



OAS | DTOC

Department against Transnational Organized Crime

MANUAL ON INTERNATIONAL LEGAL COOPERATION TO COUNTER ORGANIZED CRIME

linked to exploitation of venezuelan refugees and migrants



**GUIDELINES FOR ENGLISH-SPEAKING
CARIBBEAN AND CENTRAL AND SOUTH AMERICAN COUNTRIES**

february 2024



MANUAL ON INTERNATIONAL LEGAL COOPERATION TO COUNTER ORGANIZED CRIME

linked to exploitation of venezuelan refugees and migrants



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SOUTH AMERICAN COUNTRIES*

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This Booklet was made possible thanks to the support of the Secretariat for Multidimensional Security (SMS) of the General Secretariat of the Organization of American States (GS/OAS) under the terms of Agreement Project ACCBP-P011029. The opinions expressed in this document are those of the author(s) and do not necessarily reflect the views of the OAS or DTOC.

Preface

The challenges posed by organized crime in Latin America and the Caribbean —especially crimes such as human trafficking or migrant smuggling— require rapid and efficient actions from government agencies. To achieve this, States need tools and resources that allow them to confront criminal organizations and provide assistance and support to victims.

In the face of the current crisis of Venezuelan refugees and migrants, various reports highlight that, during the migratory process, Venezuelan citizens are exposed to multiple risks to their security, including crimes such as trafficking or illegal trafficking of persons, child sexual exploitation, gender-based violence, and lack of shelter.

While much of the impact has been felt in the Spanish speaking countries of the region, the English-speaking countries in the Caribbean and Central and South America (Antigua and Barbuda, Barbados, Belize, Guyana, Jamaica, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, The Bahamas and Trinidad and Tobago), have also been affected by the migratory wave of Venezuelan citizens, given their proximity to Venezuela.

The Organization of American States (OAS) has been committed to addressing the insecurity faced by Venezuelan migrants and refugees for years. As part of these efforts, the OAS General Secretariat is implementing the "Project to Support OAS Member States in Efforts to Prevent, Investigate, and Combat Criminal Activity Related to the Exploitation of Venezuelan Refugees and Migrants" (PICAD). The program's goal is to strengthen the capacity of seven member states (Colombia, Costa Rica, Ecuador, Guyana, Panama, Peru, and Trinidad and Tobago) to prevent and investigate organized crime related to the exploitation of Venezuelan refugees and migrants, particularly human trafficking and the illegal trafficking of migrants, and to increase awareness of the risks they face.

However, the scope of the project has been expanded to cover not just one country in the Caribbean region, but all English-speaking countries in the Caribbean and Central and South America.

In this context, and as part of PICAD and the technical assistance actions to member states, under the guidance of the Secretariat for Multidimensional Security and with the support of the Canadian government, the Department against Transnational Organized Crime of the Organization of American States (OAS-DTOC) presents the Manual of International Legal Cooperation in human trafficking and illegal smuggling of migrants as a tool for member states, which aims to strengthen technical cooperation mechanisms through specialized agencies (police, judges and prosecutors, victim assistance providers).

This Manual details the regulations applicable to the exchange of information and international legal cooperation in the context of investigations of transnational organized crime in the beneficiary countries —of the Common Law system—, in addition to presenting a model protocol for this purpose, which can guarantee effective, efficient and rapid international legal cooperation, with more agile responses to investigations and prosecutions. Likewise, it addresses the different types of legal assistance, from extradition as the maximum expression of international cooperation, to other new forms of assistance such as the formation of Joint Investigation Teams (JIT) or focusing on the various measures that can be carried out on assets related to organized crime.

All of this with schematic tables and links that make this Manual a practical and guiding tool for research teams, not only for the beneficiary countries of the project that gave rise to this Manual, but for everyone in the hemisphere.

By virtue of the result obtained within the framework of the execution of the PICAD Project, from our Department we want to express our thanks for the support provided by Canadian authorities, especially its Ministry of Foreign Affairs, through the Anti-Crime Capacity Development Program (ACCBP) , without whose participation and commitment we could not have carried out the work coordinated by the OAS DTOC team of specialists together with the advice of Mr. Andrew Tennant. From the OAS DTOC we are convinced that although the Manual was designed for the crimes of human trafficking and illegal migrant smuggling, it will be a consultation tool that will strengthen state responses for the prevention of transnational crimes, the dismantling of criminal networks. and the intervention of illicit economies.

Gastón Schulmeister

Director
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ACRONYMS

Acronyms	Definition
CCJ	Caribbean Court of Justice
CCJMT	Caribbean Court of Justice Model Treaty
CTU	Counter Trafficking Unit
CAU	Central Authority Unit
DPS	Department of Public Security
CICTE	Secretariat of the Inter-American Committee Against Terrorism
DSI	Department of Social Inclusion
DTOC	Department against Transnational Organized Crime
ILOR	International Letters of Request
JIATF	Joint U.S. and Caribbean Joint Task Force for Policing and Transnational Organized Crime
LOR	Letter of Rogatory
MLA	Mutual Legal Assistance
MLAT	Trinidad and Tobago-Venezuela Mutual Legal Assistance Treaty
NRM	National Referral Mechanism
OAGMLA	Office of the Attorney General and Ministry of Legal Affairs
OAS	Organization of American States
OSINT	Open Source Intelligence
TOC	Transnational Organised Crime
UNTOC	United Nations Convention Against Transnational Organised Crime

GLOSSARY INTERNATIONAL COOPERATION

Active extradition

Formal process the requesting State party follows to make the extradition request.

AIAMP

The Ibero-American Association of Public Ministries is a non-profit entity, made up of the Public Ministries of Ibero-America. Indeed, it emerged as the Inter-American Association of Public Ministries in Brasilia, in 1954 and, later, with the incorporation of Spain and Portugal, at the XII Congress, in Cartagena de Indias in 2002, it became the Ibero-American Association.

AMERIPOL

Police Community of America whose purpose is to promote and strengthen police cooperation in technical-scientific matters, and training, as well as to make for a more effective exchange of informal information for intelligence purposes. Similarly, its purpose is to coordinate and promote sustained actions of criminal investigation and judicial assistance between police forces or homologous institutions.

Blue Notice (INTERPOL)

One of the requests for international cooperation or alerts that allow the police of member countries exchange essential information on crimes. The blue notice is used to get more information about a person's identity, whereabouts or criminal activities in connection with a criminal investigation.

Booking

A “reservation” in a treaty is a unilateral declaration, however, worded or named, made by a State when signing, ratifying, accepting, approving, or acceding to a treaty, with the purpose of excluding or modifying the legal effects of certain provisions of the treaty in their application to that State.

Central authority

Administrative entity designated by a State to be the central contact point in matters related to international cooperation.

Competent authority

The authority within the State with the competence or legal responsibility to respond to a request for international assistance and adopt the measures that are necessary in accordance with domestic law to grant the request.

Cross-examination

Questions asked of a witness by the opposing litigant to challenge their testimony. The principle of contradiction is essential in legal systems that adhere to the Common Law tradition. After these hearings, the judge will decide whether to accept the testimony, part of it, or none at all.

Delivery

The stage of the process in which the requested State orders the fugitive (subject of an extradition request) to pass to the jurisdiction of the requesting State.

Dual criminality

The crime must be criminally recognized both in the requesting State and in the requested State when the request for assistance refers to a) seizure and seizure of assets; and b) inspections and seizures, including house searches and raids.

Estate

Assets of any kind, tangible or intangible, movable or immovable, tangible or intangible, and the documents or legal instruments that prove ownership or other rights over said assets.

EUROPOL

Agency of the European Union in police matters tasked with tackling international crime and terrorism, collaborating with numerous associated States, as well as international organizations. Informal information exchange is carried out between the countries, to support the operations of the security forces and bodies.

Extradition

Formal process through which a state requests the forced return of a person who has been accused or convicted of a crime, to submit it to trial or to serve the sentence in the requesting state¹.

Extradition in transit

The formal process followed by the State requesting the request for authorization to transit through a third state for extradited persons handed over by another state. Encompassing the formal authorization process granted by the state through which the transit passes.

Forfeiture

Definitive deprivation of assets by decision of a court or other competent authority.

Hearsay

A statement made to a witness by someone not called to testify. Hearsay may or may not be indirect evidence, relying on second-hand knowledge. It lacks direct knowledge of a fact but may be deduced from other evidence. In Common Law countries, hearsay has historically been banned in extradition cases, but it is now increasingly accepted as evidence in such hearings.

Human Trafficking

Trafficking in persons shall be understood as the recruitment, transportation, transfer, harboring or reception of persons, resorting to the threat or use of force or other forms of coercion, kidnapping, fraud, deceit, abuse of power or a situation of vulnerability or the granting or receiving of payments or benefits to obtain the consent of a person who has authority over another, for the purpose of exploitation. Such 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.

IberRed

The Ibero-American Network for International Legal Cooperation (IberRed) is a cooperation tool, in civil and criminal matters, made available to legal operators from 22 Ibero-American countries and the Supreme Court of Puerto Rico (including Spain, Portugal and Andorra). It has a web page with public and private access that constitutes a secure communication system, called Iber @, for contact points and central authorities. The security of the Iber @ system and its easy use and accessibility allow for a "collaborative environment 2.0".

Inter-institutional exchange of information

International cooperation tool complementary to legal cooperation, which is carried out between different State institutions such as; Security Forces, Public Prosecutor's Offices, financial system entities, and Tax Agencies, among others, in order to advance in criminal investigations.

International Criminal Police Organization (INTERPOL)

The International Criminal Police Organization comprises 194 countries, each with a Central Office within its police force. The main function of these offices is to coordinate police efforts, allowing the extension of the arm of justice beyond borders. INTERPOL has an integrated international information system called i-24/7, which is shared by all member countries, facilitating constant communication on globally significant crime events. Furthermore, it enables police cooperation beyond national territories, assisting police units, government and judicial authorities, and services devoted to preventing or combating crime in their respective countries.

Judicial Cooperation Networks

Co-operative mechanisms, which are established to provide international judicial assistance, between actors and/or auxiliaries of the justice system.

Mutual Legal Assistance

A process in which States seek and assist in the collection of evidence to be used in a criminal matter. These procedures, or mechanisms are available to facilitate the effectiveness of a legal act or procedure that must produce effects or be carried out in a foreign jurisdiction.

Organized criminal group

A structured group of three or more people that exists for a certain time and that acts in concert with the purpose of committing one or more serious crimes or crimes established in accordance with and in compliance with the United Nations Convention against Transnational Organized Crime with a view to obtaining, directly or indirectly, an economic benefit or other material benefit.

Passive extradition

The formal process that the requested State party follows to comply with the extradition request.

Prima facie

Latin locution which means "at first sight" or "on the face of it." It refers to evidence that, on initial presentation, appears sufficient to prove a case or establish a fact unless contradicted or disproven by additional evidence.

Proceeds of crime

Property of any kind derived or obtained directly or indirectly from the commission of a crime.

Red Notice (INTERPOL)

One of the requests for international co-operation or alerts that allow the police of the member countries to exchange essential information on crimes. The Red Notice is used to locate and detain wanted persons with a view to prosecution or serving sentences.

REFCO

It is a Regional Network of Prosecutors Against Organized Crime, which makes available to prosecutors and Organized Crime Prosecutors, a consultation and technical assistance tool for the coordination of transnational investigations, among 10 Specialized Prosecutors in the fight against organized crime in Belize, Costa Rica, Colombia, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Panama and the Dominican Republic.

- ☒ **Requesting state**
The state that issues a request for international legal cooperation.
- ☒ **Required status**
Recipient state of a requirement, to which international legal cooperation is requested.
- ☒ **Serious felony**
Conduct that constitutes an offence punishable by a maximum deprivation of liberty of at least four years or a more serious penalty.
- ☒ **Smuggling of migrants**
Facilitation of the illegal entry of a person into a State of which said person is not a national or permanent resident in order to obtain, directly or indirectly, a financial or other material benefit.
- ☒ **Spontaneous submission of information**
An international cooperation tool which enables one State to provide information to another State without any prior request. This process helps the receiving State become aware of facts that might be considered crimes within its jurisdiction and allows them to assess whether to initiate an investigation or contribute additional information to an ongoing investigation.
- ☒ **THE NETWORK, OAS**
Hemispheric Information Exchange Network for Mutual Assistance in Criminal Matters and Extradition, Organization of American States, was established in 2000, at the Third Meeting of Ministers of Justice or Attorneys General of the Americas (REMJA-III) to increase and improve the exchange of information among OAS member states in the field of mutual assistance in criminal matters.
- ☒ **United Nations Convention against Transnational Organized Crime**
Protocol to Prevent, Suppress and Punish Trafficking in Persons
Protocol against the Smuggling of Migrants by Land, Sea and Air
Vienna Convention of 1988
Inter-American Convention on Mutual Assistance in Criminal Matters 1992

GLOSSARY HUMAN MOBILIZATION HUMAN TRAFFICKING AND SMUGGLING

⊙ Asylum seeker

That person who has applied for recognition of refugee status or status and whose request is pending resolution.

⊙ Boy, Girl, Teenager

Any person who has not reached 18 years of age, unless they had reached the age of majority before by law. The term “girl or boy” used OC-21/14 of August 19, 2014, on the rights and guarantees of girls and boys in the context of migration and/or in need of international protection obviously includes adolescents.

⊙ Due diligence principle

International human rights law places various obligations on States that extend beyond simply refraining from illegal acts like trafficking or smuggling. While States are not held accountable for actions of third parties, they are held responsible for failing to prevent, investigate, prosecute, or provide compensation for such acts. These obligations, defined as the states' role as guarantors, are connected to effectively protecting people's rights and ensuring respect, promotion, and fulfillment of their rights.

