



## Final Statement



### Summit of African Women Judges & Prosecutors on Human Trafficking and Organized Crime

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Casina Pio IV, Vatican City

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*As arbiters and advocates of fair and equal justice systems, we see it as our mission to ensure that efforts to eradicate trafficking are grounded in concrete, legislative, political and judicial actions that contribute to preventing, punishing and eradicating human trafficking.*

#### BACKGROUND

Globally, human trafficking remains a devastating threat to the world's most vulnerable populations, particularly women and children. In 2016, the UN reported more victims of trafficking than at any time over the past 13 years.[1] Addressing the problem of trafficking is part of the UN Sustainable Development Agenda to ensure a better and more sustainable future for all. For example, Sustainable Development Goal (SDG) 8, target 7, states that countries will "Take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking, and secure the prohibition and elimination of the worst forms of child labour, including recruitment and use of child soldiers, and by 2025 end child labour in all its forms". SDG 16.2 calls upon Member States to end abuse, exploitation, trafficking and all forms of violence and torture against children. SDG 16.2.2 requests Member States to measure the number of human trafficking victims in their countries each year.

To decrease incidents of human trafficking, the global community widely recognizes that strong, national legal and criminal justice frameworks must be in place and enacted to prohibit trafficking activities and prosecute them as crimes when they arise.

While most countries now have proper or partial laws in place, impunity still prevails in large parts of the globe, particularly across sub-Saharan Africa. Work to combat trafficking on the African continent must ensure that **all** countries establish these legal frameworks and, additionally, ensure they are fully implemented.

In recognition of this, the Pontifical Academy of Sciences hosted the 2017 and 2018 Summits of African Women Judges on Trafficking in Persons and Organized Crime to convene female judges, religious leaders, philanthropists, and academics to strategize about how to accelerate legal action to combat human trafficking across Africa.

Combatting human trafficking is not only essential for achieving sustainable development, it is also a moral imperative. Our preeminent moral and religious leaders, specifically His Holiness Pope Francis and Pope Benedict XVI, have described human trafficking as a crime against humanity, in terms of forced labour, prostitution and organ trafficking, and as evidence of the globalization of indifference.[2] As Pope Francis said

on a 2016 visit to Krakow, "Sadly, our society is tainted by the culture of waste, which is the opposite of the culture of acceptance. And the victims of the culture of waste are those who are weakest and most frail; and this is indeed cruel".

## **RESOLUTIONS**

We, including the participants of the 2017 and 2018 Summits of African Women Judges on Trafficking in Persons and Organized Crime, assert our shared, global responsibility to overcome the relative inaction of our governments and the global community at large to combat human trafficking.

Judges and prosecutors play an important role in exercising this responsibility.

Therefore:

### **We resolve to advocate for laws in every African country that prohibit all forms of human trafficking.**

We are resolved that human trafficking must be considered a legal crime against humanity with deep roots in organized crime. We will advise and ally with governments and other stakeholders to establish necessary laws in the African countries that lack basic legal frameworks.

### **We resolve to apply our legal expertise and justice system roles to accelerate the implementation of pre- and newly established anti-trafficking laws.**

We commit to using our expertise as judicial officers to promote measures that not only prosecute traffickers but also help victims thrive as full members of society empowered and resourced to lead dignified lives.

### **We recognize that the transnational character of trafficking networks requires increased, well-functioning, intergovernmental collaboration.**

Judges and prosecutors play important roles in advising governments on the construction of binding legal frameworks to combat human trafficking that are consistent across borders.

*We resolve to organize our multi-national group into the Pan-African Judges Committee. This committee will facilitate coordinated legal efforts and the sharing of best practices across borders. Its membership commits to resourcing each other in their anti-trafficking efforts whenever possible.*

### **We recognize that a free, independent, and well-functioning judiciary is necessary to effectively fight human trafficking.**

Independent judiciaries require independent financing and accountability structures to ensure their neutrality. They also require access to well-educated and independent judges, prosecutors, defense attorneys, and interpreters, all of whom must be sufficiently compensated. All victims must be presumed innocent until guilty and be provided access to justice and free legal assistance. Justice delayed is justice denied.

*To facilitate this, we will partner with and support relevant efforts across the African continent to reduce the corruption in our countries that undermines the independence and integrity of our judicial systems.*

### **We resolve to protect and promote the social, political and moral values necessary to eradicate modern slavery.**

As His Holiness Pope Francis said: "There is no democracy with hunger, nor justice in inequity".

Poverty, unemployment, isolation, and inequality all combine to facilitate the exploitation and trafficking of our fellow human beings. As members of the judiciary, we must recognize that our decisions contribute to our countries' social and political equilibriums.

Recognizing that the UN Office on Drugs and Crime's most recent report on trafficking emphasizes the role that conflict places in exacerbating trafficking risks, we commit to be voices for peace.

### **We recognize that our judicial obligations extend beyond holding trafficking criminals accountable and include administering compensation to victims whenever possible.**

We are resolved to combat the injustices of human trafficking by not only eliminating it, but by also investing in its victims to provide them with housing and the necessary resources to lead dignified lives.

