



**AFRICA - EUROPE PROSECUTORS CONFERENCE**  
ON COMBATING HUMAN TRAFFICKING AND MIGRANT SMUGGLING  
Sharm El-Sheikh, EGYPT From 18th to 20th September 2018



Global Action against Trafficking in Persons and the Smuggling of Migrants



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# AFRICA – EUROPE PROSECUTORS CONFERENCE ON International Judicial Cooperation in Investigating and Prosecuting Trafficking in Persons and Migrant Smuggling

Sharm El-Sheikh, Egypt  
18 to 20 September 2018

## Conference Report



## Executive Summary

The first Africa-Europe Prosecutors Conference on International Judicial Cooperation in Investigating and Prosecuting Trafficking in Persons and Migrant Smuggling took place in Sharm-el-Sheikh (Egypt) from 18-20 September 2018 upon initiative of the Public Prosecutor's Office of the Arab Republic of Egypt. This event was organized in collaboration with the National Coordinating Committee on Preventing and Combating Illegal Migration and Trafficking in Persons (NCCPIM & TIP) and the United Nations Office on Drugs and Crime (UNODC), thanks to the support of the Global Action to Prevent and Address Trafficking in Persons and the Smuggling of Migrants (GLO.ACT). The conference brought together over a hundred delegates from 27 countries from North Africa, Sub-Saharan Africa and Europe.

The conference was an important first step to strengthen international cooperation in criminal matters to fight trafficking in persons and the smuggling of migrants, two serious forms of organized crime that are rampant along migration routes. While criminal networks are increasingly effective in collaborating across borders to carry out lucrative criminal activities, taking advantage of existing economic and social circumstances that create vulnerabilities among populations, criminal justice systems face significant challenges in cooperating to investigate and prosecute transnational crime and protecting its victims. Normative differences, timeframes required by formal channels for international cooperation mechanisms, limited knowledge of multilateral tools capable to foster investigative and prosecutorial practices across jurisdictions, are some of the factors that limit the capacity to conduct successful investigations and prosecutions.

This event aimed to support a constructive dialogue, fostering information-sharing and providing an important networking opportunity to prosecutors of countries of origin, transit and destination along the most important migration routes across Africa and Europe. In an attempt to concretely go beyond information-sharing and sporadic networking, the conference promoted the establishment of a **regular cooperation platform for prosecutors** as a means to overcome existing difficulties and find pragmatic solutions to obstacles that hamper the investigation and prosecution of cases of trafficking in persons and migrant smuggling. To this end, the host country, the Arab Republic of Egypt, proposed to the delegates attending the conference to adopt a declaration with the specific aim to enhance international cooperation in criminal matters. During the conference, delegates discussed a comprehensive set of topics and reviewed the text of the Declaration, giving input to finalize it. The **Sharm El Sheikh Declaration** is a non-binding document summarizing a set of recommendations the participants to the conference agreed to commit to in their future work. The text of the declaration is provided below in Annex 1.

Another concrete outcome of the conference was the signing of a Memorandum of Understanding (MOU) on cooperation between the Office of the Attorney General of the Republic of Mozambique and the Office of the Prosecutor General of the Arab Republic of Egypt.

In terms of follow up, the event was highly appreciated by the participants, who rated the initiative as highly relevant for their work and assessed the proposal to work on the establishment of a regular cooperation platform for prosecutors as key to enhancing international cooperation to fight trafficking in persons and the smuggling of migrants.

## Context

The Africa-Europe Prosecutors Conference on International Judicial Cooperation in Investigating and Prosecuting Human Trafficking and Migrant Smuggling, which took place in Sharm-el-Sheikh (Egypt) from 18-20 September 2018, was organised by the Public Prosecutor's Office of the Arab Republic of Egypt in collaboration with the National Coordinating Committee on Preventing and Combating Illegal Migration and Trafficking in Persons (NCCPIM & TIP) and the United Nations Office on Drugs and Crime (UNODC). This first Euro-African Regional Conference for Prosecutors was realised thanks to the support of the Global Action to Prevent and Address Trafficking in Persons and the Smuggling of Migrants (GLO.ACT).

### What is GLO.ACT

The Global Action to Prevent and Address Trafficking in Persons and the Smuggling of Migrants (GLO.ACT) is a four-year, €11 million joint initiative by the European Union and the United Nations Office on Drugs and Crime (UNODC). The project is implemented from 2015-2019 in partnership with the International Organization for Migration (IOM) and the United Nations Children's Fund (UNICEF). It reaches 13 countries across Africa, Asia, Eastern Europe and Latin America and works with State and non-State actors to plan and implement strategic counter-trafficking and counter-smuggling efforts through a prevention, protection, prosecution, and partnerships approach. The overall objective of the project is to prevent and address Trafficking in Persons (TIP) and the Smuggling of Migrants (SOM).



### Participants

The conference brought together over a hundred delegates from 27 countries from North Africa, Sub-Saharan Africa and Europe, including Angola, Burundi, Democratic Republic of Congo (DRC), Egypt, Ethiopia, France, Guinea, Italy, Kenya, Malawi, Mali, Mauritius, Morocco, Mozambique, Namibia, Niger, Nigeria, Rwanda, Senegal, Spain, Sudan, South Africa, Tanzania, Tunisia, Uganda, Zambia.

Participants also included representatives from international and regional organizations working on counter trafficking in persons and smuggling of migrants, including the African Union, the European Union, the African Prosecutors Association, as well as representatives from IOM and UNICEF.