⊙ Fake identity or travel document

It is any travel or identity document:

Prepared or issued in a spurious manner or materially altered by anyone other than the person or entity legally authorized to produce or issue the travel or identity document on behalf of a State; or

Issued or obtained improperly through false declaration, corruption or coercion or in any other illegal way; or

used by a person other than its legitimate owner.

⊙ Host State or Receiving State

State to which the victim moves, whether transit or destination to be exploited.

⊙ Illegal entry

It occurs when borders are crossed without having met the necessary requirements to legally enter the receiving State.

⊙ Intersectionality

People with diverse affiliations who encounter various forms of social, political, and cultural inequality in their daily lives. Understanding these inequalities relationally, rather than in isolation, is crucial. Identifying these overlapping interactions places individuals in situations of structural vulnerability. Certain groups, including women, children, adolescents, migrants, refugees, stateless persons, and people with disabilities, face intersecting and multiple forms of discrimination that must be carefully considered in judicial proceedings.

⊙ Migration crisis

A term that describes complex and often large-scale migration flows and mobility patterns triggered by a crisis that often result in considerable vulnerabilities for affected individuals and communities, and pose serious long-term migration management challenges. A migration crisis can be sudden or gradual, due to natural or man-made causes, and can occur internally or across borders (IOM, 2012c:2).

- ⊙ **Migratory status:** The legal situation in which a migrant finds himself, in accordance with the internal regulations of the host or receiving State.

- ⊙ **Person with Disability**

A person who has a long-term physical, mental, intellectual, or sensory deficiency that, when interacting with various barriers, may prevent their full and effective participation in society, on an equal footing with others.
- ⊙ **Principle of non-detention or prosecution for crimes related to the status of victim of trafficking**

The principle of non-detention or prosecution for crimes related to the status of trafficking victims ensures that victims should not be detained or charged for illegal entry, residence, or involvement in illegal activities directly resulting from their exploitation. This protects their rights, facilitates access to support and services, reduces trauma and secondary victimization, and encourages reporting without fear of prosecution for crimes coerced by traffickers. Essentially, this principle prevents punishing victims for crimes they were compelled to commit.
- ⊙ **Refugee**

Any person who, due to well-founded fear of being persecuted for reasons of race, religion, nationality, belonging to a certain social group or political opinion, is outside the country of his nationality and is unable or, due to such fear, is unwilling to take refuge to the protection of that country; or who, lacking nationality and being, as a result of such events, outside the country where they previously had their habitual residence, cannot or, due to said fears, does not want to return to it.
- ⊙ **Separated children**

Girl or boy separated from both parents or from their legal or habitual guardians, but not necessarily from other relatives. Therefore, you may find yourself accompanied by other adult family members.
- ⊙ **State or country of origin of the victim**

State or country of which a person is a national or, in the case of a stateless person, State or country of habitual residence.
- ⊙ **Stateless person**

A person who is not considered a national or citizen by any State, according to its legislation.
- ⊙ **Unaccompanied children**

Girl or boy who is separated from both parents and other relatives and is not in the care of an adult who, by law or custom, bears that responsibility.
- ⊙ **Vessel**

Any type of vessel, including non-displacement vessels and seaplanes, that is or may be used as a means of transportation over water, excluding warships, auxiliary navy vessels, or other vessels owned by a State or operated by it and that at that time are used only in official non-commercial services.
- ⊙ **Victim**

A victim shall be understood as any person who has suffered harm, individually or collectively, including physical or mental injuries, emotional suffering, economic losses or substantial impairment of their fundamental rights, as a consequence of actions or omissions that constitute a manifest violation of international standards of human rights or a serious violation of international humanitarian law. Where appropriate, and in accordance with domestic law, the term "victim" shall also

include the immediate family or dependents of the direct victim and persons who have suffered harm when intervening to assist victims in danger or to prevent victimization.

⊙ **Vulnerable Migrant**

According to the IOM Manual, a migrant or group of migrants exposed to or experienced violence, exploitation or abuse within a migration context and with limited capacity to avoid, resist, cope or recover, as a result of the unique interaction of the individual, home/family, community, and structural features and conditions.

INTRODUCTION

International cooperation in criminal matters is essential to combat human trafficking and migrant smuggling, which presents a relatively new challenge for law enforcement, prosecutors and law makers internationally.

The offending is carried out by a range of bad actors, ranging from opportunistic individuals or small, loosely connected organized crime groups, to larger, complex transnational networks. These networks are often supported by a range of facilitators who, among a range of services, assist in laundering and hiding the proceeds of their activity across borders.

- The crime of human trafficking and migrant smuggling is often facilitated by criminal networks that operate transnationally.
- International cooperation can help to identify and prosecute these networks, as well as to protect victims.
- There are a number of international treaties and agreements that provide for international cooperation in criminal matters.
- These treaties and agreements can be used to facilitate extradition, mutual legal assistance, and joint investigations to tackle these groups and rescue victims.
- In addition to formal channels of cooperation, there are also a number of informal networks that can be used to share information and coordinate investigations which allow for more dynamic action in order to keep pace with the operational manoeuvrability of such groups.

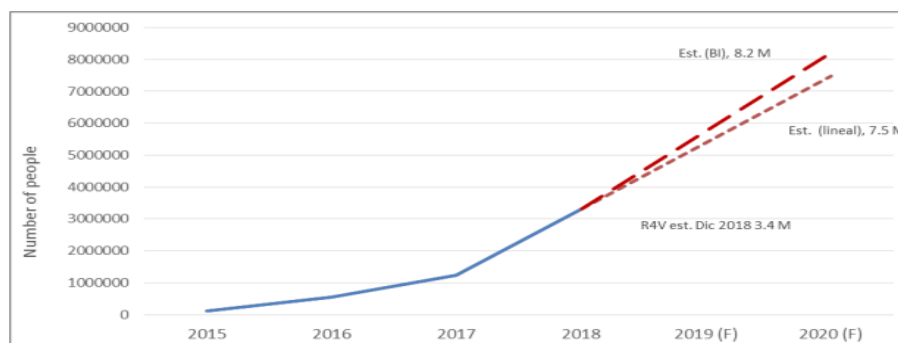
The current situation regarding OAS Member States is they have been affected by the crisis in Venezuela, which has led to a large influx of refugees and migrants.

According to the OAS Report on Venezuelan Migrants and Refugees: "An Unprecedented Crisis in the Region", as of the end of 2018 3.4 million Venezuelans had left the country.

In total, five countries (Colombia, Peru, Chile, Ecuador and Argentina) received 2.6 million Venezuelan migrants, which represents 76% of the total number of Venezuelans who have left the country.

The remaining 24% of Venezuelan migrants have gone to other countries in the region, such as Brazil, Mexico, and the Dominican Republic. A small number of Venezuelan migrants have also gone to countries outside of the region, such as the United States, Spain, and Portugal.

Fig 1. Total number of Venezuelan migrants and refugees (2015-2018) and projections to 2020



<https://www.brookings.edu/blog/up-front/2018/12/10/how-many-more-migrants-and-refugees-can-we-expect-out-of-venezuela/>

- This has created new opportunities for criminal networks that traffic and smuggle migrants.
- The OAS has been working to strengthen international cooperation in criminal matters in order to combat these crimes.
- This includes the development of new tools and mechanisms for cooperation, as well as the provision of training and technical assistance to OAS Member States.



1

Overarching
Objective

The main objective of the project is to strengthen the capacity of seven Organization of American States (OAS) Member States - **Colombia, Costa Rica, Ecuador, Guyana, Panama, Peru, and Trinidad and Tobago** - to prevent and investigate the trafficking and smuggling of Venezuelan migrants and refugees and to increase the understanding of the risks they face. Also, strengthen border management in the beneficiary countries in order to increase the detection of the irregular movement of goods and people.

Seek to access, prevent, confront, and respond effectively to threats to security, with a view of being the leading point of reference in the Hemisphere for developing cooperation and capacity-building in the OAS member states.

In this sense expanding the initial scope, this manual aims to strengthen international legal cooperation between countries with Common Law systems in the Caribbean region; including States in South and Central America. Focussing on combating the crimes of human trafficking and migrant smuggling.

1.1. Activity Requested: Development of a model protocol describing the steps to be taken to exchange information and facilitate international legal cooperation among beneficiary countries when crimes of human trafficking and migrant smuggling are committed, with special attention to the phenomenon of migration of Venezuelan citizens.

1.2. Road map and guiding principles: The Human Rights-Based Approach (HRBA) is a framework for understanding and addressing human rights that is based on the principles of universality, indivisibility, interdependence, and non-discrimination. It emphasizes the importance of protecting the rights of all people, regardless of their individual circumstances.

The HRBA is particularly relevant to the fight against human trafficking and migrant smuggling, as these crimes often involve the exploitation of vulnerable people. By taking a HRBA approach, we can ensure that the rights of victims are protected and that they are not further victimized by the criminal justice system.

There are a number of key principles that should be followed when applying a HRBA to the fight against human trafficking and migrant smuggling. These include:

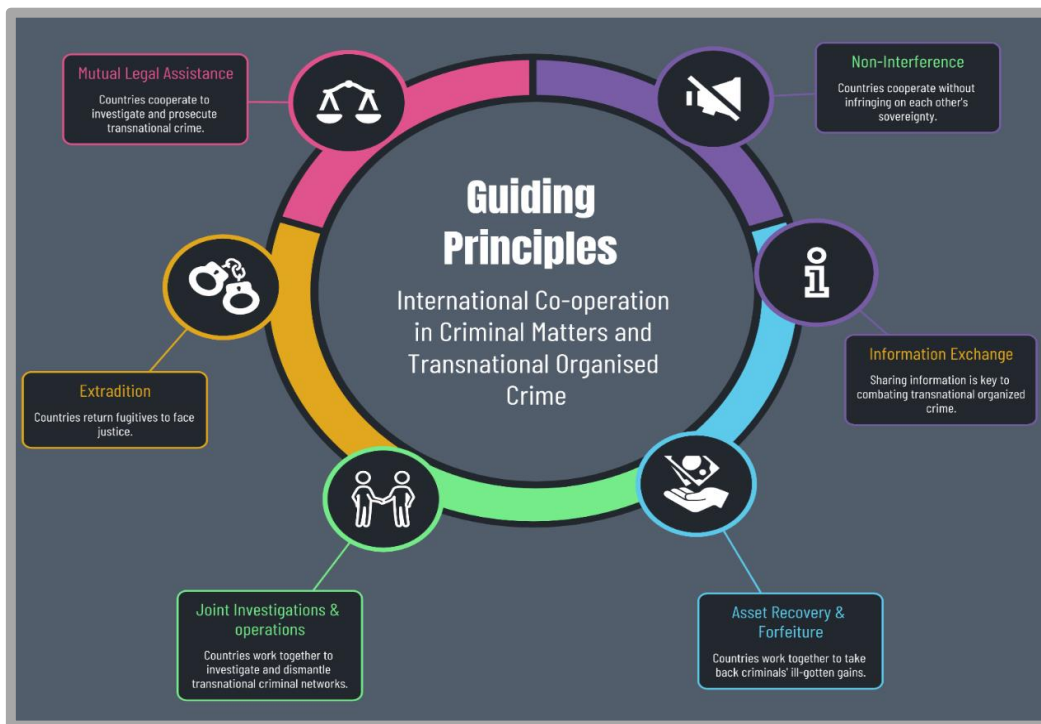
- ☒ The principle of non-discrimination: All people, regardless of their individual circumstances, should be protected from human trafficking and migrant smuggling.
- ☒ The principle of participation: Victims of human trafficking and migrant smuggling should be actively included and informed during all aspects of the criminal justice process, from investigation to prosecution.
- ☒ The principle of accountability: Traffickers and smugglers should be held accountable for their crimes, and victims should be compensated for the harm they have suffered.

By following these principles, we can ensure that the fight against human trafficking and migrant smuggling is effective and that the rights of victims are protected.

The model guidelines and framework must be customized to meet the specific requirements of OAS member states, ensuring clarity, conciseness, and ease of implementation. Additionally, the framework should possess the necessary flexibility to adjust to evolving circumstances. To facilitate effective implementation, comprehensive training and technical assistance should be provided alongside the guidelines and framework for OAS member states.

2

Guiding Principles of International Co-operation in Criminal Matters and Transnational Organized Crime



The guiding principles aim to provide practical information on international cooperation in combatting trafficking in persons (TIP) for the States of the Caribbean region with the Common Law system. It focuses on the role of the central authority as a crucial link facilitating communication between legal institutions in different countries involved in combating TIP.

The fight against trafficking in persons gained significant attention with the adoption of the "Protocol to Prevent, Suppress and Punish Trafficking in Persons," commonly known as the Palermo Protocol. This protocol recognized trafficking as a critical issue on the national political agenda. Subsequently, discussions between the federal government and civil society, with support from international organizations, led to the development for example in Trinidad and Tobago National Policy to Combat Trafficking in Persons. Other countries in the regions which have national plans are numerous. With the following having plans: Antigua and Barbuda, Barbados, Belize, Guyana, Jamaica, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines and The Bahamas.

Two modes of international cooperation are emphasized: direct cooperation and cooperation through mutual legal assistance treaties. Direct cooperation allows for the exchange of technical information and non-legally binding procedures between competent institutions like the police or the Prosecutor's Offices, without requiring formal requests to the central authority.

In cases where mutual legal assistance treaties guide the cooperation, the entire process is managed through the central authority. However, in the absence of such treaties, the principle of reciprocity becomes paramount. Reciprocity enables bilateral negotiation of specific matters based on mutual interests between the requesting State and the State receiving the request. The Ministry of Foreign Affairs handles the procedure of reciprocity, assuring the requested country that the relevant beneficiary state will reciprocate similar demands in comparable situations.

