



WORKING PAPER

ASSEMBLY — 40TH SESSION

EXECUTIVE COMMITTEE

Agenda Item 14: Facilitation Programmes

THE CRITICAL NEED TO COMBAT HUMAN TRAFFICKING IN AVIATION

(Presented by the United States)

EXECUTIVE SUMMARY

Human trafficking is a multi-billion-dollar enterprise affecting 24.9 million men, women, and children globally, and is one that intersects with all modes of transportation. Aviation personnel – whether flight attendants, pilots, or other public-facing staff – and the traveling public can play an important role in intercepting and stopping human trafficking when equipped with the ability to recognize indicators of human trafficking and information on how to report suspected instances of human trafficking to the proper authorities. The Assembly is invited to support a Resolution underscoring aviation’s role in combatting human trafficking and encouraging the continuation of ICAO’s efforts to assist States in their initiatives to combat human trafficking.

Action: The Assembly is invited to adopt the resolution found in the Appendix A.

<i>Strategic Objectives:</i>	This working paper relates to the following Strategic Objectives, <i>Safety and Security and Facilitation</i>
<i>Financial implications:</i>	The activities referred to in this paper should be undertaken subject to the resources available in the 2020-2022 Regular Programme Budget and/or from extra budgetary contributions. Other financial implications will vary across Member States.
<i>References:</i>	<ul style="list-style-type: none"> • The United Nations Convention against Transnational Organized Crime, and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, General Assembly resolution 55/25 • Annex 9 – <i>Facilitation (15th edition, 2017)</i> • IP/10 of the Tenth meeting of the Facilitation Panel • ICAO Circular 352: Guidelines for Training Cabin Crew on Identifying and Responding to Trafficking in Persons • Asia Pacific Economic Cooperation Transportation Ministerial Meeting Ministerial Statements of 2013 and 2017 • International Transport Forum of the Organization for Security and Cooperation in Europe Ministerial Declaration on Transport Safety and Security of 2018 • Information Paper Presented by the United States of America to the 10th Meeting of the Facilitation Panel (September 2018) • Federal Aviation Administration Extension, Safety, and Security Act of 2016 • Federal Aviation Administration Reauthorization Act of 2018

INTRODUCTION

1.1 Human trafficking is a multi-billion-dollar enterprise affecting 24.9 million men, women, and children globally¹, which avails itself of all modes of transport for its criminal objectives. International aviation can be a particularly effective mode of transport for human trafficking.

1.2 Aviation personnel – whether flight attendants, pilots, or other public-facing staff – and the traveling public can play an important role in intercepting and stopping human trafficking when equipped with the ability to recognize indicators of human trafficking and information on how to report suspected instances of human trafficking to the proper authorities.

1.3 In the international context, Ministers of Transport have underscored the important role that transportation can have in the fight against human trafficking in the Asia Pacific Economic Cooperation Transportation Ministerial Meeting Ministerial Statements of 2013² and 2017³ and the International Transport Forum of the Organization for Security and Cooperation in Europe Ministerial Declaration on Transport Safety and Security of 2018.⁴

1.4 ICAO has issued guidance to encourage States and aviation stakeholders to become involved in the fight against human trafficking with Circular 352: Guidelines for Training Cabin Crew on Identifying and Responding to Trafficking in Persons, released in May 2018. Circular 352 provides States and operators with a training framework for human trafficking detection and reporting. The material focuses on the identification and response to trafficking in persons, and is aimed particularly at the role of cabin crew members.

1.5 If formally adopted, Amendment 27 to Annex 9 — *Facilitation*, expected to be effective on 21 October 2019, will add two new Recommended Practices to guide States to “take measures to ensure that procedures are in place to combat trafficking in persons, including clear reporting systems and relevant competent authorities’ points of contact for airport and aircraft operators” and “take measures to ensure that airport and aircraft operators’ personnel in direct contact with the traveling public are provided with awareness training on trafficking in persons.”

2. DISCUSSION

2.1 All persons in the aviation system, whether involved in aircraft or airport operations, and even the traveling public, can help stop the horrendous crime of human trafficking if equipped with the knowledge of what human trafficking is, how to spot it, and how to report it.

2.2 The U.S. Department of State’s 2018 Trafficking in Persons Report notes that, “in the fight against human trafficking, multi-stakeholder partnerships are critical. They must exist vertically between national, regional, and local governments, and horizontally between law enforcement, service providers, and other key actors within and across communities.”⁵ Partnerships between air carriers, airports, aviation authorities, law enforcement and non-governmental organizations are needed for effective and appropriate

¹ <https://www.ilo.org/global/topics/forced-labour/lang--en/index.htm>

² https://apec.org/Meeting-Papers/Sectoral-Ministerial-Meetings/Transportation/2013_transport

³ https://www.apec.org/Meeting-Papers/Sectoral-Ministerial-Meetings/Transportation/2017_transport

⁴ https://www.itf-oecd.org/sites/default/files/docs/2018-ministerial-declaration-transport-safety-security_0.pdf

⁵ <https://www.state.gov/documents/organization/282798.pdf>

responses to suspected instances of human trafficking. An Information Paper on U.S. best practices in this regard, which has been presented at the Tenth meeting of the Facilitation Panel in September 2018, is attached as Appendix B.