### Languages

The languages of the conference were Arabic, English, French and Portuguese. The original language of the final declaration is Arabic. Unofficial translations in English and French have been made available to facilitate discussions among participants during the event.

### Aims of the conference

Acknowledging the importance of international cooperation in fighting transnational organized crime, and in particular the crimes of trafficking in persons and the smuggling of migrants, the conference aimed at fostering information-sharing and international cooperation in criminal matters among prosecutors of countries of origin, transit and destination along the most important migration routes across Africa and Europe. International cooperation in criminal matters is key for effective investigations and prosecutions,

yet it presents significant challenges. This event endeavoured to support not only a constructive dialogue, but also the promotion and establishment of a **regular cooperation platform for prosecutors**, as a means to overcome existing difficulties and find pragmatic solutions to obstacles that hamper the investigation and prosecution of cases of trafficking in persons and migrant smuggling. To this end, the host country, the Arab Republic of Egypt, proposed to the delegates attending the conference to **adopt a declaration with the specific aim to enhance international cooperation in criminal matters**. During the conference, delegates discussed a comprehensive set of topics related to fighting human trafficking and migrant smuggling and reviewed the text of the Declaration, giving input to finalize it.

### Objectives of the conference

- Exchange up-to-date information on trafficking and smuggling networks and the situation of trafficked victims and smuggled migrants in the countries of origin, transit and destination;
- Enhance knowledge on international cooperation mechanisms, including extradition, mutual legal assistance, confiscation of proceeds of crime, and the possibility to realize joint investigations;
- Strengthen channels of communication and of information-sharing among professionals to improve investigation and prosecution of cases of trafficking in persons and migrant smuggling and the protection of trafficked persons and smuggled migrants;
- Propose and discuss concrete proposals to establish a sustainable platform for international cooperation on cases of trafficking in persons and smuggling of migrants.

The three day conference focused on data and trends on the two crimes, national, regional and international initiatives to counter them, as well as measures to protect and assist victims of trafficking and vulnerable migrants, including those who become victims of crime along the journey at the hands of organized crime groups. A broad range of experiences, including legal, investigative and prosecutorial practices were presented by speakers and discussed in plenary.

Discussions focused not only on **good practices, but also on challenges** experienced by practitioners in combating the crimes of trafficking in persons and the smuggling of migrants. Presentations touched upon international cooperation mechanisms at judicial and law enforcement level, such as mutual legal assistance (MLA), extraditions, confiscation of proceeds of crime, as well as joint investigative teams; and **recent, innovative practices**, such as for instance the deployment of a Nigerian prosecutor in Italy to enhance cooperation precisely on investigations and prosecutions; and on various **experiences linked to cooperation**

**networks** supported by UNODC, such as the West African Network of Central Authorities and Prosecutors (WACAP) and the Great Lakes Judicial Cooperation Network (GLJCN). Reports on the analysis of **financial transactions** entailing payments originating in multiple countries, including some located in Europe and North America, underlined the need to engage the Financial Intelligence Units (FIUs) and Anti-Money Laundering Units in the concerned countries to track these transactions and effectively respond to related crimes.



Opening panel (right to left): Cristina Albertin, UNODC Regional Representative for Middle East and North Africa; Ambassador Ivan Surkoš, Head of the European Union Delegation to the Arab Republic of Egypt; Justice Nabeel Ahmed Sadek, Prosecutor General of Egypt; Ambassador Naela Gabr, Head of the Egyptian Inter-Ministerial Committee; Fabrizio Malavasi, Immigration Attaché at the Embassy of Italy to the Arab Republic of Egypt.

## Focus Areas of the Conference

Transnational organized crime has become a major challenge at regional and at global level. The crimes of trafficking in persons and the smuggling of migrants have gained increasing attention as serious crimes perpetrated on a large scale by unscrupulous, and ever more powerful criminal networks that threaten the security of States. Combating organized crime is at the core of the EU agenda and of many countries in Africa and Europe. During the conference, speakers and participating delegates illustrated **legislative frameworks** of their respective countries, stressing efforts to align national legislation to international legal instruments, such as the **United Nations Convention on Transnational Organized Crime (UNTOC) and its Supplementing Protocols on Trafficking in Persons and the Smuggling of Migrants**; as well as regional tools, such as the **Arab Convention on Transnational Organised Crime**. Contributions focussed on challenges, experiences and best practices related to national legislations. **In Egypt**, national legislation has been brought in line with the international legal

framework and special attention is being devoted to the link between terrorist groups and organized crime networks involved in trafficking in persons and migrant smuggling. Egypt has been focusing strongly on international cooperation efforts at bilateral and multilateral level. Cooperation and information exchanges with other countries in recent investigations have brought concrete results. The National Coordinating Committee on Preventing and Combating Illegal Migration and Trafficking in Persons (NCCPIM & TIP) has been established to strengthen responses to these crimes; strategies to combat smuggling of migrants and trafficking in persons have been recently adopted, and numerous capacity building programs to train prosecutors, law enforcement agencies and assistance service providers have been carried out in cooperation with international organizations. In **Ethiopia**, the migrant smuggling legislation does not currently enable to investigate or prosecute cases of migrant smuggling that involve Ethiopian nationals and amendments are being discussed. Coordination in investigations and prosecutorial practices has considerably improved thanks to the adoption of new legal frameworks and the practice of speedy trials as applied in Ethiopia to cases of trafficking in persons and migrant smuggling has brought significant results in terms of convictions. **Angola** recently amended its constitution in order adopt legislation to counter trafficking in persons and migrant smuggling and is taking pro-active steps to address not only the crime,