This underscores the significance of international cooperation in addressing trafficking in persons among the beneficiary states. The central authority plays a crucial role in facilitating communication, while reciprocity serves as a guiding principle for mutual legal assistance in the absence of formal treaties. Through this collaboration, the participating countries can enhance their collective efforts in combating trafficking and protect the rights and dignity of victims.

2.1. Principles of Cooperation:

International efforts to combat transnational organized crime rely on several fundamental principles of cooperation among countries. These principles form the bedrock of effective cross-border law enforcement and are integral to the global fight against criminal enterprises that transcend national boundaries. Among these core principles are Mutual Legal Assistance, which involves countries aiding each other in criminal investigations, and Extradition, where states commit to surrendering individuals who have committed crimes within their jurisdiction. Additionally, Joint Investigations and Operations promote collaborative efforts to combat organized crime, while Asset Recovery and Forfeiture measures aim to deprive criminals of their ill-gotten gains. Information Exchange is crucial for identifying criminal networks, and the Principle of Non-Interference ensures that international cooperation respects national sovereignty while upholding the rule of law. These principles are embodied in various international treaties and conventions, providing a framework for collective action against transnational criminal activities and are expanded upon in more detail below.

2.2. Principle of Mutual Legal Assistance:

Countries agree to assist each other in gathering evidence, locating suspects, and providing other forms of legal assistance in criminal investigations and proceedings. This principle is embodied in various international treaties, such as the United Nations Convention against Transnational Organized Crime (UNTOC), Article 18, and the Council of Europe Convention on Mutual Assistance in Criminal Matters¹.

2.3. Principle of Extradition:

States commit to extraditing individuals who have committed crimes in one country and seek refuge in another. Extradition treaties and conventions, like the UNTOC, Article 16, and the Inter-American Convention on Extradition, outline the conditions and procedures for extradition.

2.4. Principle of Joint Investigations and Operations:

Countries collaborate on cross-border investigations and operations to combat transnational organized crime. Joint investigations facilitate the sharing of intelligence, resources, and expertise among law enforcement agencies. This principle is encouraged through bilateral and multilateral agreements between countries.

2.5. Principle of Asset Recovery and Forfeiture:

States work together to identify, freeze, and seize the proceeds of transnational organized crime. Asset recovery measures, as mentioned in the UNTOC, Article 14, aim to deprive criminals of their ill-gotten gains and return them to their rightful owners or reinvest them in society.

2.6. Principle of Information Exchange:

International cooperation relies on effective and timely information sharing between law enforcement agencies. This sharing is essential for identifying criminal networks, coordinating responses, and preventing criminal activities.

2.7. Principle of Non-Interference:

States respect each other's sovereignty and do not interfere in each other's domestic affairs while cooperating on criminal matters. International cooperation must be conducted in accordance with the principles of international law.

¹ Sources and Citations:

United Nations Convention against Transnational Organized Crime (UNTOC): <https://www.unodc.org/unodc/en/treaties/CTOC/>

Council of Europe Convention on Mutual Assistance in Criminal Matters: <https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/030>

Inter-American Convention on Extradition: <http://www.oas.org/juridico/english/treaties/b-28.html>

Information Booklet on Brazil's National Framework for Combating Trafficking in Persons and International Cooperation Procedures. United Nations Office on Drugs and Crime; Ministry of Justice and Public Security, 2021.

In comparing mutual legal assistance (MLA) in criminal matters undertaken by all countries worldwide, there is very rarely one single model or protocol which is routinely followed. Practically, most investigators and prosecutors work together using a range of international mechanisms to facilitate the exchange of both intelligence and evidence to develop a criminal case. This is then subject to the domestic criminal legislation used to form the framework for domestic prosecution, either by arresting suspects in their country, or pursuing extradition. On other occasions, where extradition is not possible or suitable, criminal proceedings can be transferred to another jurisdiction.

3.1. Judicial Systems:

Judicial Systems and Their Impact on Transnational Organized Crime Cooperation

I. Comparative Judicial Systems

a) Caribbean Region Common Law Countries (Barbados, Belize, Bahamas, Cayman Islands, Antigua and Barbuda, Guyana)

The criminal and judicial systems in these countries follow the common law tradition, heavily influenced by British law. They employ trial and judge-managed adversarial systems, with notable differences among them. For instance, Trinidad and Tobago has a lower age of criminal responsibility compared to the United Kingdom and mandates the death penalty for certain crimes.

b) Civil Law Legal Systems (Central and South American Countries):

In contrast to the Caribbean Common Law countries, most Central and South American nations adhere to civil law legal systems, primarily derived from the Spanish legal tradition. Within these systems, the legal landscape is more inquisitorial, emphasizing written codes and statutes over case law. This results in a more structured and contradictory approach, where the prosecution and defence share more equal roles, and judges play a more active role in case management.

II. Impact on Transnational Organized Crime Cooperation

The variances in legal traditions and systems among the beneficiary states offer both challenges and opportunities for cooperation in combating transnational organized crime. These disparities extend to differences in legal terminology, procedures, and even the treatment of suspects, witnesses, and victims, potentially causing complexities when coordinating cross-border investigations, evidence gathering, and prosecutions. These disparities could lead to inconsistencies in case outcomes.

However, recognizing and comprehending these differences can also foster more robust collaboration. By respecting the distinct legal systems of each state and acknowledging their respective strengths and weaknesses, the beneficiary countries can establish comprehensive frameworks for effective mutual legal assistance. This can involve harmonizing investigative efforts, bridging procedural gaps, and developing tailored strategies to collectively combat transnational organized crime.

To ensure a consistent and efficient approach in addressing transnational organized crime, it is essential to promote information exchange, capacity-building, and specialized training programs that account for these unique legal nuances. This approach facilitates smoother cooperation and helps ensure that justice is consistently served in the fight against transnational organized crime.

3.2. Different Types of International Co-operation

Basic concepts for international legal cooperation

Requesting State: country that requires cooperation.

State receiving the request: country that receives the request to cooperate

Active cooperation: when the country requests cooperation, it is active cooperation.

Passive cooperation: when the country receives the request, it is passive cooperation.

Source - Information Booklet on Brazil's National Framework for Combating Trafficking in Persons and International Cooperation Procedures. United Nations Office on Drugs and Crime; Ministry of Justice and Public Security, 2021.

International cooperation is essential to effectively combat transnational crime. Formal mechanisms, such as extradition treaties and mutual legal assistance agreements, provide a framework for cooperation between countries. However, informal mechanisms, such as direct contacts between law enforcement agencies, can also be essential for sharing information and coordinating investigations.

Agile and fast mechanisms that do not require great formalities are important for combating transnational crime. This is because transnational criminal networks are often able to move quickly and operate across borders. If law enforcement agencies are not able to cooperate effectively, they will be at a significant disadvantage.

There are a number of examples of collaboration processes between Public Prosecutor's Offices (PPOs) in particular between OAS member states and also Interpol and the UN Office on Drugs and Crime (UNODC) as well as US based organisations who support the region, in particular with a focus on human trafficking and people smuggling from Venezuela. These organizations provide technical assistance, training and other activities to promote and improve the country's capacity to confront crime. Interpol and the UNODC also have some programs that support cooperation in combating human trafficking and people smuggling. The UNTOC has also been instrumental in supporting cooperation in combating transnational crime in the Americas. For example, the UN Convention against Transnational Organized Crime (UNTOC) has provided a critical framework for combatting transnational crime and supported the development of a number of regional initiatives, such as the OAS Working Group on Human Trafficking and Smuggling of Migrants. The UNTOC has also provided technical assistance to PPOs in the region to help them build capacity to combat transnational crime.

3.3. Informal - Interpol

Where there are no treaties or bi-lateral agreements in place, Interpol channels and ILOR or LORs can be used.








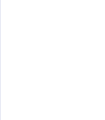
Interpol, short for the International Criminal Police Organization, is an intergovernmental organization that facilitates international police cooperation. It serves as a vital platform for law enforcement agencies worldwide to collaborate, exchange information, and coordinate efforts to combat transnational crime. Interpol supports member countries by providing a secure network and tools for sharing intelligence, issuing global alerts on wanted individuals or stolen goods, and assisting in investigations involving multiple jurisdictions. Through its extensive database and expertise in various crime areas.

Interpol channels can be a highly effective method of exchanging intelligence, locating fugitives, and effecting their arrests where no formal measures are in place, such as bilateral treaties which are referred to as informal mechanisms.

Interpol's directives on human trafficking and people smuggling aim to increase law enforcement cooperation by helping law enforcement agencies worldwide to combat human trafficking and people smuggling through a variety of activities designed to increase their capacity to detect and investigate these crimes while protecting victims and vulnerable people. These activities include:

- ⦿ Facilitating information sharing through the use of its secure global communications system, i24/7;
- ⦿ Promoting the use of Interpol's databases and tools to help law enforcement agencies identify and track suspects and victims;
- ⦿ Providing training and capacity-building to law enforcement agencies; and
- ⦿ Coordinating global operations to disrupt human trafficking and people smuggling networks.
- ⦿ Protect victims by providing support through its Victim Identification and Referral Network (VIRN), which connects victims with relevant services such as medical care, psychological support, and legal assistance.

Interpol Blue and Yellow Notices (detailed below) have been used worldwide to trace and locate both victims and suspects. Interpol Enquiry Forms can be used to target and obtain a wide range of information and intelligence with international partners, even in the absence of established intelligence sharing agreements.

INTERPOL Notices		
	<p>Red Notice</p> <p>To seek the location and arrest of wanted persons with a view to extradition or similar lawful action.</p>	
	<p>Blue Notice</p> <p>To collect additional information about a person's identity, location or activities in relation to a crime.</p>	
	<p>Green Notice</p> <p>To provide warnings and intelligence about persons who have committed criminal offences and are likely to repeat these crimes in other countries.</p>	
	<p>Black Notice</p> <p>To seek information on unidentified bodies.</p>	



for assistance in a legal matter. The requesting court asks the foreign court to perform a specific act, such as taking testimony from a witness or obtaining documents.

An ILOR is similar, but it is used by law enforcement agencies rather than courts. ILORs are used to obtain evidence from foreign countries in criminal investigations.

The main difference between a LOR and an ILOR is that a LOR is a formal request from a court to a court, while an ILOR is a formal request from a law enforcement agency to a law enforcement agency.

Feature	LOR	ILOR
Issued by	Court	Central Authority Unit (CAU) or Office of the Attorney General and Ministry of Legal Affairs
Sent to	Court	Law enforcement agency
Purpose	Obtain assistance in a legal matter	Obtain evidence in a criminal investigation
Process	More formal	Less formal
Timeframe	Can take months or even years	Can be completed more quickly
Cost	Can be expensive	Can be less expensive

Both LOR and ILORs can be a valuable tool for obtaining evidence in cross-border legal matters.

Joint Investigation Teams can also be established, but they require support from both political levels and within senior leadership in law enforcement and prosecutor's offices.

When combined with MLATs or other mechanisms for transmitting judicial, legal, or evidentiary requests, and provided there are strong working relationships to overcome bureaucratic roadblocks, most formal requirements can be overcome in order to successfully pursue TOC cases in any, or multiple jurisdictions.

3.4. The Mutual Legal Assistance Treaty

MLATs are generally considered more effective and dynamic than International Letters of Request (ILOR) in transnational organized crime cases due to several key reasons:

- ⦿ **Legal Framework:** MLATs provide a comprehensive legal framework for cooperation between countries in criminal matters. They establish clear procedures, obligations, and mechanisms for mutual legal assistance, ensuring efficient and lawful exchange of information and evidence. ILORs, on the other hand, lack the same level of legal framework and may lead to delays or complications in the process.
- ⦿ **Expediency:** MLATs offer streamlined and expedited procedures for obtaining and exchanging evidence. They often include provisions for direct communication between judicial authorities, bypassing diplomatic channels. This enables timely

and efficient cooperation, essential for the investigation and prosecution of transnational organized crime cases. ILORs, in contrast, rely on diplomatic channels, which can introduce delays and bureaucratic hurdles.

- ⦿ **Broad Scope:** MLATs cover a wide range of assistance, including requests for evidence, witness statements, asset recovery, and extradition. They provide a comprehensive mechanism for cooperation, addressing various aspects of transnational crime investigations. ILORs, on the other hand, are typically limited to specific requests for evidence or information, which may not encompass the full range of assistance required.
- ⦿ **Reciprocity:** MLATs establish a principle of reciprocity, ensuring that countries assist each other in criminal matters based on mutual obligations. This reciprocity enhances trust and cooperation between countries, promoting a more collaborative approach in tackling transnational organized crime. ILORs lack the same level of reciprocity and may result in uneven or limited cooperation between countries.

Overall, the existence of a well-established MLAT framework ensures a more effective, efficient, and dynamic mechanism for international cooperation in transnational organized crime cases compared to relying solely on International Letters of Request.

Between Trinidad and Tobago and Venezuela there is a Mutual Legal Assistance Treaty (MLAT) which entered into force on January 1, 2007, and was amended in 2014. It is based on the 1984 UN Model Treaty.

It has been used in many cases, including Transnational Organized Crime (TOC). One example was on February 13, 2017, the Attorney General's Office of Panama (PGN) and the Attorney General's Office of Colombia (Fiscalía General de la Nación) signed a Mutual Legal Assistance Treaty (MLAT) to cooperate in the investigation and prosecution of transnational organized crime. The MLAT allowed the two countries to share information and evidence as the case developed.

