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**THIS ACTION IS FUNDED BY THE EUROPEAN UNION**

**ANNEX II**

of the Commission Implementing Decision on the financing of the multiannual action plan in favour of Asia-Pacific region for 2023-2024 for migration, forced displacement and mobility

**Action Document for “Preventing and addressing Trafficking in Human Beings and Smuggling of Migrants in South Asia”**

**ANNUAL PLAN**

This document constitutes the annual work programme within the meaning of Article 110(2) of the Financial Regulation, within the meaning of Article 23 of the NDICI-Global Europe Regulation.

## 1 SYNOPSIS

### 1.1 Action Summary Table

<b>1. Title CRIS/OPSYS business reference Basic Act</b>	Preventing and addressing Trafficking in Human Beings and Smuggling of Migrants in South Asia OPSYS number: ACT-61815 Financed under the Neighbourhood, Development and International Cooperation Instrument (NDICI-Global Europe)
<b>2. Team Europe Initiative</b>	No
<b>3. Zone benefiting from the action</b>	The Action shall be carried out in South Asia (Bangladesh, Bhutan, India, Maldives, Nepal and Sri Lanka).
<b>4. Programming document</b>	Regional Multiannual Indicative Programme Asia-Pacific for the period 2021-2027 (RIP)
<b>5. Link with relevant MIP(s) objectives / expected results</b>	The Action responds to the priority area “Migration, Forced Displacement and Mobility” of the Regional Multiannual Indicative Programme for Asia-Pacific 2021-2027.
<b>PRIORITY AREAS AND SECTOR INFORMATION</b>	
<b>6. Priority Area(s), sectors</b>	151 - Government & Civil Society-general
<b>7. Sustainable Development Goals (SDGs)</b>	Main SDG (1 only): 10.7 – Facilitate orderly, safe, regular and responsible migration and mobility of people, including through the implementation of planned and well-managed migration policies  Other significant SDGs (up to 9) and where appropriate, targets: 5.2 – Eliminate all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation 8.7 – 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

	16.2 – End abuse, exploitation, trafficking and all forms of violence against and torture of children 17 – Strengthen the means of implementation and revitalize the global partnership for sustainable development			
<b>8. a) DAC code(s)</b>	15131 - Justice, law and order policy, planning and administration 15160 – Human rights 15180 – Ending violence against women and girls 15190 – Facilitation of orderly, safe, regular and responsible migration and mobility			
<b>8. b) Main Delivery Channel</b>	Multilateral organisation – 40000			
<b>9. Targets</b>	<input checked="" type="checkbox"/> Migration <input type="checkbox"/> Climate <input checked="" type="checkbox"/> Social inclusion and Human Development <input checked="" type="checkbox"/> Gender <input type="checkbox"/> Biodiversity <input type="checkbox"/> Education <input checked="" type="checkbox"/> Human Rights, Democracy and Governance			
<b>10. Markers (from DAC form)</b>	<b>General policy objective @</b>	<b>Not targeted</b>	<b>Significant objective</b>	<b>Principal objective</b>
	Participation development/good governance	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Aid to environment @	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Gender equality and women's and girl's empowerment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Trade development	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Reproductive, maternal, new-born and child health	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Disaster Risk Reduction @	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Inclusion of persons with Disabilities @	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Nutrition @	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<b>RIO Convention markers</b>	<b>Not targeted</b>	<b>Significant objective</b>	<b>Principal objective</b>
	Biological diversity @	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Combat desertification @	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Climate change mitigation @	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Climate change adaptation @	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>11. Internal markers and Tags</b>	<b>Policy objectives</b>	<b>Not targeted</b>	<b>Significant objective</b>	<b>Principal objective</b>
	Digitalisation @	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	digital connectivity	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	

	digital governance	<input type="checkbox"/>	<input checked="" type="checkbox"/>	/
	digital entrepreneurship	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	digital skills/literacy	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	digital services	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	Connectivity @	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	digital connectivity	YES	NO	/
energy	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
transport	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
health	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
education and research	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Migration @ (methodology for tagging under development)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Reduction of Inequalities @ (methodology for marker and tagging under development)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Covid-19	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>BUDGET INFORMATION</b>				
<b>12. Amounts concerned</b>	<p>Budget line(s) (article, item): 14.020131(NDICI South and East Asia) EUR 9 Million</p> <p>Total estimated cost: EUR 9 Million</p> <p>Total amount of EU budget contribution EUR 9 Million</p> <p>The contribution is for an amount of EUR 9 Million from the general budget of the European Union for 2024, subject to the availability of appropriations for the respective financial year following the adoption of the relevant annual budget, or as provided for in the system of provisional twelfths.</p>			
<b>MANAGEMENT AND IMPLEMENTATION</b>				
<b>13. Type of financing</b>	<b>Indirect management</b> with the entity(ies) to be selected in accordance with the criteria set out in section 4.3.1			