*Counsellor Kamal Guirguis, Head of the International Cooperation Office - Office of the Prosecutor General in Egypt illustrates Egyptian Efforts in Combatting Human Trafficking and Migrant Smuggling*



*Justice Nabeel Ahmed Sadek, Prosecutor General, Egypt welcomes delegates and guests and delivers his opening remarks*

but also to protect its victims and tackle vulnerabilities that foster the spreading of the phenomenon. In **Spain**, where trafficking in persons and the smuggling of migrants are considered separate crimes since 2008, experience shows how difficult it is to differentiate them in practice during investigations and prosecutions. A special unit has been established in the Public Prosecutor's Office (PPO) at central and regional level and guidelines and protocols for the protection of victims have been adopted. In Spain, the PPO is the authority responsible to coordinate all responders in these fields. Practice has shown that while the centrality of

victims' protection is fundamental in investigating crimes such as trafficking in persons, in evidence-gathering the focus should not be exclusively on the victim. Successful prosecution approaches need to rely upon other techniques to gather and corroborate evidence, including surveillance and a carefully devised mix of special investigative techniques. The same applies to investigation of cases of migrant smuggling, where the **migrants become victims of crime along the migration journey** at the hands of organized crime networks. In **Sudan**, constitutional and legislative reforms have been undertaken and a law against trafficking in persons has been recently adopted. Efforts to address trafficking in persons have been stepped up and international cooperation has gained momentum, also thanks to the international conference hosted by the Sudanese authorities, which has led to the Khartoum process. Increasing attention is being devoted to mixed migration flows, yet legislation on migrant smuggling has not been passed yet. In **South Africa**, legislation to counter trafficking in persons has recently come into force, although some sections of the law are pending implementation. The law is comprehensive and provides the framework for international cooperation, including seizure and confiscation of assets and compensation of victims; it is implemented in combination with legislation against organized crime. Coordination structures to counter trafficking in persons have been set in place. Discussions are ongoing on migrant smuggling legislation and on what framework is the most suitable to counter the crime of smuggling of migrants.

Presentations and debates stressed the key role of prosecutors, as well as the importance of international cooperation in investigating and prosecuting these crimes and in protecting its victims.



#### Why focus on prosecutors?

*'Prosecutors are criminal justice actors who can test the effectiveness of legislation. They are critical in obtaining information and evidence to investigate and prosecute transnational crimes, and they are capable of influencing legislative revisions.'*

Margaret Akullo, UNODC, Program Manager, Previous GLO.ACT Coordinator

Some contributors shared some **innovative criminal justice approaches**. In **Italy**, where migration flows have been increasing significantly in recent years along the Central Mediterranean route – a route that is known to be managed by organized criminal networks smuggling migrants from Africa to Europe and beyond - courts have been affirming domestic jurisdiction over crimes committed at high sea, in cases where the *modus operandi* of the criminals was manifestly intended to escape jurisdiction of the coastal State of destination (e.g. through the transshipment of migrants and by provoking the rescue operations to make rescuers carry out the final part of the transportation to a safe place of disembarkation). Such interpretative approach of the Italian judiciary catches the spirit of **article 15 of the United Nations Convention on Transnational Organized Crime (UNTOC)** and is being promoted as a good practice internationally. The Italian representative stressed that as criminals continuously adapt their *modus operandi* to avoid detection and prosecution, it is only by cooperating closely that States may find new and effective ways to counter transnational crimes. Delegates highlighted specific provisions of United Nations Convention on Transnational Organized Crime (UNTOC) as key for effective criminal justice responses and to enhance international cooperation. A representative from UNODC illustrated some provisions of UNTOC highlighting

the **broad set of tools that it makes available to States Parties to combat organized crime more effectively.** The discussion of examples of applications of UNTOC showed that the Convention has practical significance, also because of its global relevance, as almost universal ratification has been achieved. Yet further promotion of the Convention is needed. To this end and to support States Parties in using the provisions of the Convention, UNODC is developing tools to support implementation.



### UNTOC – A Toolbox to Fight Organized Crime at Global Level

*'The United Nations Convention against Transnational Organised Crime (UNTOC) is the only international convention dealing with organized crime at global level. Its provisions provide a broad set of tools to States Parties to combat organized crime.'*

Panagiotis Papadimitriou, UNODC, Crime Prevention Expert

Discussing the role of international, regional and national bodies in cooperation, coordination and sharing information, the **African Prosecutors Association (APA)** stressed that International judicial cooperation has been at the centre of attention of their work, with a particular focus on trying to bridge the existing gaps among prosecutorial authorities in African countries, trying to create synergies to enhance technical capacity of prosecutors. APA currently comprises 13 active members, out of 59 countries. All African countries present at the conference were invited to join ACA to strengthen common efforts against crime. **Nigeria** recently celebrated 15 years of NAPTIP, the National Agency for the Prohibition of Trafficking in Persons, which endeavours to fight criminal networks through institutional networks comprising multiple stakeholders, including State actors and civil society. There have been considerable achievements, yet challenges are significant: lack of clarity on concepts, different mandates, bureaucratic hurdles, limited resources and differences in legal frameworks are key areas for improvement. UNODC presented the experiences of various informal prosecutors' networks such as the **West African Network of Central Authorities and Prosecutors (WACAP)** and the **Great Lakes Judicial Cooperation Network (GLJCN)** in improving prosecution efforts internationally, strengthening formal and informal cooperation channels.