The money laundering scheme involved a Colombian drug trafficking organization that was laundering money through Panamanian banks.

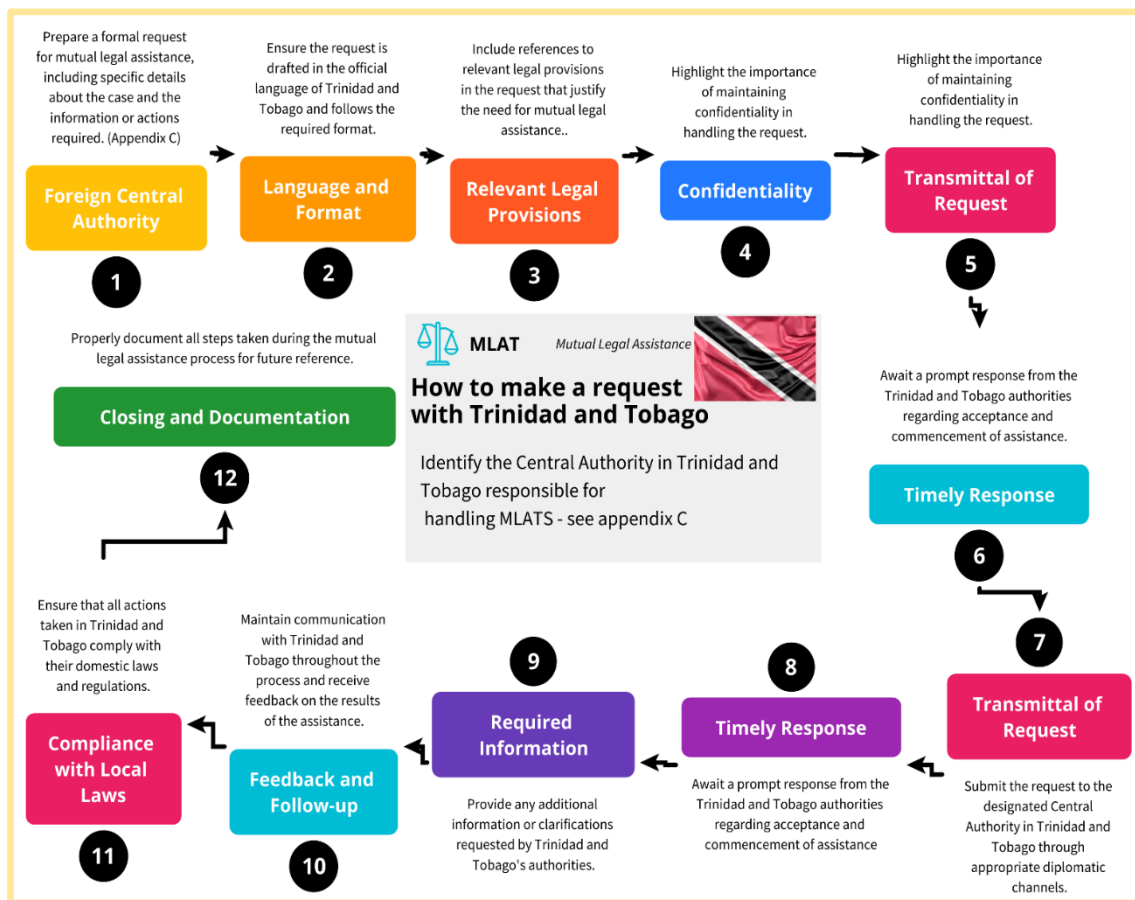
The Colombian government had been investigating the organization for several years, but it needed Panama's assistance to gather evidence.

The MLAT allowed the Colombian government to share information with Panamanian authorities, which helped them to identify and arrest several members of the organization.

The Panamanian government also seized several assets belonging to the organization, including bank accounts, real estate, and vehicles. The cooperation between Colombia and Panama in this case was a success, and it helped to bring several criminals to justice.

The MLAT provides for the exchange of information and assistance between the two countries in criminal matters. It can be used to request a variety of assistance, such as the provision of evidence, the interviewing of witnesses, and the arrest and extradition of suspects.

3.5. Process for requesting Mutual Legal Assistance from Trinidad and Tobago



Note: It is essential to consult relevant international treaties, conventions, and agreements between Trinidad and Tobago and the requesting country to ensure adherence to specific protocols and procedures for mutual legal assistance.

Cooperation between **Trinidad & Tobago and Venezuela** in criminal investigations is governed by the MLAT.

In practice, MLAT requests, LORs or ILORs are jointly drafted by lead investigators and prosecutors. The final request is prepared and finalized by the relevant prosecutor's office, usually with the support of a national unit. The request is then transmitted between the relevant Central Authorities, which act as the competent authority in these matters. In this case, the Central Authority Unit (CAU) in Trinidad and Tobago is transmitting the request to the Public Prosecutor's Office in Venezuela. The MLAT allows for the exchange of information and assistance between the two countries in criminal matters, which would include TOC investigations. The MLAT has been used to support a number of TOC investigations, including those involving drug trafficking, money laundering, and human trafficking.

3.6. Key Mutual Legal Assistance Treaties or agreements

There are several Mutual Legal Assistance Treaties in force between the seven OAS member states initially mentioned in this project. These provide for cooperation in criminal matters, including the provision of mutual legal assistance. They are an important tool for cooperation in criminal matters, providing effective and dynamic means to investigate and prosecute TOC.

The key Treatises in place between the mentioned OAS member states are:

- i. **Bilateral MLATs:** Colombia has bilateral MLATs in place with Costa Rica, Ecuador, Guyana, Panama, Peru, and Trinidad and Tobago.

- ii. **The Inter-American Convention on Mutual Assistance in Criminal Matters:** This convention was adopted by the OAS in 1994. It provides for cooperation in criminal matters between OAS member states.
- iii. **The United Nations Convention against Transnational Organized Crime:** This convention was adopted by the United Nations in 2000. It provides for cooperation in criminal matters between countries that are party to the convention.

An example of the use of this tool occurred in 2017, when the Mexican government received information from the Guatemalan government that a human trafficking network was operating in both countries. The gang transported women from Guatemala to Mexico and forced them into prostitution. The women were promised good jobs and a better life, but when they arrived in Mexico, they were forced to work in brothels and were not allowed to leave.

The Mexican government used the information provided by the Guatemalan government to identify the ring leaders and to track down the victims. The Mexican government also worked with the Guatemalan government to rescue the women and to provide them with assistance.

As a result of the investigation, the Mexican government arrested several members of the ring and seized several properties. The Guatemalan government also arrested several members of the ring and rescued several women.

The cooperation between Mexico and Guatemala in this case was a success, and it helped to rescue several women from human trafficking. The case also shows how MLATs can be used to effectively investigate and prosecute human trafficking cases.

Here are some more details about the case:

- ☞ The human trafficking ring was led by a Mexican man and a Guatemalan woman.
- ☞ The ring had been operating for several years and had trafficked dozens of women.
- ☞ The women were trafficked from Guatemala to Mexico through a network of people smugglers (also known as coyotes).
- ☞ The women were forced to work in brothels in Mexico City and other major cities.
- ☞ The women were not allowed to leave the brothels and were often beaten and threatened.
- ☞ The Mexican and Guatemalan governments worked together to rescue the women and to bring the traffickers to justice.

Caribbean Court of Justice Model Treaty (CCJMT)

The CCJMT is a significant development in the fight against crime in the Caribbean. It provides a framework for cooperation between countries that can help to improve the effectiveness of criminal investigations and prosecutions.

Some of the key features of the CCJ Model Treaty:

- It covers a wide range of mutual legal assistance measures.
- It is based on the principle of reciprocity, which means that countries are only required to provide mutual legal assistance if they are also able to receive it.

- It is flexible, which allows countries to tailor the level of cooperation to the specific needs of a particular case.
- It is designed to be user-friendly, which makes it easier for countries to implement it.

The CCJMT was adopted by the CCJ in 2005 and has been signed by 15 countries: **Antigua and Barbuda, Barbados, Belize, Dominica, Grenada, Guyana, Jamaica, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Suriname, Trinidad and Tobago, and the Turks and Caicos Islands.**

United Nations Convention Against Transnational Organized Crime (UNTOC)

This convention is an international treaty that was adopted by the United Nations in 2000. The UNTOC provides for a number of measures to combat TOC, including the exchange of information and assistance between countries. All OAS states are party to the UNTOC as is Venezuela.

Joint U.S. and Caribbean Joint Task Force for Policing and Transnational Organized Crime (JIATF)

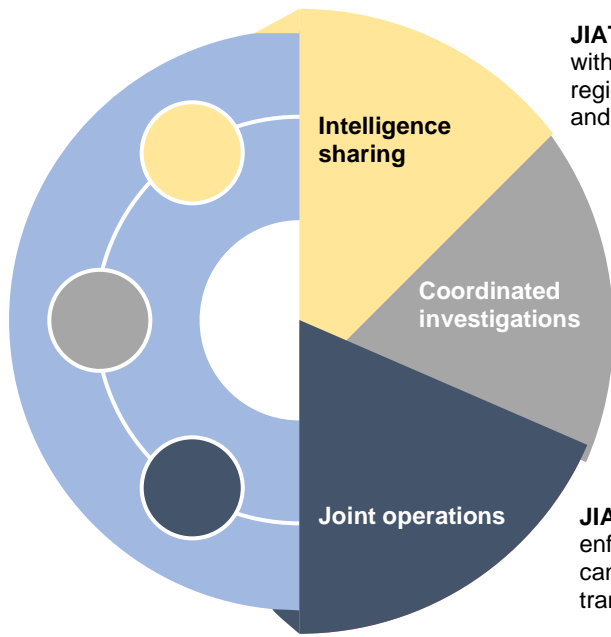
This was created in 1995 to help combat TOC in the Caribbean region, with the following countries being members of the OAS, including those with the Common Law system (bold type).

1. Antigua and Barbuda
2. Barbados
3. Belize
4. Colombia
5. Costa Rica
6. Dominican Republic
7. Ecuador
8. El Salvador
9. Guatemala
10. Guyana
11. Haiti
12. Honduras
13. Jamaica
14. Mexico
15. Netherlands Antilles
16. Panama
17. Peru
18. Saint Kitts and Nevis
19. Saint Lucia
20. Saint Vincent and the Grenadines
21. Suriname
22. Trinidad and Tobago
23. United States

JIATF-South is headquartered in Key West, Florida, and has offices in Barbados, Trinidad and Tobago, and Curacao. The task force is comprised of personnel from the U.S. Coast Guard, the U.S. Drug Enforcement Administration, the U.S. Immigration and Customs Enforcement, and the U.S. Department of State.

JIATF-South works with law enforcement agencies in the Caribbean region to share intelligence, coordinate investigations, and conduct joint operations. The task force has been credited with helping to disrupt and dismantle several transnational criminal organizations operating in the Caribbean.

Some of the TOC that JIATF-South is focused upon includes Human trafficking, along with:



JIATF-South gathers and shares intelligence with law enforcement agencies in the Caribbean region. This intelligence can be used to identify and track transnational criminal organizations.

JIATF-South coordinates investigations with law enforcement agencies in the Caribbean allowing for a more comprehensive and effective approach to investigating and prosecuting transnational criminal organizations.

JIATF-South conducts joint operations with law enforcement agencies in the Caribbean which can be used to disrupt and dismantle transnational criminal organizations.

4

Extradition

Extradition is the process by which one country surrenders a person to another country to stand trial or to serve a sentence. It is a formal legal process that is governed by treaties and other agreements between countries.

Extradition is a valuable tool for law enforcement agencies that are working to combat transnational organized crime. It allows countries to cooperate in bringing criminals to justice, even when the crimes have been committed across borders.

Extradition is particularly important in the field of human trafficking and people smuggling, as these crimes often involve victims who are transported across borders.

The UNTOC (United Nations Convention against Transnational Organized Crime) provides the main a framework for international cooperation in extradition, in particular in the OAS area. The Convention includes provisions on the grounds for extradition, the procedures for extradition, and the rights of the person being extradited.

The UNTOC also recognizes that there are some grounds on which countries can refuse extradition. These grounds include:

- ☒ The person is a national of the requested state.
- ☒ The offense is not a crime in the requested state.
- ☒ The person has already been tried and acquitted or convicted of the offense in the requested state.
- ☒ The extradition would violate the requested state's fundamental principles of justice.
- ☒ There are two main types of extradition:
 - **Passive extradition:** This is when the requested state is asked to extradite a person to the requesting state.
 - **Active extradition:** This is when the requested state asks another state to extradite a person to it.

Extradition is an important tool in combating transnational organized crime. It allows countries to cooperate in bringing criminals to justice, even when the crimes have been committed across borders. Extradition is particularly important in the field of human trafficking and people smuggling, as these crimes often involve victims who are transported across borders.

The UNTOC has been instrumental in promoting the use of extradition in combating transnational organized crime. The Convention has been ratified by 193 countries, and it has helped to establish a framework for international cooperation in extradition.

The UNTOC also provides technical assistance to countries to help them build their capacity to extradite criminals. This assistance can include training for law enforcement officials, the development of legislation, and the provision of legal advice.

Extradition is a complex and challenging process with close working between law enforcement and specialist prosecutors over a long period to achieve successful extraditions. However, it is an important tool in combating transnational organized crime. By working together, countries can make a significant impact in bringing criminals to justice and protecting victims.

5

Proposed way forward

Taking the case of Trinidad and Tobago as a parameter in the region, and as it is one of the most impacted by the phenomenon of migration of Venezuelan citizens, the United States Department of State's 2022 Human Trafficking Report pointed out that the country is on the List of Level 2 Surveillance, meaning it does not fully meet the minimum standards for eliminating human trafficking, but is making significant efforts to do so.