*We support the creation of a compensation fund that reallocates the money and goods seized from smugglers and traffickers as reparations for victims.*

### **We resolve to develop and share new and existing case studies of success to accelerate anti-trafficking progress.**

While one-size-fits-all policies are an exception rather than the rule given diverse conditions across countries, we recognize the importance of learning from good policies and practices.

**The Swedish Model** to combat prostitution is based on the principles that no human being should ever be for sale and that demand is the fundamental cause of prostitution. It criminalizes the buyer, while the trafficked person is viewed with sympathy, as a victim. Prostitution has decreased in countries where this model has been introduced as trafficking activities bleed profits.

**The Mexican Model** of focusing on the reintegration of trafficking victims has been shown to improve the circumstances of victims. An important lesson learned is that it requires a long-term strategy that includes rescue, shelter, education, job training, legal support, and social integration in order to ensure the reintegration of victims into society.

This council of judges join the WHO and the Transplantation Society in endorsing **the Concept of National Self-Sufficiency** which dictates that a nation addresses its burden of end-stage organ disease with programs of robust deceased and live donation, and combats the use of its vulnerable for organ trafficking.

*We commit to developing case studies from the African continent to contribute to global knowledge about combatting human trafficking.*

#### End notes

[1] The increased number of detected victims collected by UNODC is the result of the broader geographical coverage of the data collection for the last two editions of the Global Report. More countries are now in a position to report their national data on trafficking in persons to UNODC. At the same time, the average number of detected victims per country has also increased over the last few years (UNODC 2018, 21). [https://www.unodc.org/documents/data-and-analysis/glotip/2018/GLOTiP\\_2018\\_BOOK\\_web\\_small.pdf](https://www.unodc.org/documents/data-and-analysis/glotip/2018/GLOTiP_2018_BOOK_web_small.pdf)

[2] “Modern slavery, in terms of human trafficking, forced labour and prostitution, organ trafficking, and any relationship that fails to respect the fundamental conviction that all people are equal and have the same freedom and dignity, is a crime against humanity”. Joint Declaration of Religious Leaders against Modern Slavery, Casina Pio IV, 2 December 2014.

#### **SIGNATORIES**

Nancy ASCHER, M.D., PhD, Organ transplant surgeon, Chair of the UCSF Department of Surgery, Past President of The Transplantation Society and member of the WHO Task Force on Organ Donation and Transplantation to combat organ trafficking, USA  
Sr Eugenia BONETTI, founder of Slaves No More, Italy  
Susan BURKE, Fourth Judicial District Judge for Hennepin County, Minnesota, USA  
Henriette Adjiri ECARE épouse SAGNON, Magistrate, member of the Association of Women Magistrates of Ivory Coast AFEMCI and member of the IAWJ, Ivory Coast  
Lucy N. GACHERU, Lady Justice, Environment and Land Court, Kenya  
Jennifer GROSS, Founder of Blue Chip Foundation, USA  
Elizabeth JUMA, Senior Principal Magistrate at the Kibera Law Courts, Kenya  
Jane KAMAU, Senior Resident Magistrate, Kenya  
Marie Chantal KOFFI, Judge, Deputy Child Protection, Ministry of Justice and Human Rights, Cote d’Ivoire  
Gabriella MARINO, the Pontifical Academies of Sciences and Social Sciences  
Annah MATHIBA, Judge of the Industrial Court of Botswana  
Susana MEDINA, Vice-President of the High Court and President of the Labour Chamber, Entre Rios, Argentina, and Past President of the International Association of Women Judges  
Elmi MULLER, Transplant Surgeon and Head of the Transplant Unit at Groote Schuur Hospital in Cape Town, South Africa  
Agnes Kalekye MURGOR, Judge of the Court of Appeal in Kenya  
Roselyn Naliaka NAMBUYE, founding member of the Kenya Women Judges Association (KWJA)  
Christine NJAGI, Senior Resident Magistrate, JKIA Law Court, Secretary of International Association of Women Judges-Kenya Chapter and the African Region Secretariat  
Teresa ODERA, Magistrate at the Mumias Law Court, Kenya  
Oluremi Omawunm OGUNTOYINBO Federal High Court, Nigeria  
Hannah OKWENGU, Judge at the Court of Appeal, Nairobi, and President Emeritus of the International Association of Women Judges, Kenya Chapter  
Hellen ONKWANI, Magistrate at the Milimani Law Court, Kenya  
Rose OUGO, Judge at the Kisii Law Court, Kenya  
Luisa Chimbila QUINTA, President of the Family Division in the Provincial Court of Huambo, Angola  
Marcelo SANCHEZ SORONDO, Chancellor, the Pontifical Academies of Sciences and Social Sciences  
Anna SKARHED, Former Supreme Court Judge and Chancellor of Justice, Sweden  
Vivian SOLOMON, Justice of the Supreme Court of the Republic of Sierra Leone  
Mina SOUGRATI, Administrative Tribunal of Casablanca, Morocco  
Judith WANJALA, Magistrate at the Nyahururu Law Courts, Kenya