*Marion Ehalt provides insights into the work of prosecutors networks active in different regions of the world.*

Discussing investigative methods to combat human trafficking and migrant smuggling, delegates provided insights into the situation in their countries. In **Mozambique**, responses have been recently introduced with respect to trafficking in persons, while migrant smuggling is still a major challenge. Legislation has been updated and aligned with the international legal framework on trafficking in persons; training has been conducted and coordination groups have been established. Investigations are a challenge, not only because the crime is transnational, but also because it is a crime that affects the rights of individuals and

communities. In the last decades, Mozambique has seen an increase in the movement of people and has become a transit country, especially towards South Africa. There are numerous routes through which migrants are smuggled. In 2017, 3941 persons were repatriated. Migrants are considered victims, not perpetrators. Brutal, criminal methods used on migrants are documented, which often lead to their death. To avoid detection, migrants are transported in awful conditions, which often lead to health issues and death. Sometimes old methods of investigation are still being used and this impairs the capacity to investigate successfully. Often the only criminal identified is the driver of the vehicle, although it is clear that this is organized crime. This is why it is necessary to adopt innovative methods, such as for instance introducing monitoring and surveillance of hot spots, using special investigative techniques, getting a better understanding of the *modus operandi* of the criminals, strengthening evidence-gathering techniques, and analysing the capacity of the criminal groups. Many improvements have been introduced in investigating and prosecuting the crime of migrant smuggling recently and there is a strong commitment on behalf of the authorities of Mozambique to strengthening bilateral and international cooperation to further efforts in combating these crimes.

In **Morocco**, the methods of investigation are the same used for other crimes: investigations start from a piece of information or a complaint filed and advances until it goes to court. Trafficking in persons and migrant smuggling are high risk crimes, which affect national security. That is why special investigative techniques, including under-cover agents, can be used to investigate such cases. A new feature of the Moroccan system is that foreign police can also be infiltrated. Wiretapping is proving a very effective investigative method. It is allowed by the law under specific conditions. International techniques include controlled delivery, letters rogatory, hearing of witnesses, etc. Protection of victims and witnesses is another important technique that needs to be stressed. The role of victims in criminal investigations cannot be underestimated. This feature has only been recently introduced in the Moroccan legislation. There are many ways to protect victims/witnesses (identity, family members, etc.). In many cases, the victims have precious information. They are often vulnerable persons, on the physical level, but also on the legal level, as they are not aware that they are victims, they may be irregular migrants, or may be affected by a number of other circumstances. It is necessary to separate the victims and/or provide them with contacts to obtain specialised support. In Morocco, there are special **multi-disciplinary units based in the courts, that include magistrates, investigators, and specialised social workers. The latter play a vital role in assisting all phases of investigations.** They reassure the victims, providing them with a sense of security throughout the proceedings, they guarantee that the communication and support process meets the needs of the person. Among the challenges experienced in public prosecution, there are cases in which victims have perpetrated criminal acts (e.g. prostitution). How should the prosecutor treat the person? How can protection be provided while the victim is liable? This is a problematic area in Morocco, where a solution is currently being sought. The non-criminalization of victims of trafficking for acts committed as a direct consequence of the trafficking venture is not in place. There is also a financial challenge. Victims need to be provided with shelters and assistance. There is often a shortage of such services, especially when the victims are foreigners.

In **Tanzania**, legislation on trafficking in persons was passed in 2008 and came into force in 2009. Domestic non-governmental organizations (NGOs) and International Organizations (IOs) provide assistance to victims. Reactive and proactive techniques are used during investigations. Evidence-gathering is conducted through regular techniques combined with special investigative techniques. There is close cooperation between police and prosecutors. Trafficking in persons is a predicate offence of money laundering. When the offence



is committed by a non-Tanzanian citizen, s/he will be extradited. Trafficking in persons is unbailable. Trafficked persons are never subject to prosecution or penalty in any way. They are entitled to confidentiality of their identity and private life. Trial proceedings may be held in camera to protect them. Right to assistance to voluntary return is guaranteed and victims can be relocated to a third country until completion of the trial and in some cases also beyond, if this is made possible by IOM. Although under immigration law, the person should be deported, exceptions may be granted **in application of the non-criminalization principle applicable to victims of trafficking**. Assistance to obtain travel documents may also be provided in case of need, provided that the country of origin collaborates. Protection and assistance is always provided unconditionally.