5.1. Financial Investigation

Best practices, methods, and financial investigation play crucial roles in combating human trafficking and people smuggling in the Organization of American States (OAS) region. These efforts are instrumental in disrupting criminal networks, bringing perpetrators to justice, and ultimately preventing these heinous crimes. Here are some key points to consider in this context:

- › **Financial Investigation:** Financial investigation is a potent tool. By tracing the money flows associated with trafficking and smuggling, authorities can uncover the financial infrastructure of criminal organizations. This involves following the money from recruitment and transportation to the exploitation of victims.
- › **Money Laundering Detection:** Traffickers often launder their illicit gains through legitimate businesses and financial institutions. Law enforcement agencies should have the expertise to detect money laundering activities, freeze assets, and seize ill-gotten gains, disrupting the financial foundation of criminal networks.

Both elements are crucial building blocks in a case against such groups. Financial evidence has proven key in corroborating victims accounts. In a key case in the UK, (R v Zielinski (Operation Nosemay)) the final statement to court by the prosecuting barrister (lawyer) was: "The financial evidence points towards where the truth lies in this case".

Some of the most critical evidence to both identify patterns, groups and structure as well as support victim accounts is the financial evidence.

Below we describe some of the financial investigation strategies:

- › **Money Flow Analysis:** Implement robust money flow analysis techniques to trace the financial transactions associated with human trafficking and people smuggling operations. This involves identifying payment methods, financial intermediaries, and beneficiaries.
- › **Forensic Accounting:** Utilize forensic accounting methodologies to scrutinize financial records, including bank statements, wire transfers, and cryptocurrency transactions. Forensic accountants can identify irregularities and discrepancies indicative of criminal activity. Even just small regular transactions can be used to demonstrate a pattern of behaviour and control over victims. Critical in proving cases in court.
- › **Financial Profiling:** Develop profiles of suspected traffickers and smugglers based on their financial behaviors. Unusual patterns, such as frequent large cash deposits or transfers to high-risk jurisdictions, can be red flags for investigators.

- › **Asset Tracing:** Employ asset tracing techniques to locate and seize assets acquired through these illicit activities. This includes real estate, vehicles, businesses, and other valuable holdings. Asset forfeiture laws should facilitate the legal confiscation of such assets.
- › **Anti-Money Laundering (AML) Measures:** are a set of comprehensive strategies and regulations designed to prevent and detect the illegal process of disguising the origins of illicitly obtained funds to make them appear legitimate. These measures encompass a wide range of actions, policies, and procedures that financial institutions, businesses, and governments implement to safeguard the integrity of the financial system and prevent criminal activities, such as money laundering and terrorist financing. AML measures typically involve stringent customer due diligence, transaction monitoring, reporting of suspicious activities, and the establishment of internal controls and compliance frameworks to ensure legal and ethical financial practices. They play a crucial role in maintaining the stability and transparency of the global financial environment, reinforcing trust in the financial system, and helping to combat various financial crimes that can have widespread societal implications. Effective AML measures are often reinforced by international cooperation and adherence to global AML standards.
- › **Know-Your-Customer (KYC) Compliance:** Strengthen KYC procedures within financial institutions to ensure thorough customer due diligence. This is crucial for identifying potentially high-risk clients involved in human trafficking or smuggling, as well as potential victims.
- › **Suspicious Activity Reporting:** Encourage financial institutions to maintain rigorous processes for identifying and reporting suspicious financial transactions to relevant authorities. Timely reporting is essential for initiating investigations.
- › **Currency Transaction Reports (CTR):** Implement CTR requirements that mandate the reporting of large cash transactions. This aids in tracking the movement of significant sums of money linked to criminal activities.
- › **Risk Assessment:** Conduct regular risk assessments to identify vulnerabilities within the financial system that traffickers and smugglers may exploit. Adapt AML and counter-terrorist financing (CTF) policies accordingly.
- › **Public-Private Collaborations:** refer to partnerships, initiatives, or cooperative efforts between government entities and private-sector organizations. These collaborations play a pivotal role in addressing various societal, economic, and environmental challenges by leveraging the strengths and resources of both sectors. They encompass a wide array of activities, from joint ventures and research projects to public-private partnerships (PPPs) and information sharing. Public-private collaborations are crucial for the development and implementation of innovative solutions and policies that aim to drive economic growth, enhance public services, and promote sustainable development. These collaborations can take many forms, such as infrastructure development projects, where governments and private companies work together to

build and maintain critical facilities like transportation networks, energy systems, and utilities. They can also involve partnerships in healthcare, education, and technology, resulting in the delivery of better services to citizens and customers.

- › Key benefits of public-private collaborations include increased efficiency, the sharing of risks and costs, access to private-sector expertise, and the ability to tap into government resources. However, they also require careful planning and regulation to ensure that the public interest is protected and that partnerships are conducted transparently and ethically. Overall, public-private collaborations are essential in addressing complex challenges, fostering innovation, and promoting economic development and improved quality of life for communities. They represent a bridge between the public and private sectors, offering the potential to achieve common goals and drive positive change in society.
- › **Financial Intelligence Units (FIUs):** Strengthen FIUs and facilitate information sharing among law enforcement, financial institutions, and regulatory bodies. FIUs play a pivotal role in collecting and analyzing financial intelligence for investigative purposes and acting on precursor events to protect financial institutions for reputational harm.
- › **Partnerships with Tech Companies or experts in the field:** Collaborate with technology companies to monitor online platforms, social media, and cryptocurrency exchanges where traffickers and smugglers may conduct financial transactions. Use of cryptocurrency analysis or trained investigators in this field such as Chainalysis to uncover evidential threads where cryptocurrency use is identified.

5.2. Asset Recovery and Forfeiture

Asset recovery is the process of identifying, tracing, freezing, and seizing assets that have been obtained through criminal activity. Forfeiture is the process of transferring these assets to the state. Asset recovery and forfeiture are important tools in combating transnational organized crime, as they can deprive criminals of the proceeds of their crimes and help to compensate victims.

As with extradition the UNTOC (United Nations Convention against Transnational Organized Crime) provides a framework for international cooperation in asset recovery and forfeiture. The Convention includes provisions on the identification, tracing, freezing, and forfeiture of assets. The Convention also recognizes that there are some grounds on which countries can refuse to cooperate in asset recovery and forfeiture.

There are a number of mutual legal assistance treaties (MLATs) in use between OAS member states outlined above that also provide for cooperation in asset recovery and forfeiture. These typically include provisions on the identification, tracing, freezing, and forfeiture of assets.

Asset recovery and forfeiture cases between OAS member states are often complex and challenging. However, there have been a number of successful cases in recent years.

One example of a successful asset recovery case is the case of "Operation Casablanca". This case involved the investigation and prosecution of a transnational organized crime group that was involved in human trafficking, drug trafficking, and money laundering. The investigation was conducted by law enforcement agencies from several OAS member states, including the United States, Mexico, and Colombia. As a result of the investigation, the group's assets were frozen and forfeited, and several members of the group were convicted and sentenced to prison.

Another example of a successful asset recovery case is the case of "Operation Car Wash". This case involved the investigation and prosecution of a transnational organized crime group that was involved in corruption, money laundering, and other crimes. The investigation was conducted by law enforcement agencies from several OAS member states, including Brazil, Argentina, and Peru. As a result of the investigation, the group's assets were frozen and forfeited, and several members of the group were convicted and sentenced to prison.

In some cases, asset recovery and forfeiture cases have involved Venezuelan victims. For example, in the case of "Operation Casablanca", several of the victims of the human trafficking ring were Venezuelan nationals. As a result of the investigation, the group's assets were frozen and forfeited, and several members of the group were convicted and sentenced to prison.

Asset recovery and forfeiture are important tools in combating transnational organized crime. By depriving criminals of the proceeds of their crimes and helping to compensate victims, asset recovery and forfeiture can help to make it more difficult for criminals to operate and can deter others from engaging in criminal activity.

5.3. Gender and Human Rights

Incorporating a gender and human rights perspective is crucial for ensuring a victim-centred and socially just approach. Not only is the morally the right thing to do but the greater trust in authorities the more likely reluctant victims are to come forward while minimising repeat victimisation. This type of crime is very different to others traditionally investigated so requires a different approach, focusing on both elements.

Gender-Sensitive Training:

Awareness Building: Start with gender-sensitive training programs to raise awareness among law enforcement and legal professionals about the unique vulnerabilities faced by women, men, and gender-diverse individuals in trafficking and smuggling situations.

Victim Identification and Support:

Trauma-Informed Approach: Train practitioners to recognize the signs of trauma and provide victim-centred, empathetic support to survivors, considering the psychological and emotional impact of their experiences.

Legal Protections:

Non-Discrimination: Emphasize the importance of non-discrimination in legal processes, ensuring that victims of trafficking and smuggling are not discriminated against based on their gender, sexual orientation, or gender identity.

Human Rights Standards:

Adherence to International Human Rights: Encourage practitioners to uphold international human rights standards, including the Universal Declaration of Human Rights and relevant conventions like the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW).

Gender-Based Violence:

Recognizing Gender-Based Violence: Equip professionals to identify and address gender-based violence that often accompanies trafficking and smuggling, ensuring that survivors receive appropriate protection and support.

Child Protection:

Child Rights: Stress the importance of adhering to the Convention on the Rights of the Child (CRC) and other relevant child protection laws, recognizing that children are especially vulnerable in these situations.

Data Collection and Analysis:

Gender-Disaggregated Data: Promote the collection and analysis of gender-disaggregated data to better understand the gender-specific aspects of trafficking and smuggling, facilitating evidence-based decision-making.

Cultural Competency:

Cultural Sensitivity: Train practitioners in cultural competency to ensure that responses to victims' needs are sensitive to cultural norms, values, and backgrounds.

Legal Assistance:

Access to Legal Aid: Advocate for access to legal aid and representation for victims, ensuring they have the means to pursue justice and protection.

Victim Empowerment:

Empowering Victims: Encourage strategies to empower victims, including access to education, vocational training, and employment opportunities that respect their rights and choices. Consider the use of victim advocates. Not only can such schemes greatly empower and support the victim, but they also greatly reduce the burden and stress upon agencies involved in the cases.

Law Reform and Policy Development:

Advocacy for Legal Reforms: Support legal professionals in advocating for and contributing to legal reforms that strengthen protections for trafficking and smuggling victims, including gender-specific provisions. As with any criminal behaviour it is constantly adapting to enforcement activity, so being agile and adaptable to change both tactically but also legislatively is key.

Gender-Responsive Prosecution:

Prosecution Strategies: Develop gender-responsive prosecution strategies that prioritize the rights and dignity of survivors, while holding perpetrators accountable.

Monitoring and Evaluation:

Impact Assessment: Include gender-sensitive indicators in monitoring and evaluation frameworks to assess the impact of interventions on gender equality and human rights.

Gender-Responsive Assistance:

Rehabilitation and Reintegration: Ensure that rehabilitation and reintegration programs address the unique needs of trafficking and smuggling survivors, with a focus on gender-responsive services.

By integrating these considerations into their work, law enforcement and legal professionals can contribute to a more equitable and rights-based approach to countering human trafficking and people smuggling, providing better protection and support for all victims, regardless of gender or identity.

Taking the case of Trinidad and Tobago as a parameter in the region, we see that progress has been made in recent years, including increasing the number of investigations and prosecutions of trafficking offenses, providing more comprehensive services to victims, and working with civil society to raise awareness of trafficking. However, there are still areas where the government can improve, including:

- ☒ Identifying and protecting trafficking victims, including those who are in the country illegally.
- ☒ Prosecuting and convicting traffickers for trafficking offenses, including forced labour and sex trafficking.
- ☒ Providing all victims with access to legal assistance and other services, regardless of their immigration status.
- ☒ Taking additional steps to prevent trafficking, such as increasing public awareness of the issue and strengthening labour inspection and enforcement mechanisms.

In this context, we will present some proposals that can improve, in the area of criminal investigation and international legal cooperation, the actions of this and other countries with the Common Law system in the region, to confront transnational organized crime that operates in human trafficking and migrant smuggling.

5.4. OAS member state model Treaty

The advised course of action would be to seek to replicate the CCJMT across the OAS member states. This could be done by exploring the feasibility of an improved direct agreement between Venezuela and neighbouring countries, starting with those receiving the most migrants.

The CCJMT provides for a wide range of mutual legal assistance measures, which would allow for robust, and dynamic investigation, prosecution of MSHT (Migrant Smuggling Human Trafficking) and People Smuggling cases, including:

- › The provision of evidence, such as documents, records, and testimony;
- › The search and seizure of property;
- › The extradition of fugitives;
- › The transfer of prisoners; and
- › The provision of technical assistance.

The treaty between those countries would provide a protocol for the exchange of information the facilitation of international legal cooperation in the investigation and section of crimes against Venezuelan migrants. The suggested content would be:

ARTICLE 1. Purpose

The purpose of this Protocol is to strengthen the capacity to prevent and investigate the trafficking and smuggling of Venezuelan migrants and refugees, and to increase the understanding of the risks they face. This Protocol also aims to strengthen border management in the beneficiary countries in order to increase the detection of the irregular movement of goods and people.

Article 2. Definitions

For the purposes of this Protocol:

Beneficiary country means any of the OAS Member States listed in Article 1.

A crime against a Venezuelan migrant means any act that is a crime under the law of a beneficiary country and that is committed against a Venezuelan migrant.

Trafficking of Venezuelan migrants means the recruitment, transportation, transfer, harbouring or receipt of Venezuelan migrants, by means of 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.

Smuggling of Venezuelan migrants means the illegal movement of Venezuelan migrants across borders, including by deception or by using fraudulent documents.

