



大会 — 第40届会议

执行委员会

议程项目14：简化手续方案

航空领域打击人口贩运义不容辞

(由美国提交)

执行摘要

人口贩运是价值高达数十亿美元的产业，影响着全球2490万男人、妇女和儿童，涉及所有形式的运输工具。航空人员 — 无论是乘务员、飞行员还是其他面向公众的员工 — 和旅行大众，如果具备识别人口贩运迹象的能力和并向相关部门举报疑似人口贩运行为的能力，对拦截和制止人口贩运可发挥重要作用。请大会支持旨在突出航空业在打击人口贩运中的作用并鼓励ICAO继续努力为各国打击人口贩运的举措提供援助的决议。

行动：请大会通过附录A中的决议。

战略目标：	本工作文件涉及下列战略目标，安全和安保及简化手续。
财务影响：	本文所列各项活动应视2020-2022年正常方案预算和/或预算外捐款的可用资源情况展开。其他财务影响对各成员国各不相同。
参考文件：	<ul style="list-style-type: none">• 联合国打击跨国有组织犯罪公约及其于预防、禁止和惩治贩运人口特别是妇女和儿童行为的议定书，联合国大会第55/25号决议• 附件9 — 《简化手续》(2017年，第15版)• 简化手续专家组第十次会议 IP/10• ICAO第352号通告：关于培训客舱乘务组识别和应对贩运人口的指南• 2013年和2017年亚太经合组织交通部长会议的部长声明• 2018年欧洲安全合作组织国际交通论坛关于交通安全和安保的部长声明• 美国向简化手续专家组第10次会议提交的参考文件(2018年9月)• 联邦航空局2016年延展、安全和安保法案• 联邦航空局2018年再授权法案

1. 引言

1.1 人口贩运是价值高达数十亿美元的产业，影响着全球 2490 万¹男人、妇女和儿童，它利用所有形式的交通工具达到犯罪目的。国际航空可成为人口贩运的一个特别有效的交通工具。

1.2 航空人员 — 无论是飞行服务员、飞行员还是其他面向公众的员工 — 和旅行大众，如果具备识别人口贩运迹象的能力和并向相关部门举报疑似人口贩运行为的能力，对拦截和制止人口贩运可发挥重要作用。

1.3 在国际上，在 2013 年²和 2017 年³亚太经合组织交通部长会议发表的部长声明以及 2018⁴年欧洲安全合作组织国际交通论坛关于交通安全和安保部长声明中，各国交通部长强调交通运输业在打击人口贩运中可发挥重要作用。

1.4 国际民航组织 2018 年 5 月以第 352 号通告《关于培训客舱乘务组识别和应对贩运人口的指南》的形式发布指导，鼓励各国和航空利益攸关方参与打击人口贩运。第 352 号通告为国家和运营者提供了人口贩运侦查和报告的培训框架。该材料侧重于识别和应对人口贩运，特别是针对机组人员的作用。

1.5 如果附件 9 — 《简化手续》第 27 号修正案被正式通过，预计将于 2019 年 10 月 21 日生效，该修正案将增加两项新的建议措施，以指导各国“采取措施，确保制定打击人口贩运的程序，包括明确的报告制度以及机场和航空器运营者的相关主管当局联络点”，并“采取措施，确保与旅行公众直接接触的机场和航空器运营者的人员接受关于人口贩运的认知培训”。

2. 讨论

2.1 航空系统中的所有人员，无论是参与航空器或机场运营的人员，甚至是旅行公众，如果掌握了什么是人口贩运、如何发现人口贩运以及如何举报人口贩运的知识，都可以帮助制止这一骇人听闻的人口贩运罪行。美国国务院 2018 年《人口贩运报告》指出，“在打击人口贩运的斗争中，多方利益攸关方伙伴关系至关重要。国家、地区和地方政府之间必须建立纵向伙伴关系，执法部门、服务提供商和社区内部及社区之间的其他关键主体之间必须建立横向的伙伴关系”⁵。航空承运人、机场、航空当局、执法部门和非政府组织之间需要建立伙伴关系，以便有效和适当地应对疑似贩运人口的事件。2018 年 9 月，美国在简化手续专家组第十次会议上提交了这方面最佳做法的参考文件，见附录 B。

2.3 此外，为了有效报告潜在的人口贩运，各国需与适当的伙伴制定一项建议的报告协议，详细说明明确的报告路径，以便将必要的信息能够及时送达适当的当局。指定的应对当局必须做好准备，采取以受害者为中心的创伤知情做法，不危及潜在受害者或疑似贩运活动的举报人。

2.4 在国内和国际上分享关于已报人口贩运事件的数据和信息是通报拦截和制止人口贩运工作成效的一个重要组成部分。

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>

3. 结论

3.1 请成员国通过本文件附录 A 所附的大会决议，并鼓励国际民航组织继续努力为各国打击航空人口贩运的举措提供援助。

3.2 敦促大会鼓励业界和其他利益攸关方加强努力，为制止人口贩运助一臂之力。

附录A

供大会第四十届会议通过的决议草案

制定和实施简化手续条款——打击人口贩运

鉴于联合国大会于2000年11月通过并于2004年1月28日生效的《联合国打击跨国有组织犯罪公约关于预防、禁止和惩治贩运人口特别是妇女和儿童行为的补充议定书》提供了一个国际框架，并得到多数国家的批准；和

鉴于2018年5月发布的国际民航组织和联合国人权事务高级专员办事处关于培训机组人员识别和应对人口贩运准则的第352号联合通告强调了国际航空在打击人口贩运方面的重要作用；和

鉴于培训面向客户的员工和其他航空人员识别和应对可疑的人口贩运事件有助于制止这一犯罪；和

鉴于附件9中拟议的建议措施8.47鼓励缔约国采取措施，确保建立打击人口贩运的程序，包括明确的举报制度和机场和航空器运营者的相关主管当局联络点；和

鉴于附件9中拟议的建议措施8.48鼓励缔约国采取措施，确保与旅行公众直接接触的机场和航空器运营者的人员接受关于认识人口贩运的培训；和

鉴于在航空人员和旅行公众中开展提高认识活动有助于提高对涉嫌贩运人口事件的认识和并进行举报；和

鉴于国际民航组织应促进制定供每个国家执行的明确的人口贩运准则，包括示范举报议定书和以受害者为中心的创伤知情执法对策；

大会：

1. 敦促成员国关注通过和立即执行新的附件9建议措施8.47和8.48；
2. 吁请成员国在执行附件9的相关规定时，适当考虑第352号通告——关于机组人员识别和应对贩运人口的培训准则；和
3. 请理事会确保与人口贩运问题相关的指导材料与时俱进并符合成员国的需要。

—————

APPENDIX B

International Civil Aviation Organization

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

INFORMATION PAPER



FACILITATION PANEL (FALP)

TENTH MEETING

Montréal, 10-13 September 2018

Agenda Item6: 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/2_016/InFO16019.pdf.

— END —

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

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