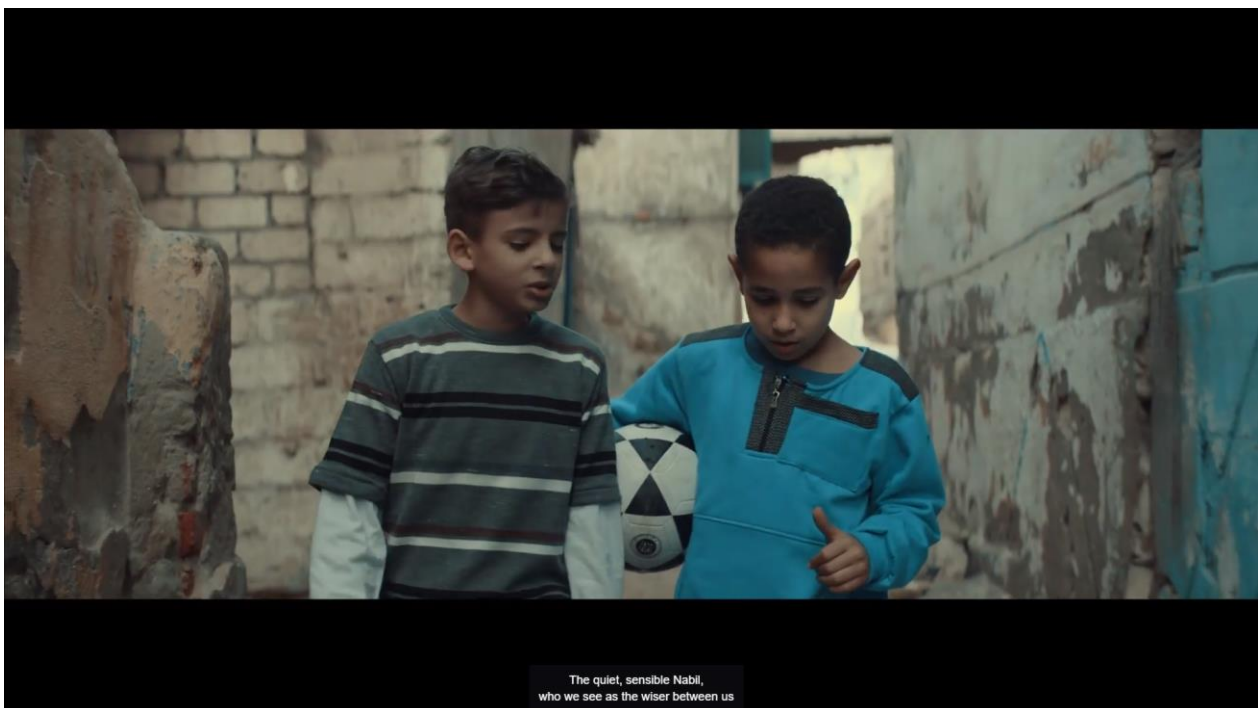
#### Snapshots of feedback sessions and open discussions

- Delegates stressed that to counter such crimes effectively, there is a need to use more effectively existing multi-national agreements, such as the United Nations Convention on Transnational Organized Crime (UNTOC), including standardised e-tools that facilitate the activation of international cooperation mechanisms and the overcoming of bureaucratic hurdles. Provisions of UNTOC to facilitate international cooperation are not yet well-known among practitioners. It is necessary to foster their use to strengthen international cooperation;
- The practice of prosecutors' litigation surgeries as implemented in South Africa is a good practice to be considered for other regions in Africa;
- The practice of speedy trials, as conducted in Ethiopia, has brought considerable results. Reservations about the effectiveness of such a practice were expressed based on experiences in other countries. In Ethiopia, speedy trial procedures have proved effective when the Prosecutors had a strong evidence-base (i.e. through proactive investigations, evidence is collected by wiretapping, working in hotspots, gathering extensive documentation during operations, with the Prosecutors ensuring the legality of procedures and the police gathering evidence fast and in full respect of the law);
- Challenges in evidence-gathering related to investigating cases of trafficking in persons and migrant smuggling, including admissibility in court of evidence gathered in foreign jurisdictions, hinder prosecution efforts. Cooperation in criminal matters between/among countries is often challenged by gaps and different approaches in national legislations. Bilateral agreements are helpful to foster international cooperation in criminal matters and are usually considered a primary tool. Yet cooperation can take place also in the absence of bilateral agreements thanks to UNTOC. In a recent case, extradition between two countries was granted on the basis of article 16 UNTOC;
- Despite increasing efforts to improve legislation and conduct investigations, corruption remains a fundamental challenge in responding to the crimes of trafficking in persons and migrant smuggling;
- Currently information-sharing among countries on the crimes of trafficking in persons and the smuggling of migrants is limited and slow. Practitioners' networks, strategies to combat these crimes and good practices in investigation and prosecution need to be made available systematically to support practitioners in their work. There is a need for informal prosecutors' networks such as WACAP and GLJCN to enhance/facilitate prosecution of both crimes using both formal and informal cooperation;
- Most countries in Africa struggle to obtain the cooperation of victims in investigations on trafficking in persons cases. Some delegates stressed the existence of an imbalance between defendants' rights and victims' rights to the disadvantage of victims; others stressed that protecting victims poses challenges as they can be criminalized for offences committed as a result of trafficking;
- Technology is being used by criminals to commit trafficking in persons and migrant smuggling, also through the dark web. To counter such criminal practices, digital investigation capacity needs to be enhanced significantly;
- The lack of interpreters is an important challenge in dealing with cases of trafficking in persons and the smuggling of migrants in most countries;
- There is a need to move towards evidence-based policies, strategies and decision-making by improving systematic and comparable data-gathering on these crimes.

Discussing the role of international organizations in prevention of human trafficking and migrant smuggling, and to assist and protect victims of trafficking and migrants in vulnerable situations, programs of the **International Organization for Migration (IOM)** at national, regional and international level are implemented in partnership with State and non-State actors and with other International Organizations. In the area of **assistance and protection** to victims of trafficking and smuggled migrants in vulnerable situations, projects focus on providing direct assistance to victims and vulnerable migrants through a broad range of services, including voluntary assisted return and support to re-integrations through livelihoods projects; in the area of **prevention**, IOM efforts focus on preventing irregular migration, addressing its root causes and the connected vulnerabilities. The approach of **UNICEF** is focused on **ensuring safety for children who migrate with their family or alone and on promoting policies that ensure the best interests of children**. All programs are in line with the priorities agreed upon through the New York Declaration for Refugees and Migrants (2016); the Global Compact on Refugees (2018); the Global Compact on Migration (2018).