Article 3. Cooperation

The beneficiary countries shall cooperate with each other to prevent and investigate the trafficking and smuggling of Venezuelan migrants, and to prosecute the perpetrators of these crimes. This cooperation shall include, but is not limited to, the following:

The exchange of information on trafficking and smuggling networks.

The provision of assistance to each other in the investigation and prosecution of trafficking and smuggling cases.

The strengthening of border management to prevent the irregular movement of goods and people.

Article 4. Information Exchange

The beneficiary countries shall exchange information on trafficking and smuggling networks, including information on the identities of traffickers and smugglers, the modus operandi of trafficking and smuggling networks, and the locations where trafficking and smuggling activities are taking place.

The beneficiary countries shall also exchange information on Venezuelan migrants who have been trafficked or smuggled, including information on their identities, their travel documents, and their locations.

Article 5. Assistance in Investigation and Prosecution

The beneficiary countries shall provide assistance to each other in the investigation and prosecution of trafficking and smuggling cases, including by providing access to witnesses, documents, and other evidence. The beneficiary countries may also provide assistance to each other by sending law enforcement officials to assist in the investigation or prosecution of a case.

Article 6. Border Management

The beneficiary countries shall strengthen their border management to prevent the irregular movement of goods and people. This includes, but is not limited to, the following:

Increasing the number of border guards.

Improving the training of border guards.

Using technology to improve border security.

Article 7. Implementation

The beneficiary countries shall implement this Protocol in accordance with their national laws.

The beneficiary countries shall also establish a mechanism for the coordination of their efforts to prevent and investigate the trafficking and smuggling of Venezuelan migrants, and to prosecute the perpetrators of these crimes.

Article 8. Amendments

This Protocol may be amended by a unanimous vote of the beneficiary countries.

Article 9. Entry into Force

This Protocol shall enter into force upon the deposit of the instrument of ratification or accession.

Article 10. Denunciation

Any beneficiary country may denounce this Protocol by giving one year's notice of denunciation to the depositary.

In witness whereof, the undersigned, duly authorized by their respective Governments, have signed this Protocol.

6

Guidelines for the Exchange of Information



Guidelines for Effective International Legal Cooperation in Transnational Organized Crime Matters among OAS Member States

Preamble:	Recognizing the urgent need to combat transnational organized crime and acknowledging the importance of international cooperation, these guidelines are established to ensure effective, efficient, and expeditious exchange of information between member states of the Organization of American States (OAS) to tackle the menace of transnational organized crime.
Purpose:	The purpose of these guidelines is to provide a framework for OAS member states to exchange information related to transnational organized crime in a secure, timely, and lawful manner, thereby enhancing the effectiveness of investigations and prosecution of criminal activities across borders.
Scope:	These guidelines apply to all OAS member states and pertain to the exchange of information related to transnational organized crime, including but not limited to drug trafficking, human trafficking, arms smuggling, money laundering, cybercrime, and terrorism.
Principles:	<ol style="list-style-type: none"> a. Respect for Sovereignty: All member states shall respect each other's sovereignty and the principles of non-interference in internal affairs while cooperating to combat transnational organized crime. b. Confidentiality: Information shared among member states shall be treated with utmost confidentiality and used solely for the purposes of combating organized crime. c. Lawfulness: The exchange of information shall be conducted in accordance with national and international laws, including relevant treaties, conventions, and agreements. d. Reciprocity: Member states are encouraged to reciprocate cooperation in a timely manner, providing assistance when requested by another state.
Points of Contact:	Each member state shall designate a central authority or point of contact responsible for facilitating and coordinating the exchange of information related to transnational organized crime. This authority shall have the necessary resources and expertise to handle such matters effectively.

Secure Communication:	To ensure the confidentiality and security of exchanged information, member states shall employ secure channels of communication, such as encrypted emails, secure databases, or virtual private networks (VPNs).
Types of Information:	Information that can be exchanged includes, but is not limited to, intelligence, evidence, financial data, witness statements, and operational plans.
Timely Response:	Member states shall make every effort to respond to requests for information promptly and within reasonable timeframes, considering the urgency and gravity of the case. (To be ratified and agreed at conference with partners.
Data Protection:	Information received from other member states shall be used solely for the purpose for which it was requested and shall not be disclosed to third parties without the providing state's prior consent.
Training and Capacity Building:	Member states shall endeavour to enhance the capabilities of their law enforcement and judicial authorities through training, technical assistance, and capacity-building programs to facilitate the effective exchange of information
Continuous Evaluation:	The OAS shall periodically evaluate the implementation of these guidelines and identify areas for improvement to enhance the efficiency and effectiveness of international cooperation in tackling transnational organized crime.
Dispute Resolution:	In the event of disputes arising from the exchange of information, member states shall seek amicable resolution through diplomatic channels or established dispute resolution mechanisms within the OAS.
Review and Amendment:	<p>These guidelines shall be reviewed regularly to ensure their relevance and effectiveness, and amendments may be proposed by member states to adapt to evolving challenges in combating transnational organized crime.</p> <p>These guidelines aim to foster a strong, unified response by OAS member states against the scourge of transnational organized crime, promoting cooperation, and ensuring that criminals cannot find safe havens across borders. By adhering to these principles and procedures, the OAS member states can effectively safeguard their citizens and work together towards a more secure and just hemisphere.</p>



7

Standard Operating Procedures (SOPs) for Inter-Agency and International Collaboration in Transnational Organized Crime Investigations and Prosecutions

STANDARD OPERATING PROCEDURE FOR LEGAL PROFESSIONALS AND LAW ENFORCEMENT - Countering Trafficking and Exploitation of Venezuelan Migrants

Role of Central Point of Contact (CPC)



Designate experienced officials as CPC for information exchange.
Establish secure communication channels for sensitive data.
Respond promptly to information requests during investigations.

Role of Legal Professionals



Adopt victim-centered approach with trauma-informed techniques.
Develop comprehensive prosecution strategies with victim protection.
Conduct investigations with human rights and gender perspective.

Role of Law Enforcement



- Emphasize proactive investigations to prevent victimization.
- Regularly update risk assessments to identify trafficking routes.
- Prioritize victim support and protection during investigations.

Inter-Agency Collaboration



- Create multi-agency task forces for coordination and cooperation.
- Share data and analyze trafficking trends for insights.

Legal and Policy Harmonization



- Establish and ratify mutual legal assistance treaties.
- Harmonize legal frameworks to combat transnational trafficking.

Continuous Training and Capacity Building



- Provide periodic training on victim-centered approaches.
- Utilize UNODC frameworks for relevant and contextual training.
- Utilize and review developing international best practice

Dispute Resolution Mechanism



- Develop protocol for prompt resolution of disputes.
- Designate focal point for effective mediation.

7.1. Objective

The following detailed SOPs provide step-by-step guidance for legal professionals and law enforcement officials in the Beneficiary States to effectively counter trafficking and exploitation of Venezuelan migrants and refugees. These SOPs aim to foster seamless inter-agency and international collaboration, ensure agile responses to investigations and prosecutions, and uphold human rights, gender sensitivity, and victim protection.

7.2. Role of Central Points of Contact (CPC)

7.2.1. Designation: Each participating legal and law enforcement agency within the Beneficiary States shall designate a competent and experienced official as the Central Point of Contact (CPC). The CPC shall be responsible for overseeing the coordination of information exchange and communication related to trafficking cases involving Venezuelan migrants and refugees.

- 7.2.2. Communication Protocol:** The CPC shall establish secure and encrypted communication channels to ensure the confidentiality and integrity of shared information.

Utilize official emails or secure platforms for sensitive data transmission, while strictly avoiding any communication through unsecured channels.

- 7.2.3. Timely Response:** The CPC shall promptly respond to information requests from other agencies, considering the urgency and gravity of each case.

Collaborate with relevant agencies to facilitate expedited information exchange during ongoing investigations.

7.3. Role of Legal Professionals

- 7.3.1. Victim-Centred Approach:** Legal professionals shall undergo specialized training on a victim-centred approach, understanding the unique vulnerabilities faced by Venezuelan migrant victims.

Adopt trauma-informed interview techniques to interact with victims, ensuring sensitivity and compassion during proceedings.

- 7.3.2. Prosecution Strategy:** Legal professionals shall collaborate with law enforcement officials to develop comprehensive prosecution strategies, targeting the dismantling of trafficking networks and successful conviction of perpetrators.

Prioritize the protection of victim rights and safety while ensuring the collection of robust evidence for a strong case.

- 7.3.3. Human Rights and Gender Perspective:** Ensure investigations and prosecutions are conducted with a gender-sensitive and human rights-based approach, addressing the specific vulnerabilities of Venezuelan migrant victims.

Uphold international human rights standards, such as the UNODC guidelines, and prioritize respect for human dignity and integrity.

7.4. Role of Law Enforcement Officials

- 7.4.1. Proactive Investigations:**

Law enforcement officials shall adopt an intelligence-led approach, emphasizing proactive investigations to prevent further victimization and disrupt trafficking activities.

Regularly update risk assessments to identify potential trafficking routes and vulnerable communities among Venezuelan migrants.

Objective: This SOP outlines the step-by-step process for law enforcement officials to conduct proactive investigations aimed at preventing further victimization and disrupting trafficking activities of Venezuelan migrants. The procedure emphasizes an intelligence-led approach and regular risk assessments to identify potential trafficking routes and vulnerable communities.

Intelligence Gathering:

- 7.4.2. Establish an Intelligence Unit:** Designate a specialized unit within law enforcement agencies responsible for collecting and analysing intelligence related to human trafficking activities involving Venezuelan migrants.
- 7.4.3. Collaborate with International Partners:** Foster cooperation and information-sharing with law enforcement agencies in the Beneficiary States and relevant international organizations, such as Interpol and UNODC, to access intelligence databases and resources outlined above.
- 7.4.4. Identify Key Trafficking Indicators:** Develop a comprehensive list of trafficking indicators specific to Venezuelan migrant cases, considering factors such as recruitment methods, transportation routes, and common exploitative sectors.

Risk Assessments:

- 7.4.5. Conduct Vulnerability Mapping:** Collaborate with NGOs, social services, and community representatives to identify vulnerable communities and individuals among Venezuelan migrants susceptible to trafficking.
- 7.4.6. Assess Trafficking Routes:** Analyse data and intelligence to identify potential trafficking routes used by criminal networks to transport victims across borders.
- 7.4.7. Update Risk Assessment Regularly:** Conduct periodic reviews of risk assessments to adapt to changing trafficking patterns and emerging vulnerabilities.

Surveillance and Undercover Operations:

- 7.4.8. Deploy Surveillance Teams:** Utilize skilled officers for covert surveillance, utilising both conventional and technical surveillance equipment to monitor suspicious activities and locations related to trafficking networks.
- 7.4.9. Use Advanced Technology:** Leverage advanced technology, such as tracking devices, IMSI scanners and digital forensics, to gather electronic evidence, map groups and trace criminal activities.
- 7.4.10. Coordinate Undercover Operations:** Plan and execute controlled undercover operations to gather evidence against suspected traffickers and infiltrate trafficking networks.

7.5. Victim-Centred Approach

- 7.5.1. Train Officers on Victim Identification:** Conduct specialized training for law enforcement officials to recognize potential victims of trafficking among Venezuelan migrants and ensure a victim-centred approach during investigations.

7.5.2. Provide Safe Reporting Mechanisms: Establish confidential and accessible reporting mechanisms, across all beneficiary states, sharing resources to do so, to enable victims to come forward and seek assistance without fear of retaliation.

7.5.3. Coordinate with Victim Support Services: Collaborate with NGOs and support services to provide immediate assistance, shelter, and counselling to identified victims during investigations.

Coordinated Raids and Arrests:

7.5.4. Develop an Operations Plan: Plan coordinated raids and arrests based on intelligence and evidence gathered during proactive investigations.

7.5.5. Involve Relevant Agencies: Involve relevant agencies, including border control, immigration, and social services, to ensure a comprehensive and effective response during raids.

7.5.6. Prioritize Victim Safety: Prioritize the safety and well-being of victims during operations, ensuring that appropriate support services are available post-rescue.

Evidence Collection and Preservation:

7.5.7. Secure Chain of Custody: Ensure a secure chain of custody for all evidence collected during proactive investigations to maintain its admissibility in court.

7.5.8. Use Digital Forensics: Employ digital forensic techniques to recover and preserve electronic evidence related to trafficking activities.

7.5.9. Document and Record: Thoroughly document all investigative steps, actions taken, and evidence collected to create a comprehensive case file.

Regular Case Review and Update:

7.5.10. Conduct Case Reviews: Periodically review proactive investigation cases with relevant stakeholders, including legal professionals and NGOs, to assess progress and strategize next steps.

7.5.11. Update Risk Assessments: Re-evaluate risk assessments and intelligence periodically to adapt to emerging trafficking trends and identify new areas of focus.

7.6. Inter-Agency Collaboration

7.6.1. Multi-Agency Task Forces: Establish collaborative multi-agency task forces, comprising legal professionals, law enforcement, and other relevant agencies, to enhance coordination and cooperation.

Conduct regular meetings to share information, intelligence, and progress on trafficking cases involving Venezuelan migrants.

7.6.2. Data Sharing and Analysis: Facilitate the sharing and analysis of data among participating agencies to identify patterns and trends in trafficking activities.

Utilize advanced data analysis tools and techniques to better understand trafficking networks and their modus operandi.

7.7. Legal and Policy Harmonization

7.7.1. Mutual Legal Assistance Treaties: Ensure all participating states have established and ratified mutual legal assistance treaties to streamline information exchange and collaboration. (see 5.1 above)

Collaborate with partner countries to ensure efficient cross-border cooperation during investigations and prosecutions.