## 1.2 Summary of the Action

Despite progress made by South Asian countries to strengthen their capacity to manage migration more efficiently and effectively and to counter trafficking in human beings (THB) and smuggling of migrants (SOM), significant challenges remain. As elsewhere, in **South Asia** weaknesses in victim identification, case management and data collection persist. Low detection levels, investigations and prosecutions mean that migrant smuggling and trafficking in human beings remain low-risk-high-profit activities with a culture of impunity. Investigations and prosecutions are frequently hampered by a lack of capacity, with criminal justice practitioners requiring the skills to debrief and interview trafficking victims and smuggled migrants effectively. While basic legislation on trafficking in human beings is in place across the region, SOM law is lacking entirely in most of these countries and the policy frameworks are often uncoordinated and incomplete. A lack of engagement in effective and practical international and bilateral cooperation, including in the context of migration, also negatively impacts the ability to collect evidence for investigations and criminal prosecutions. At the same time, newer challenges require new learning, such as how best to tackle the role of cyber-based recruitment for THB and SOM, how to collect

electronic evidence across borders and how to trace informal and mobile illicit financial flows stemming from these crimes.

To different extents, partner countries in **South Asia** – Bangladesh, Bhutan, India, Maldives, Nepal and Sri Lanka – are source, transit, and destination countries for trafficking in human beings for the purpose of forced labour, sexual exploitation, forced marriage, and organ removal. Despite the overall increase in counter trafficking and migrant smuggling efforts, impunity for perpetrators remains high. Countries in South Asia convict fewer perpetrators of trafficking in proportion to their populations than most other regions, although they detect victims at a comparable rate with the rest of the world.<sup>1</sup>

The proposed Action considers numerous aspects of migration, mobility and forced displacement, and focuses on countering migrant smuggling and trafficking in human beings (including children) in this context. It will do so by practically and effectively targeting associated criminal justice challenges in **South Asian countries (Bangladesh, Bhutan, Maldives, Nepal, and Sri Lanka)** while examining horizontal, regional challenges in **India** that hinder efforts to better counter both crimes. Protection and prevention approaches are also mainstreamed throughout.

Building on the EU funded Global Action against THB and SOM in Asia and the Middle East (GLO.ACT-Asia and Middle East and GLO.ACT Bangladesh) implemented from 2018-2023 in 5 partner countries, including Bangladesh, the proposed intervention will consolidate existing gains and amplify ongoing EU investment in the areas of migration, mobility, forced displacement and trafficking in human beings, especially from the perspective of addressing cross-border and illicit financial flows. It will continue efforts to counter THB and SOM at national and regional level, by addressing the ‘5 Ps – Prevention, Protection, Promotion, Prosecution and Partnership’. In comparison to the current GLO.ACT programme - Bangladesh, the proposed action will place a greater emphasis on SOM and increase efforts to protect and support victims.

The Action aims to result in countries having evidence-based strategies, policies, and legal frameworks in line with the UN Protocols on Trafficking in Persons and SOM, while promoting gender equality, child rights, and human rights obligations by focusing on areas that impede effective investigations and prosecutions and cause gaps in victim and vulnerable migrant protection (Objective/Outcome 1).

By investing in people and building rights-based and gender equal operational capacity to break the THB and SOM business model (Objective/Outcome 2), the action will enhance the knowledge of criminal justice practitioners on online and technology-enabled THB and SOM, strengthen criminal justice systems by leveraging technology in their response concerning detection, investigation, and prosecution. It will also enhance the capacity to trace illicit financial flows deriving from THB and SOM and advocate for closer coordination between law enforcement and financial regulators.