Provisions of the United Nations Convention on Transnational Organized Crime (UNTOC) and its Supplementing Protocols on Trafficking in Persons and the Smuggling of Migrants **on protecting victims of crime, such as victims of trafficking and smuggled migrants who become victims of crime along the journey at the hands of organized crime groups**, were illustrated by a UNODC expert and discussed in plenary.

**‘Fares’ - Artists give a voice to vulnerable children and adults risking their lives in search of a better future**

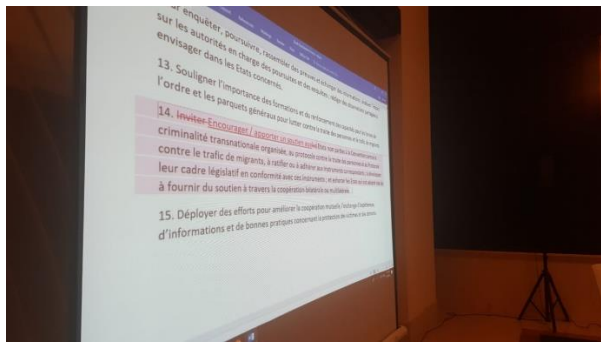


*During the conference, IOM and the National Coordinating Committee on Combating and Preventing Illegal Migration and Trafficking in Persons in Egypt presented the music video “Fares” realized with popular Egyptian artists Zap Tharwat and Ahmed Shiba as part of an awareness campaign on the risks of irregular migration, supported also by UNICEF.*

## Towards the Sharm el Sheikh Declaration on International Cooperation in Criminal Matters

Delegates divided into two working groups to review the draft text of the Sharm El Sheikh Declaration on the second day of the conference and provided suggestions for amendments to the draft text in English and French. Thematically the declaration reflected the topics discussed during the conference and most delegates found the content of the draft provisions in line with their concerns and wishes.

Discussions in the working groups focused on the type of instrument most suitable for this specific forum, e.g. whether it would be more appropriate to opt for a 'declaration' or for 'recommendations'; on language and definitions, e.g. whether to keep the expression 'judicial cooperation' or replace it with 'international cooperation in criminal matters', which comprises law enforcement and judicial cooperation and is in line with the international legal framework set by UNTOC; and to a lesser extent on substantive matters, e.g. a request was made by the French speaking group to introduce reference to the role of communications and network providers in keeping data for reasonable timeframes in line with the needs of investigations.



*Delegates in the French speaking discuss and give input to the Sharm El Sheikh Declaration. Amendments are recorded live during the session and submitted for consideration.*

## Media coverage

The event has been covered extensively by tradition and social media. Below are some links to news coverage, interviews, speeches and interventions recorded during the event.

<https://youtu.be/EZemNYfdJgM>

<https://youtu.be/Sf8FJf-Cqkg>

<https://youtu.be/QOlj7lQ5zTo>

<https://youtu.be/zYC0yYUVQuU>

<https://youtu.be/bGVQial3UXI>

<https://youtu.be/HTh9IDuBVVg>

<https://youtu.be/AK-QeZ3XULw>

<https://youtu.be/nFA7zvxQTxE>

<http://www.egypttoday.com/Article/2/57926/Forced-labor-is-the-most-detected-form-of-human-trafficking>

## Outcomes of the conference

1. The **Sharm el Sheikh Declaration on the first Africa-Europe Prosecutors' Conference on International Cooperation in Criminal Matters to Combat Trafficking in Persons and the Smuggling of Migrants** was adopted on 20 September 2018 (annex 1).

In line with the topics discussed during the conference, the Sharm el Sheikh Declaration captured the commitment of participants to strengthen cooperation in criminal matters acknowledging existing difficulties due to differences in national legislations, challenges in the collection and admissibility of evidence for prosecutions in different jurisdictions, the use of information and communication technology in facilitating criminal activities, transfer of funds and the concealment of criminal proceeds, among others.

The declaration formulates **pragmatic initiatives** to overcome such difficulties, such as the creation of a working group dedicated to consider a legal framework suitable for establishing a cooperation platform in order to enhance international cooperation on the prosecution of transnational organized crime, and specifically on trafficking in persons and smuggling of migrants.

Delegates committed to actively pursue regional and international cooperation to combat transnational organized crime, in accordance with the United Nations Convention on Transnational Organized Crime and the supplementing Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, as well as the Protocol against the Smuggling of Migrants by Land, Sea and Air; and the resolutions of the Conference of the Parties to the Organized Crime Convention.

### 2. Memorandum of Understanding between Egypt and Mozambique

During the conference, a Memorandum of Understanding (MOU) on cooperation between the Office of the Attorney General of the Republic of Mozambique and the Office of the Prosecutor General of the Arab Republic of Egypt was signed.