7.7.2. Alignment of Legal Frameworks: Encourage participating states to harmonize their legal frameworks to effectively combat transnational trafficking.

Conduct periodic reviews of national laws to address any gaps and align them with international standards.

7.8. Continuous Training and Capacity Building

7.8.1. Periodic Training: Organize regular training sessions and capacity-building programs for legal professionals and law enforcement officials to enhance their skills and knowledge.

Include topics such as victim-centred approaches, gender-sensitive investigations, and international legal cooperation.

7.9. UNODC Frameworks

Utilize relevant UNODC frameworks and the anti-human trafficking manual for criminal justice practitioners as foundational resources for training.

Draw from best practices and case studies to develop training materials that are relevant to the context of the 7 Beneficiary States.

7.10. Dispute Resolution Mechanism

7.10.1. Protocol for Disputes: Develop a protocol to resolve any disputes that may arise during inter-agency or international collaboration.

Establish a designated focal point to handle and mediate disputes promptly and effectively.

7.10.2. List of Component or Central Authorities of the OAS Member States

OAS Member State	Central Competent Authority	Contact details/website
Antigua and Barbuda	Attorney General's Chambers	https://ab.gov.ag/detail_page.php?page=14
Argentina	Ministry of Foreign Affairs	https://www.cancilleria.gob.ar/
Barbados	Attorney General's Office	https://www.gov.bb/Ministries/attorney-general
Belize	Ministry of Justice and Institutional Transparency	https://www.agm.gov.bz/
Bolivia	Ministry of Justice and Institutional Transparency	https://www.justicia.gob.bo/
Brazil	Ministry of Justice	www.gov.br/mj/
Canada	Department of Justice Canada	https://www.justice.gc.ca/eng/
Chile	Ministry of Foreign Affairs	https://www.minrel.gob.cl/minrel/en
Colombia	Ministry of Foreign Affairs	www.mincit.gov.co
Costa Rica	Ministry of Foreign Affairs	https://www.mfa.gov.rs/en/foreign-policy/bilateral-cooperation/costa-rica
Dominica	Ministry of National Security and Legal Affairs	https://nationalsecurity.gov.dm/
Dominican Republic	Attorney General's Office	http://www.pgr.gob.do/
Ecuador	Ministry of Foreign Affairs	https://www.cancilleria.gob.ec/
El Salvador	Ministry of Foreign Affairs	https://rree.gob.sv/
Grenada	Ministry of Legal Affairs	https://www.gov.gd/index.php/foreignaffairs
Guatemala	Ministry of Foreign Affairs	https://www.minex.gob.gt/
Guyana	Ministry of Foreign Affairs and International Cooperation	https://www.minfor.gov.gy/
Haiti	Ministry of Justice and Public Security	http://mjsp.gouv.ht/
Honduras	Ministry of Foreign Affairs	consultas@sre.hn http://www.sre.gob.hn (Website not functioning) Unit of Legalization, Certification, and Translation jefaturadeautenticasyapostillas@sreci.gob.hn +504 2236-0200 +504 2236-0300. Ext: 3703 +504 2236-0200
Jamaica	Ministry of Foreign Affairs and Foreign Trade	https://mfaft.gov.jm/
Mexico	Ministry of Foreign Affairs	https://www.gob.mx/sre/documentos/ministry-of-foreign-affairs
Panama	Ministry of Foreign Affairs	https://mire.gob.pa/ Telephone Central: 511-4100 / 511-4200 Authentication and Legalization: 504-9392 ext. 9394 ext. 9392 ext. 8925 ext. 8928
Paraguay	Ministry of Foreign Affairs	www.mre.gov.py
Peru	Ministry of Foreign Affairs	https://www.gob.pe/rree
Saint Kitts and Nevis	Ministry of Foreign Affairs, National Security, Labor, Immigration, & Social Security	https://www.mons.gov.kn/ (site under maintenance. Address P.O. Box 186, Church Street City Basseterre Phone +1 869 4652521ex1161 Fax +1 869 465 5202
Saint Lucia	Ministry of Home Affairs, Justice and National Security	https://www.govt.lc/ministries/home-affairs-and-national-security Telephone: (758) 468-3600 Fax: (758) 468-3617 Email: homeaffairs@gosl.gov.lc

Saint Vincent and the Grenadines	Ministry of National Security	https://security.gov.vc/security/index.php?option=com_content&view=article&id=366&Itemid=38 PBX No.: (784) 456-1111 Ext: 4770 Fax: (784) 4572152 Email: office.natsec@mail.gov.vc
Suriname	Ministry of Foreign Affairs (Ministerie van Buitenlandse zaken, Internationaal Business en Internationale samenwerking)	https://gov.sr/ministeries/ministerie-van-buitenlandse-zaken-internationaal-business-internationale-samenwerking/over-het-ministerie/
The Bahamas	Office of the Attorney General and Ministry of Legal Affairs	http://www.bahamas.gov.bs/attorneygeneral Email: attorneygeneral@bahamas.gov.bs
Trinidad and Tobago	Ministry of Foreign and CARICOM Affairs	https://foreign.gov.tt/
United States of America	Department of Justice	https://www.justice.gov/
Uruguay	Ministry of Foreign Affairs	https://www.gub.uy/ministerio-relaciones-exteriores/

8

International Good Practices

8.1. The National Referral Mechanism (NRM) – Trinidad and Tobago

This is a well-established multi-agency approach used in Trinidad and Tobago (T&T) is an example of good practice utilised by one of the OAS Member States. The Mechanism is aimed at identifying and assisting victims of human trafficking. Coordinated by the Ministry of National Security, the NRM involves various agencies in T&T which this is an illustrative example of:

- ☒ The Trinidad and Tobago Police Service (TTPS): Responsible for investigating human trafficking cases.
- ☒ The Ministry of Social Development and Family Services (MSDFS): Provides shelter, food, and social services to trafficking victims.
- ☒ The Ministry of Health (MOH): Offers medical care to trafficking victims.
- ☒ The Ministry of Labour and Small Enterprise Development (MLSED): Provides job training and economic opportunities to trafficking victims.
- ☒ The Office of the Attorney General (OAG): Offers legal assistance to trafficking victims.
- ☒ The NRM also collaborates with non-governmental organizations (NGOs) that support trafficking victims, such as:
 - ☒ The Coalition Against Trafficking in Women (CATW): Provides legal assistance, counselling, and job training to trafficking victims.
 - ☒ The International Organization for Migration (IOM): Offers shelter, food, and medical care to trafficking victims.
 - ☒ The Salvation Army: Provides counselling, job training, and financial assistance to trafficking victims.
 - ☒ The Women's Refuge of Trinidad and Tobago: Offers shelter, support, counselling, and legal assistance to trafficked women and children.

To improve victim engagement, it is recommended to overcome reluctance by utilizing 3rd Sector partners such as charities or other NGOs to address the distrust of the police. There would be benefit in further mirroring other elements of the United Kingdom's Modern Slavery Act 2015 (MSA 2015) to align legislation and strategies.

8.2. Examples of differences and recommended alignments

While the Trinidad and Tobago Trafficking in Persons Act 14 of 2011 addresses human trafficking, the UK Modern Slavery Act has several additional provisions and requirements. Here are some key features of the UK Modern Slavery Act 2015 that go beyond the scope of the Trinidad and Tobago legislation:

- Transparency in Supply Chains - The Modern Slavery Act includes a provision requiring businesses operating in the UK with a global turnover of £36 million or more to produce an annual Slavery and Human Trafficking Statement. This statement outlines the steps taken to ensure that slavery and human trafficking are not present in their supply chains or their own operations.
- Independent Anti-Slavery Commissioner - The Act establishes the role of an Independent Anti-Slavery Commissioner. The Commissioner is responsible for encouraging good practice, supporting victims, and providing independent advice to government bodies.
- Statutory Defence for Victims: The Act provides a statutory defence for individuals compelled to commit criminal offenses as a direct result of their exploitation. This provision aims to recognize that victims of modern slavery may be forced to engage in criminal activities under coercion.

- Enhanced Sentencing Guidelines: The Act introduces tougher sentencing guidelines for offenses related to slavery, servitude, forced labour, and human trafficking.
- › **Protection Orders:** The Act enables the court to make various protection orders to safeguard victims and potential victims of slavery and human trafficking. These orders can include compensation, exclusion, or restrictions on the behaviour of offenders.

Further improvements can be made by adopting a more proactive approach to investigations. Law enforcement agencies should proactively identify potential victims and investigate suspected cases, as required by the Trinidad and Tobago Trafficking in Persons Act 14 of 2011. A holistic and coordinated approach is necessary, considering factors such as the victim's physical and mental health, financial situation, and immigration status. This comprehensive understanding will lead to more effective strategies in investigating and prosecuting cases.

Partnerships with financial institutions and businesses, similar to those seen in the United Kingdom in cases like R v Zielinski - Operation Nosemay, can be highly effective in combating human trafficking.

In this case, investigators corroborated with financial institutions to obtain, at pace financial records. This led to the use of innovative practices using financial patterns to corroborate victim's accounts. The Prosecution barrister in the case outlined were key to achieving one of the first convictions under the Modern Slavery Act in the UK, with the case later being heard at the Court of Appeal to inform sentencing guidelines in a landmark judgement².

Leveraging technical surveillance solutions and open-source intelligence (OSINT) research can reduce reliance on expensive, staff-intensive, and time-consuming conventional mobile surveillance. Tools like Tellfinder, a webscraper tool for identifying online advertisements of trafficked persons, can aid in uncovering traffickers' activities.

These recommendations aim to enhance the effectiveness of anti-human trafficking efforts in Trinidad and Tobago and promote a victim-centered approach within a well-coordinated system.

² [Reference, R V Zielinski [2017] EWCA Crim 758 (<https://www.sentencingcouncil.org.uk/wp-content/uploads/Modern-slavery-resource-assessment.pdf>)

APPENDICES

Appendix A

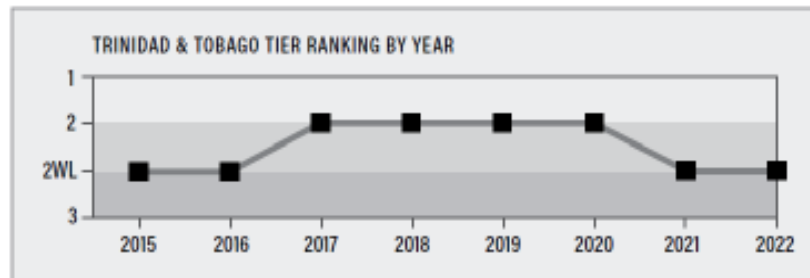
US Trafficking in Persons Report July 2022

p.547

<https://www.state.gov/wp-content/uploads/2022/10/20221020-2022-TIP-Report.pdf>

TRINIDAD AND TOBAGO: TIER 2 WATCH LIST Excerpt

The Government of Trinidad and Tobago does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. These efforts included increasing investigations and prosecutions, identifying more victims, and expanding training to a broader range of stakeholders. However, the government did not demonstrate overall increasing efforts compared to the previous reporting period, even considering the impact of the COVID-19 pandemic on its anti-trafficking capacity. The government has never convicted a trafficker under its 2011 anti-trafficking law. Corruption and official complicity in trafficking crimes remained significant concerns, inhibiting law enforcement action, and the government did not take action against senior government officials alleged in 2020 to be involved in human trafficking. Victim identification and services remained weak, and the government did not formally adopt the National Action Plan (NAP) for 2021-2023. Therefore, Trinidad and Tobago remained on the Tier 2 Watch List for the second consecutive year.



PRIORITIZED RECOMMENDATIONS

Increase efforts to investigate, prosecute, and convict traffickers, including complicit officials and staff.

- › Increase proactive victim identification, screening, and protection among vulnerable communities, including migrants, asylum-seekers, and refugees, especially Venezuelans.
- › Ensure victims are not penalized for unlawful acts traffickers compelled them to commit.
- › Strengthen rules and regulations to ensure immigration enforcement does not hinder human trafficking detection, criminal law enforcement, or victim protection.
- › Ensure trafficking is investigated and prosecuted using the anti-trafficking law and not as other or lesser crimes.
- › Implement a formalized protocol and a functioning and active coordinating committee for victim care.
- › Improve the quality of victim care—especially for children—and increase bilingual services.
- › Reduce judicial backlog.
- › Approve, fund, and implement the anti-trafficking NAP for 2021-2023.
- › Provide adequate funding for robust trafficking investigations and victim services, including accommodations.

- › Train law enforcement and prosecutors in proactively identifying, obtaining, preserving, and corroborating evidence of trafficking.
- › Improve cooperation between the Counter Trafficking Unit (CTU), prosecutors, the judiciary, and NGOs to increase the number of cases that proceed to trial.
- › Strengthen oversight, regulation, and inspections of private labour recruitment agencies and domestic work locations, including by appointing a license officer.
- › Increase trauma-informed training on trafficking for NGO, shelters, social services, and law enforcement staff to improve their ability to identify and care for potential trafficking victims.

PROSECUTION

The government increased prosecution efforts, but official complicity remained a significant concern. The Trafficking in Persons (TIP) Act of 2011 criminalized sex trafficking and labour trafficking and prescribed penalties of no less than 15 years imprisonment and a fine of no less than 500,000 Trinidad and Tobago dollars (TTD) (\$73,980) for offenses involving an adult victim and no less than 20 years' imprisonment and a fine of no less than 1 million TTD (\$147,950) for those involving a child victim. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. The government reported it prepared draft legislation in December 2020 to increase the penalties for trafficking, including for public officials complicit in trafficking crimes; the draft legislation remained pending with the Ministry of National Security at the end of the reporting period.