Training will help keep law enforcement border agency officials updated on new trends and forms of trafficking in human beings and migrant smuggling. The Action will support target countries to activate and strengthen agency-to-agency communication and facilitate bilateral, regional, and international cooperation by focusing on promoting increased evidence gathering potential for police leading joint SOM/THB investigations and by facilitating judicial exchanges, promoting existing Mutual Legal Assistance (MLA) Tools and judicial cooperation networks (Objective/Outcome 3). In addition to regional cooperation with the Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Cooperation (BIMSTEC), the South Asian Association for Regional Cooperation (SAARC), and the Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime, this Action will facilitate exchanges between partner countries on two levels: police-to-police cooperation (also taking into account victims' referrals) and judicial cooperation on criminal matters. It will facilitate exchanges with European countries and agencies (Frontex, Europol, and Eurojust) through judicial cooperation networks, leading to increased insights into cross-border issues such as trends and the mode of operation of criminal networks and bolstering anti-smuggling operational partnerships.

The Action will improve protection and assistance (health, access to justice) for female and child victims of trafficking and smuggling by working with selected CSOs to improve the protection environment for women and

<sup>1</sup> UNODC Global Report on Trafficking in Persons (2022, p.132.)

child victims of THB and SOM (Objective/outcome 4). Overall, this intervention will address the gendered nature of the crimes and advocate for rights-based, gender-neutral law enforcement measures.

A ‘whole of route’ approach in tackling THB and SOM in South Asia will be implemented, identifying opportunities for supporting direct cooperation between partner countries (Bangladesh, India, Sri Lanka, Maldives, Bhutan, Nepal) and transit and destination countries. Evidence to date suggests a complex web of THB and SOM routes within the South Asian region and externally towards the EU. For both THB and SOM victims of South Asia, the criminals, in general, use the corridors through the **Eastern Mediterranean** (Greece, Cyprus- including the part of Cyprus that is not under the effective control of the government of Cyprus and Bulgaria) and **Western Balkan** (Albania, Bosnia and Herzegovina, Kosovo, Montenegro, North Macedonia, and Serbia) routes. However, for victims of Bangladesh and Nepal, the **Central Mediterranean route** (sub-Saharan Africa – mainly Libya and Tunisia but also Algeria, to Italy or Malta); for Indian victims, **a circular route from Albania to Greece**, and for Sri Lankan the **Western African Route** (Morocco, Western Sahara, Mauritania, Senegal and The Gambia) have been found frequently used. The Bangladesh-Libya route will be a major priority of the proposed Action, as it is one of the most important routes to the EU with irregular entry in Italy.

According to latest UNODC research and analysis, the THB/SOM flows in the South Asia region are complex – the majority of the victims of trafficking identified are from the region itself. Yet when it comes to SOM, migrants migrate as a first stage in the region, and then trans-regionally towards the EU and other destinations. Priority will be given to addressing THB/SOM flows destined for the EU but it will be strategic to foster cooperation between origin and transit countries along the route – such as continuing with the Bangladesh-Libya cooperation, and considering cooperation with other Middle Eastern/Gulf countries, which are a transit on the route to the EU.

This aligns with the EU’s proposed Pact on Migration and Asylum (2020), EU’s Strategy to tackle Organized Crime (2021-2025) and the EU Strategy on Combatting Trafficking in Human Beings (2021-2025) and the renewed EU Action Plan against Migrant Smuggling (2021-2025), the Action Plan on Gender Equality and Women’s Empowerment in External Relations 2020–2025 (GAP III<sup>2</sup>) as well as with the Women Peace Security Agenda.

The Action will contribute to the UN’s 2030 Sustainable Development Goals, in particular Targets 5.2, 8.7, 10.7, 16.2 and overall goal 17.

## 2 RATIONALE

### 2.1 Context

In 2020, for the first time the number of victims of THB detected globally decreased by 11%. This change in trends could be the result of three different factors, such as lower institutional capacity to detect victims, fewer opportunities for traffickers to operate due Covid-19 restrictions, and more hidden forms of THB.

In addition, the aftereffects of the COVID-19 pandemic have continued to exacerbate existing disadvantages, poverty and vulnerabilities, rendering women, children, and migrants most vulnerable to the recruitment and exploitation by criminals who traffic people and smuggle migrants for profit. Despite a period of reduced mobility possibilities worldwide, the drivers of migration largely persist, and situations of financial precarity may lead many to consider migrating. Emergencies and conflict settings provide fertile ground for traffickers, with about 12% of the total number of trafficking in human beings detected globally originated from a country affected by conflict.<sup>3</sup>

<sup>2</sup> The Gender Action Plan III (GAPIII) is a Joint communication by the Commission and the High Representative of the Union for Foreign Affairs and Security Policy which was welcomed through EU Presidency Conclusions of 16 December 2020. Drafting was led by European Commission in close consultation with EU Member States, EEAS, civil society organisations, partner governments, and international organisations (UN entities, International Finance Institutions among others). The different parties contributed to the drafting of the document through meetings and through responses to a survey conducted during the process.