*The Attorney General of the Republic of Mozambique shakes hands with the Prosecutor General of the Arab Republic of Egypt after the signing of the Memorandum of Understanding (MOU).*

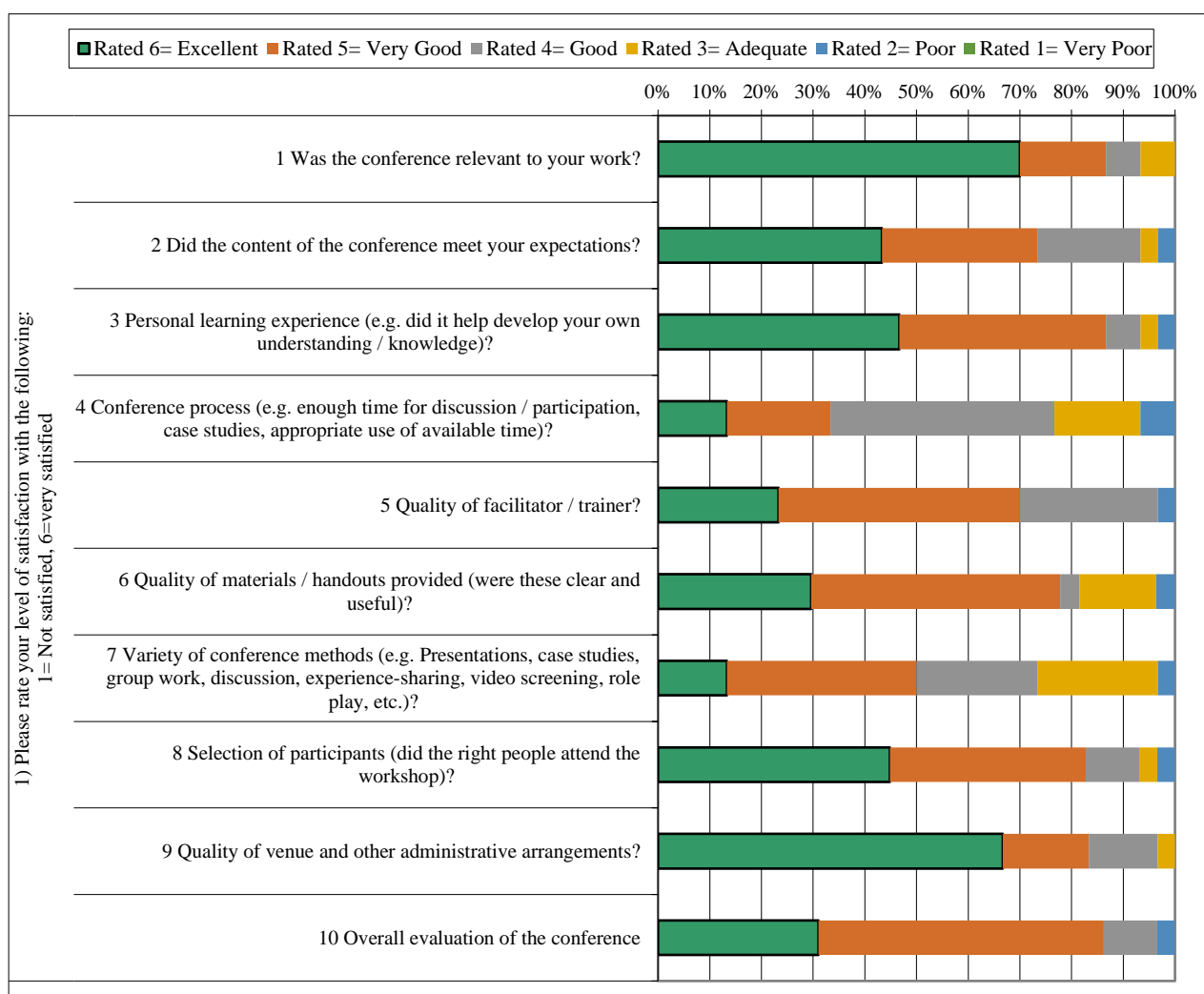
### 3. How participants evaluated this event

Participants' evaluations of this event were overall very positive, as shown by the data in Chart 1 and the comments provided in the evaluation questionnaires. **88% of participants rated the event between very good and excellent in terms of relevance to their work**, and **over 90% indicated that the content of the conference met their expectations**.

For most participants (93%) the conference offered a personal learning experience, rated as excellent by 47%, very good by 40% and good by 7% of respondents. In terms of conference process (i.e. enough time for discussion, participation, appropriate use of available time), 76% of participants were overall satisfied with the process, of which 13% found this aspect excellent, 20% very good and 43% good. The **quality of the speakers was highly rated by 98% of the surveyed participants**; the quality of conference materials was considered satisfactory by 92% of responders; the variety of conference methods was appreciated by 72% of respondents. 92% of respondents thought that the right participants were invited to this event.

An outstanding 97% of participants were satisfied with the venue and administrative support provided by the staff in charge for organizing the conference, out of which 67% rated it as excellent and 16% as very good. 97% of respondents were satisfied with the conference overall, 33% of which found it excellent, 53% very good, 10% good.

Chart 1 – Evaluation questionnaires: summary of ratings



## How participants expressed their feedback through open comments

A representative sample of positive and critical feedback gathered through the questionnaires is provided below.