2.3 Additionally, in order for reporting potential human trafficking to be effective, States will need to develop a recommended reporting protocol with the appropriate partners, detailing clear lines of reporting so that the necessary information reaches the proper authorities in a timely manner. The designated responding authorities must be prepared to do so with a victim-centered and trauma-informed approach that does not endanger the potential victim or the persons reporting the suspected trafficking.

2.4 Data and information sharing both domestically and internationally on reported instances of human trafficking is an important component to inform the effectiveness of efforts to intercept and stop human trafficking.

3. CONCLUSION

3.1 Member States are invited to adopt the Assembly Resolution attached to this paper in Appendix A, and to encourage the continuation of ICAO's efforts to assist States in their initiatives to combat human trafficking in aviation.

3.2 The Assembly is urged to encourage industry and other stakeholders to increase their efforts to help stop human trafficking.

APPENDIX A

**DRAFT RESOLUTION FOR ADOPTION BY THE 40TH SESSION OF
THE ASSEMBLY**

**DEVELOPMENT AND IMPLEMENTATION OF FACILITATION PROVISIONS—COMBATTING
HUMAN TRAFFICKING**

Whereas the Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, adopted in November 2000 by the United Nations General Assembly and entered into force on 28 January 2004, provides an international framework and enjoys ratification by a majority of countries; and

Whereas the joint ICAO and United Nations Human Rights Office of the High Commissioner Circular 352 on Guidelines for Training Cabin Crew on Identifying and Responding to Trafficking in Persons released in May 2018 underscores the important role of international aviation in combatting human trafficking; and

Whereas training customer-facing employees and other aviation personnel to identify and respond to suspected instances of human trafficking can help stop this crime; and

Whereas proposed Recommended Practice 8.47 in Annex 9 encourages Contracting states to take measures to ensure that procedures are in place to combat trafficking in persons, including clear reporting systems and relevant competent authorities' points of contact for airport and aircraft operators; and

Whereas proposed Recommended Practice 8.48 in Annex 9 encourages Contracting States to take measures to ensure that airport and aircraft operators' personnel in direct contact with the traveling public are provided with awareness training on trafficking in persons; and

Whereas conducting awareness campaigns among aviation personnel and the traveling public can help to increase recognition and reporting of suspected instances of human trafficking; and

Whereas ICAO should foster the development of clear human trafficking guidelines for each State to implement, including model reporting protocols and a victim-centered and trauma-informed law enforcement response;

The Assembly:

1. *Urges* Member States to give attention to adopting and promptly implementing the new Annex 9 Recommended Practices, 8.47 and 8.48; and
2. *Calls on* Member States to give due regard to Circular 352 - Guidelines for Training Cabin Crew on Identifying and Responding to Trafficking in Persons, in their implementation of the relevant provisions of Annex 9; and

3. *Requests* that the Council ensure that relevant guidance material related to the issue of human trafficking is current and responsive to the needs of Member States.

APPENDIX B



International Civil Aviation Organization

INFORMATION PAPER

FALP/10-IP/10
4/9/18

FACILITATION PANEL (FALP)

TENTH MEETING

Montréal, 10-13 September 2018

Agenda Item 6: Other matters

1. INTRODUCTION

1.1 Human trafficking is a heinous crime, one which everyone can help prevent through awareness and appropriate responsive action. The United States follows the “3P” paradigm—prosecution, protection, and prevention—which continues to serve as the fundamental framework used around the world to combat human trafficking. This is the approach reflected in the *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children* supplementing the *United Nations Convention against Transnational Organized Crime* (Palermo Protocol) and in the United States’ Trafficking Victims Protection Act of 2000, as amended. In addition, a “4th P”—for partnership—serves as a complementary means to achieve progress across the 3Ps and enlist all segments of society in the fight against modern slavery.ⁱ

1.2 As described in the U.S. Department of State’s 2018 Trafficking in Persons Report, “in the fight against human trafficking, multi-stakeholder partnerships are critical. They must exist vertically between national, regional, and local governments, and horizontally between law enforcement, service providers, and other key actors within and across communities.”ⁱⁱ

1.3 In the transportation sector, the United States focuses its work on prevention of human trafficking and partnership with stakeholders across all modes of transportation to increase awareness of the issue and report suspicious activity. This paper highlights the components of our existing transportation-related programs and how the United States implements these programs with the cooperation and assistance of law enforcement and other stakeholders.

