking helpline, if one is available. These concerns could relate to person's workplace or to his private life—it is necessary to remember, victims are coerced into a range of areas. If the person is unsure, it is better to be mistaken than to let another victim continue to be enslaved.

Be involved: one should find out what is being done in the community, see what can be done and encourage his friends, family and neighbours to be more aware about human trafficking. Many national authorities and non-governmental organizations are involved in anti-trafficking work and there is a wealth of information available online through these channels.

Be aware: anybody can join the UNODC-led Blue Heart Campaign against human trafficking by visiting www.unodc.org/blueheart. This international initiative works to raise awareness of the plight of victims and build political support to fight the criminals behind trafficking.

Be supportive: it is possible to support the United Nations Voluntary Trust Fund for Victims of Human Trafficking which does fundraising to assist grass-roots organizations working with survivors of this crime. One way of raising funds is to organize an event at the school or in any community.

Thus, human trafficking is a global problem, which does not recognize national boundaries. Therefore, to combat human trafficking there is a need of transnational techniques involving international cooperation in the form of exchange of information and mutual assistance together with the help of any person.

Лисенко Є.А.,

студентка,

Національного університету «Одеська юридична академія»

ТОРГІВЛЯ ЛЮДЬМИ ЯК ПОРУШЕННЯ ПРАВА НА СВОБОДУ

Права людини в сучасному світі – це проблема, вирішення якої стоїть у центрі практичної діяльності міжнародного співтовариства і кожної держави;

Права людини – це її можливість діяти певним чином для того, щоб забезпечити своє нормальне існування, розвиток і задоволення власних потреб.

Свобода людини є вихідним поняттям проблеми прав людини. Вона характеризується ознаками:

– всі люди народжуються вільними і рівними у своїй гідності і правах;

– людина має право робити все, що прямо не заборонено діючим законодавством;

– всі люди рівні в правових можливостях, правовому сприянні і правовій охороні;

– свобода людини – об'єктивна реальність, вона виходить за межі врегульовані правом, так як на неї впливають і інші соціальні норми (моралі, етики, релігійні норми та інші).

Міжнародне співтовариство приділяє правам людини велику увагу, для цього визначає міжнародно-правові стандарти в цій галузі, тобто в договірному порядку встановлює правові норми мінімально припустимого поведіння держав з індивідами, що перебувають на її території.

Ці стандарти містять:

– Загальна декларація прав людини (1948);