The CTU investigated 23 new trafficking cases in 2021 under the TIP Act, including nine for sex trafficking, five for labour trafficking, and nine for unspecified trafficking-related crimes. This compares with 12 cases in 2020 (nine for sex trafficking and three for labour trafficking); the government continued 11 sex trafficking investigations from prior reporting periods. The government-initiated prosecution of 15 suspected sex traffickers, including three police officers, compared with prosecuting two alleged sex traffickers in 2020. The government continued the prosecution of 51 alleged sex traffickers begun in previous reporting periods, compared with 11 in 2020. Of the total number of new and ongoing cases, the government prosecuted 10 defendants including two police officers under the TIP Act and 15 defendants including three police officers under other laws, including the Immigration Act, the Anti-Gang Act, and the Children's Act. The government did not report convicting any traffickers in 2021 and has not convicted any traffickers since the enactment of the 2011 TIP Act.

Corruption and official complicity in trafficking crimes remained significant concerns, inhibiting law enforcement action during the year.

The government did not take action against senior government officials alleged in 2020 to be involved in trafficking. Authorities continued an investigation of two dozen police officers allegedly involved in trafficking begun in the previous reporting period. The government reported none of these police investigations moved to prosecution. The government continued the prosecution of three police officers for trafficking crimes.

The prosecutions initiated against three police officers during the current reporting period involved two cases. In April 2021, authorities charged a customs and border officer under the Immigration Act for aiding and abetting the illegal entry of a Venezuelan migrant, and an investigation—including into whether the case involved

trafficking—remained pending. In December 2021, authorities brought charges against two police officers for offenses under the TIP Act, the Children’s Act, and the Anti-Gang Act for aiding and abetting the illegal entry of a Venezuelan female migrant.

PROTECTION

The government maintained limited protection efforts. The government identified 80 trafficking victims; 46 were exploited in sex trafficking, two were exploited in labour trafficking, and 32 were for unspecified exploitation.

This compares with six identified trafficking victims in 2020 and 34 in 2019. All 46 sex trafficking victims were Venezuelan, including 21 women and 25 girls. The labour trafficking victims were both Indian men. Reports suggested some unidentified victims feared retaliation from authorities, including during police raids, trials, and interdiction operations involving Venezuelan migrants. The CTU was the primary entity responsible for identifying victims, and it used existing screening protocols. NGOs identified one of the adult female Venezuelan victims and referred her to the CTU. However, NGOs also referred another adult Venezuelan victim to the CTU, which denied the identification due to a lack of shelter space; an NGO subsequently provided groceries and shelter. Observers noted the government’s victim statistics were not reliable. Experts noted working level staff at NGOs and shelters required more training on trafficking indicators to better identify potential trafficking victims.

Authorities provided some assistance to 54 victims, compared with 70 potential victims in 2020. The government could provide medical care; accommodation; basic necessities for adults; language classes and life skills training; psychosocial support; pre-natal care and parenting classes; support for family members; access to social workers; interpretation and translation services; drug rehabilitation; pandemic response support; and passport support. Observers noted that in some cases victims received few of these available services and government care was haphazard and inferior to care provided by an international organization. An NGO provided shelter services to one victim. NGOs reported reluctance to provide shelter or services to foreign victims in irregular status who were not officially referred by the government, due to possible retaliation against the NGO under the Immigration Act. An international organization reported caring for 60 trafficking and gender-based violence victims identified in the current and former reporting periods. The Children Court instructed the Children’s Authority on the placement (usually in a Children’s Home), services, and repatriation involving child trafficking victims. Child advocates assigned by the state could apply for wardship and care court orders on behalf of unaccompanied or separated child victims. NGOs reported authorities did not provide adult victims the same level of care, access, and protection as child victims.

The government reported services were not time-limited or conditional on participation in the prosecution of the trafficker; however, victims who cooperated with an investigation or prosecution would receive legal aid, transportation, and lodging for themselves and their families.

Although the government reported victims used all available services, observers noted that without a standardized program for victim care, the government did not adequately address many of the short- and long term needs of adult victims. Observers noted that although the Ministry of Social Development and Family Services working group finalized a victim care manual, senior government officials had not approved the manual by the end of the reporting period.

Evidence collection for trafficking investigations remained a significant problem. Police did not obtain sufficient evidence from victim-witnesses before their repatriation. The CTU also reported challenges in obtaining, preserving, and authenticating other evidence, such as using cell phones or financial data to corroborate trafficking network affiliations to add charges under existing gang and money-laundering laws. Observers noted poor interagency coordination resulted in weaker law enforcement and prosecution case management. NGOs reported that the CTU failed to act on trafficking crime tips. A study funded by a foreign organization and conducted by a foreign company reported that 10 percent of the police force was under active investigation for misconduct, including trafficking.

The government adopted an amendment to its Mutual Assistance in Criminal Matters Act, which gave the government broader scope to collaborate with international partners on investigations—including trafficking cases. The government signed a Memorandum of Understanding in November 2021 with Colombia on human trafficking.

The government cooperated with the Maduro regime in Venezuela and an international organization to target a transnational trafficking network, resulting in the prosecution of three suspected traffickers. The government established a law enforcement liaison with a foreign government. Law enforcement initiated an investigation based on information received from an international organization. The government also continued to cooperate with another country on a trafficking case from a previous reporting period.

The government provided anti-trafficking training to the police, intelligence community, national security agency, immigration department, Coast Guard, CATT, Ministry of Education, the Caribbean Financial Action Task Force, the Global Financial Task Force, and NGOs on the law, case studies, improving government-NGO cooperation, and surveillance. The government also provided Spanish-language training to four CTU contract staff members.

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The government reported the CTU had a dedicated budget for victim assistance but did not report the amount, compared with spending 120,000 TTD (\$17,750) in 2020, 120,000 TTD (\$17,750) on victim protection and assistance in 2019, and 203,100 TTD (\$30,050) in 2018. The government did not implement a formalized protocol for victim care; the CTU instead relied on verbal agreements with different ministries, which observers noted were inconsistently implemented.

NAP for 2021-2023 that included efforts to identify official complicity in trafficking crimes; the NAP was still pending cabinet approval at the end of the reporting period, but agencies began its implementation. The government sought the input of survivors in its policies. In June 2021, the Minister of National Security established a Strategic Working Committee, which met bi-weekly to address policy and operational issues affecting the CTU and its partner agencies. Trafficking committees and interagency task forces continued to meet during the pandemic.

Trinidad and Tobago also serves as a transit point for Venezuelan refugees and migrants en route to Europe, North Africa, and elsewhere in the Caribbean. The ongoing humanitarian crisis in neighbouring Venezuela and the economic effects of the pandemic have contributed to a large influx of refugees and migrants who are at high risk for trafficking. An international organization reported more than 21,000 foreigners—86 percent Venezuelan and 6 percent Cuban—were registered with the international organization for asylum or refugee status in the country during the reporting period.

Many victims enter the country legally via Trinidad’s international airport, while others enter illegally via small boats from nearby Venezuela. Migrants from the Caribbean region and from Asia, in particular those lacking legal status, are at risk for forced labour in domestic service and the retail sector. Sex trafficking victims are women and girls primarily from Venezuela, Colombia, the Dominican Republic, and Guyana; traffickers offer employment in brothels and clubs, including via social media—which increased as a result of the pandemic—along with advertisements in Venezuelan newspapers and recruitment by other victims.

NGOs reported some victims from a December 2021 raid had been forced to recruit other victims. Some trafficking networks operated through businesses acting as a cover for trafficking operations.

Observers report that law enforcement and security officials are implicated in trafficking, including coast guard officials who facilitate the transit of women and girls from Venezuela to the country; immigration and customs officers who ensure that women and girls arrive and receive entry; and members of the police who accept bribes to facilitate transport to houses across the country and work with brothel owners to protect their establishments from police raids, particularly in the southern police districts where most Venezuelan refugees and displaced persons attempt to enter the country. Transnational organized crime with a link to *megabandas*—large criminal gangs with more than 50 members who are part of transnational organized crime networks in Latin America—may increasingly be involved in trafficking.

Traffickers coerce victims into exploiting their friends or associates in trafficking through fraudulent promises of gainful employment. Trinidad and Tobago is likely a sex tourism destination. After the country closed its borders in March 2020 due to the pandemic, recruitment shifted to online platforms, more victims arrived by sea through illegal points of entry, and trafficking moved from brothels, spas, salons, and bars to private, clandestine locations.

Art.5, Second para. Inter-American Convention on Mutual Assistance in Criminal Matters. Available at: <https://www.oas.org/juridico/spanish/tratados/a-55.html>
Ibid

Appendix B:

Form for International Legal Cooperation in Criminal Matters - Trinidad and Tobago

1. **RECIPIENT:** Local Competent Authorities in Trinidad and Tobago.
2. **SENDER:** Central Authority [*Insert relevant country submitting the request*]
3. **APPLICANT AUTHORITY:** Indicate the competent authority in charge of the ongoing investigation or prosecution, and provide contact information.
4. **REFERENCE:** Identify the case nominally, including the investigation or criminal proceeding number, and key information to help identify the case.
5. **FACTS:** Provide a clear and objective narrative with essential elements, detailing the place, date, and manner in which the offense was committed. Establish the causal link between the ongoing investigation, suspects, and the request for assistance. Foreign authorities require a factual premise and the causal relationship for the assistance request to be fulfilled.
6. **TRANSCRIPTION OF LEGAL CRIMES:** Include the reference and literal copy of the relevant legal provisions from [*insert requesting country*] legislation pertaining to the relief sought. This serves to inform Trinidad authorities about the terms relevant to our current internal legislation.
7. **DESCRIPTION OF THE REQUESTED ASSISTANCE:** Accurately report the measures or inquiry sought, specifying the required diligence (e.g., serving summons, hearing of individuals, breach of confidentiality, document copies, etc.).
8. **PURPOSE OF REQUEST:** Explain the desired goal through the assistance requested and elaborate on the relevance of the measure for the case.
 - a) Example for cases of summons and interrogation: The criminal proceedings will only progress once the defendant has been summoned, as it informs them of the charges against them.
 - b) Example for obtaining bank documents: To identify diverted resources, establish criminal characterizations, freeze these resources, and investigate potential money laundering beneficiaries.
9. **PROCEDURES TO BE OBSERVED:** Provide relevant observations to be addressed by Brazil, including:
 - a) Emphasize the importance and reason for confidentiality in handling the case.
 - b) Acknowledge the defendant's constitutional right to remain silent during questioning.
 - c) If the target of the investigation is not found, request a survey from utility companies, municipal registers, and phonebooks.
 - d) Include any other information deemed relevant regarding the handling of information and documents related to the assistance request within the criminal justice process.
10. **APPENDIX:** List all accompanying documents, such as complaints, criminal complaints, police investigations, expert reports, witness guarantees, etc.

Appendix C

References and Resources

- ⊙ Council of Europe Convention on Mutual Assistance in Criminal Matters: <https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/030>
- ⊙ Information Booklet on Brazil's National Framework for Combating Trafficking in Persons and International Cooperation Procedures. United Nations Office on Drugs and Crime; Ministry of Justice and Public Security, 2021.
- ⊙ Investigating Human Trafficking Cases Using a Victim-centred Approach: A Trainer's Manual on Combating Trafficking in Persons for Capacity-building of Law Enforcement Officers in Antigua and Barbuda, Belize, Jamaica, and Trinidad and Tobago. Produced by: IOM UN Migration, Mission in Jamaica, 2018.
- ⊙ OAS DTOC, Guide for the Investigation and Litigation of Human Trafficking and Illicit Trafficking of Migrants linked to Transnational Organized Crime. Panama, 2023. <https://www.oas.org/es/sms/ddot/docs/Gui%CC%81a%20para%20la%20investigacio%CC%81n%20y%20litigacio%CC%81n%20de%20delitos%20de%20Trata%20de%20Personas%20y%20Tra%CC%81fico%20Ili%CC%81cito%20de%20Migrantes%20antes%20vinculados%20a%20la%20Delincuencia%20Organizada%20Transnacional.pdf>
- ⊙ OAS DTOC, Manual of International Legal Cooperation in Human Trafficking and Illegal Trafficking of Migrants: Panama, 2023. <https://www.oas.org/es/sms/ddot/docs/Panama%20Manual%20de%20Cooperacion%20Juridica%20Internacional%20en%20Trata%20de%20Personas%20y%20Trafico%20legal%20de%20Migrantes.pdf>
- ⊙ OAS DTOC, Manual on International Legal Cooperation on Trafficking in Persons and Illegal Trafficking of Migrants. Colombia, 2023. <https://www.oas.org/es/sms/ddot/docs/Colombia%20Manual%20de%20Cooperacion%20Juridica%20Internacional%20en%20Trata%20de%20Personas%20y%20Trafico%20legal%20de%20Migrantes.pdf>
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- ⊙ OAS, Inter-American Convention on Extradition: <http://www.oas.org/juridico/english/treaties/b-28.html>
- ⊙ OAS, Inter-American Convention on Mutual Assistance in Criminal Matters. <https://www.oas.org/juridico/english/treaties/a-55.html>
- ⊙ United Nations Convention against Transnational Organized Crime (UNTOC): <https://www.unodc.org/unodc/en/treaties/CTOC/>
- ⊙ United Nations Office on Drugs and Crime (UNODC), 2009. Anti-Human Trafficking Manual for Criminal Justice Practitioners.
- ⊙ US Department of the Treasury, Press releases. Operation Casablanca continues its sweep. May 20, 1998. <https://home.treasury.gov/news/press-releases/rr246>



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