2. DISCUSSION

2.1 Domestically, the Department of Transportation (DOT) has undertaken various initiatives to increase awareness of human trafficking and equip transportation industry employees and the public with strategies to fight it. The private sector, nongovernmental organizations, labor, and federal, state, and local transportation stakeholders collaborate through our Transportation Leaders Against Human Trafficking (TLAHT) initiative to engage industry leaders, train transportation industry employees, and increase public awareness. DOT trains its 55,000 employees, and works with Federal agencies and non-governmental organizations to ensure that a suite of human trafficking awareness trainings tailored for the aviation, rail, motor coach, trucking and transit industries are available. Together with the various transport industries, DOT works to ensure transportation employees across all modes of transportation are able to recognize and report potential human trafficking.

2.2 DOT engages closely with the U.S. Department of Homeland Security's (DHS) Blue Campaign, which serves as the unified voice for DHS efforts to combat human trafficking. Working in collaboration with law enforcement, government, non-governmental and private organizations, the Blue Campaign strives to protect the basic right of freedom and to bring those who exploit human lives to justice. Through the Blue Campaign, DHS raises public awareness about human trafficking, leveraging partnerships to educate the public to recognize human trafficking and report suspected instances. The Blue Campaign also offers training to law enforcement and others to increase detection and investigation of human trafficking, and to protect victims and bring suspected traffickers to justice.

2.3 The Blue Lightning Initiative (BLI), led by DOT, DHS, and U.S. Customs and Border Protection (CBP, a component of DHS), is an element of the DHS Blue Campaign. The BLI provides a training framework for aviation industry personnel to identify potential traffickers and human trafficking victims, and to report their suspicions to federal law enforcement. To date, more than 70,000 personnel in the aviation industry have been trained through the BLI, and actionable tips continue to be reported to law enforcement.

2.4 The "FAA Extension, Safety, and Security Act of 2016," signed by the President on July 15, 2016, requires U.S. air carriers to provide initial and annual flight attendant training regarding recognizing and responding to potential human trafficking victims. Becoming a BLI partner and using the virtual training is a simple and responsible way to adhere to the requirement. In 2016, the BLI training was updated with feedback from aviation industry experts and human trafficking survivors. The BLI currently includes 23 aviation related entities including U.S. commercial airlines, airports, and aviation associations representing industry and labor.

2.5 Participating BLI partners instruct their employees using the BLI virtual training module and associated printed educational materials. The training may be integrated into partners' initial or recurrent training for flight attendants, pilots, customer service representatives, and other aviation industry personnel. The BLI training illustrates common indicators of trafficking that aviation employees may encounter, and how to immediately report suspected trafficking to law enforcement. The BLI's real-time reporting mechanism gives law enforcement the ability to

research and analyze information, and to coordinate an appropriate and effective response. To alert authorities about suspected trafficking, as outlined in the BLI training, airline employees can follow their airline's in-flight reporting protocol or call the Immigration and Customs Enforcement Homeland Security Investigations Tip Line.

2.6 Additionally, partners can post the BLI poster, indicator card, or general Blue Campaign human trafficking awareness materials inside aircraft or include the Blue Campaign infographic on pre-flight videos to educate passengers to recognize and report human trafficking.

2.7 While the United States is a leader in combating human trafficking, our efforts will expand and benefit from enhanced best practices and feedback from stakeholders across all modes of transportation. To this end, DOT is currently forming the Department of Transportation Advisory Committee on Human Trafficking (the "Advisory Committee") to provide information, advice and recommendations to the Secretary of Transportation on matters relating to human trafficking and to develop recommended best practices for use by state and local transportation stakeholders. DOT recently invited nominations of participants to serve as Committee members, including representatives from trafficking advocacy organizations, law enforcement, and the different modes of transport (trucking, bus, rail, maritime, ports, as well as aviation, including industry and labour).

2.8 The Advisory Committee is tasked with creating best practices which must be user- friendly, incorporate the most up to date technology, and be developed based upon multidisciplinary research and promising evidence-based models and programs. The content for the best practices will include sample training materials, strategies to identify victims, and sample protocols and recommendations. The sample protocols and recommendations will include: (1) strategies to collect, document, and share data across systems and agencies, (2) strategies that will help agencies better understand the types of trafficking involved, the scope of the problem, and the degree of victim interaction with multiple systems, and (3) strategies to identify effective pathways for state agencies to use their position in educating critical stakeholder groups and assisting victims.

2.9 The Panel is invited to explore the contents of our current human trafficking initiatives that are available at various websites, including:

- www.transportation.gov/stophumantrafficking;
- <https://www.transportation.gov/administrations/office-policy/blue-lightning-initiative>; and
- https://www.faa.gov/other_visit/aviation_industry/airline_operators/airline_safety/info/all_infos/media/2016/InFO16019.pdf.

— END —

ⁱ <https://www.state.gov/j/tip/3p/index.htm>

ⁱⁱ <https://www.state.gov/documents/organization/282798.pdf>