### 1. Please explain why you rated anything particularly high (e.g. 5 or 6) or low (1 or 2)

*'The conference deserves a high rating (5 or 6) as everything done here was excellent and met my expectations beyond words/expressions. The venue premises was very good; the organization was good but not strict on time/within the time frame.'*

*'The conference was well prepared in terms of location, topics, speakers, etc. I rated 5 or 6 because the conference was indeed of fundamental need to us on the subject matter.'*

*'The conference was well organized, the discussions were relevant and enriching. It was a great learning platform.'*

*'Back home, I deal with transnational crimes. I've established new references, have refreshed my knowledge and in particular in international cooperation.'*

*'Well prepared event, venue has great facilities and amenities. However, there was slight problem with time management. Sessions were very informative but needed more practical case studies.'*

*'Knowing the importance of international networks in the field, everything was perfect. I find the subject very important and it was a good choice to select this subject. It was well organized and prepared. It was a total success.'*

### 2. What did you like most about the conference?

Answers to this question show a broad range of topics that positively captured the attention of participants, including the following:

*'The sharing of networks and getting knowledge of who can help with a particular issue.'*

*'Best practices and exchange of experiences between African and European experts.'*

*'Looking into the work of UNODC/IOM/UNICEF as well as the sharing of experiences.'*

*'Exchange of experiences and lessons on methods of judicial cooperation, common challenges, informal judicial networks.'*

*'Sharing national experiences and linking normative measures and actual measures taken.'*

*'Methods of investigations. Mechanisms to determine whether the crimes are committed and how to prevent them. Learning from the experiences of other countries on various issues.'*

*'The declaration by all member states represented.'*

*'The differences between human trafficking and human smuggling from various countries, laws and perspective.'*

*'The quality of the venue and the relevance of information shared. I also appreciate the organizers for the conducive environment and tackling positively and in a constructive mode. The resource persons were excellent. More time should be allocated to them.'*

*'Learning about various organizations regionally and internationally. Access to new information, forces and networks on combating Trafficking in Persons and Smuggling of Migrants.'*

### 3. What did you like least about the workshop (what was least useful / interesting)?

This was the section with the least number of inputs and included the following points:

*'Time management.' This point was the most recurrently stressed by delegates answering this question.*

*'Presentation of National Laws/Actions.'*

*'Some repetitive presentations.'*

*'Time dedicated for discussion of the declaration was very short.'*

*'Relying more on real cases and case studies.'*

*'Better distribution of time between the sessions.'*

*'I would suggest that in the near future, smokers should have a designated place to smoke.'*

Some respondents filled in this section with positive comments, such as:

*'Everything was okay.'*

*'All presentations were relevant.'*

#### **4. How do you think we can improve future/similar conferences?**

*'Continuation of such conferences to benefit more from the experiences'.*

*'Being short with time, so all participants can present the best practices on their own countries'.*

*'More time for activities engaging participants. More breakout groups and participants presentation of outcomes'.*

*'Sub-regional working groups related to specific migration topics to increase child protection services, coordination mechanisms'.*

*'Case studies'.*

*'Extend the conference duration to 4-5 days without pressing the sessions'.*

Some respondents indicated:

*'Our capacities have been strengthened'.*

*'The conference should be organized in the same way'.*

Comments of the delegates in this section also referred to the need to enhance time management during the next event.

#### **5. What aspects of the knowledge and skills gained will be the most valuable to your daily work? Please be as specific as possible.**

Many respondents indicated that they have gained knowledge and skills related to investigations and prosecution in TIP and SOM; and to different aspects and tools of international cooperation in criminal matters. Below are some of the areas that emerged from the questionnaires as illustrated by respondents:

*'International cooperation, particularly Mutual Legal Assistance (MLA)'.*

*'Informal channels of communications'.*

*'Effective cooperation with investigation of victims (witnesses)'.*

*'I will be able to specifically follow-up on the need for a law on smuggling of migrants'.*

*'Tools to use in investigating and prosecuting TiP/SoM cases'.*

*'I gained information on best practices on investigation of human trafficking issues from other presentations'.*

*'Knowledge about the different concepts and approaches in international judicial cooperation and how international organizations help on this will enable me to come up with ideas on training topics and curriculum training sessions'.*

*'Modes of investigation. We can build on and take notes of the recommendations (outcome of the conference)'.*

#### **6. How will this event change your approach to international cooperation on investigation and prosecution of human trafficking and migrant smuggling in your daily work? Please be as specific as possible.**

*'I have been able to make contacts with my colleagues, who can help when I get to deal with trafficking cases.'*

*'I will be more ready to engage in networking for more effective prosecution. Exploring both formal and informal means of communications.'*

*'Provided a critical perspective on international cooperation'.  
 'Use the prosecutors' networks to support national government in international collaboration for supporting victims.'  
 'Accelerate sub-regional coordination and capacity building of all professionals involved in child protection.'  
 'It will shape my approach, as now I know the contact persons in the various prosecutions who will be my point of contact.'  
 'I will be more hands-on and deal with TiP/SoM cases with a broader approach to issues. I will diversify the investigations to take into account what has been learnt here.'  
 'Formal method of cooperation to ensure speedy handling of the cases'.  
 'Observance appropriate sensitivity when dealing with victims of such offences.'  
 'Informal means of communication to enhance/speed formal means of cooperation.'  
 'Easy correspondence with prosecutors and other nationals when dealing with victims.'  
 'I've more knowledge thanks to this conference, especially regarding the judicial cooperation that is the better way to efficiently combat human trafficking.'*

**Video testimonials**



Participants leaving video testimonials to express their views and share impressions about the event.





المؤتمر الأقليمي الأفريقي - الأوروبي للنواب العموم بشأن التعاون القضائي الدولي  
في تحقيق وملاحقة جرائم الاتجار بالبشر و تهريب المهاجرين  
مدينة شرم الشيخ - جمهورية مصر العربية  
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