<sup>3</sup> UNODC Global Report on Trafficking in Persons (2022), p.52.

Vulnerabilities such as poverty, domestic violence and low levels of education expose women and children to a greater risk of being trafficked. Women account for 43% of detected victims and children as the next largest group at 37%.<sup>4</sup> Furthermore, the negative impact of climate change and increased ecological precarity places people from farming communities in South Asia at risk of trafficking for forced labour, particularly in the form of debt bondage. In fact, forced labour is the most commonly detected form of exploitation in South Asia – a consistent trend in the region for years.<sup>5</sup> While most victims detected in South Asia were trafficked domestically, many South Asian victims are increasingly detected outside of the region.<sup>6</sup> Cyber-enabled means have increased the anonymity and impunity of the criminals, and it is becoming more common to see victims of the middle-class falling prey to traffickers online.<sup>7</sup>

Migrant smuggling remains an under-researched and under-reported crime. There is currently a lack of official data on smuggling and smugglers in South Asia. However, latest available data indicates that South Asians, especially Nepalis, Bangladeshis and Indians, usually follow the same routes and use similar smuggling networks.<sup>8</sup> Some migrants are smuggled within the region – from Sri Lanka, Nepal, Bhutan or Bangladesh to India, for instance – and may also be smuggled onwards to the countries of the Gulf Cooperation Council and/or to Europe. Along the different routes, some South Asian migrants travel either regularly (with required documents, taking advantage of bilateral free-movement agreements), or irregularly (often with the assistance of migrant smugglers).<sup>9</sup> According to latest UNODC analysis in tackling smuggling of migrants, Western European countries are popular destinations for smuggled migrants from South Asia, especially for Sri Lankans, taking place by three main routes: via Central Asia and Russia; via Türkiye and Greece through the Western Balkans; and occasionally via West Africa.<sup>10</sup>

There is reason to believe that the existing risks in addressing THB and SOM in South Asia will worsen due to the impacts of the COVID-19 pandemic and climate change. The pandemic prompted a mass return of millions of migrant workers to their countries of origin, while at the same time driving large movements from urban centres to rural areas.<sup>11</sup> South Asia is also particularly vulnerable to both rapid- and slow-onset disasters that often result in millions of displaced persons. With 9.3 million new disaster displacements, South Asia accounted for nearly a third of all new global displacements driven by disasters.<sup>12</sup>

**Bangladesh** is a major country of origin for trafficking in human beings and the smuggling of migrants. With a population of 169 million, it continues to be one of the region's most overpopulated, climate-vulnerable and disaster-prone countries. With a sizeable part of the population living and working abroad, estimated by IOM at 7.4 million people, Bangladesh is the sixth largest origin country of migrants in the world.<sup>13</sup> As such, remittances from Bangladeshis working abroad constitute important revenue flows for the Government, about 11% of the GDP. In Bangladesh, poor rural households are particularly vulnerable to economic shocks and unemployment among youth is a significant challenge. In addition, large numbers of people have been internally displaced in Bangladesh due to natural disasters and conflict. Many of those affected resort to migration as a coping mechanism. Bangladeshi nationals are now second on the list of irregular migrant disembarkations in the Central Mediterranean route to Europe, and their numbers are rising. As a result, many Bangladeshis fall prey to the crime of trafficking domestically and abroad or resort to the services of migrant smugglers.

In the EU, Bangladesh is ranked in the top-10 of non-EU citizens convicted of trafficking offences. There is a need to increase prosecution of trafficking offences, particularly for trafficking for the purpose of labour exploitation and to improve victim identification and assistance procedures and screening processes to prevent penalization of potential victims. Bangladesh is also experiencing increased socio-economic pressure from the nearly one million Rohingya refugees living in Cox's Bazar since 2017, who had fled persecution and large-scale violence across the

<sup>4</sup> Ibid. p.131.

<sup>5</sup> Ibid.

<sup>6</sup> Ibid.

<sup>7</sup> UNODC, South Asia Situation Assessment Report on Internet-enabled trafficking for sexual exploitation (2020), p.11.

<sup>8</sup> UNODC, Migrant Smuggling in Asia and the Pacific – Current trends and related challenges (2010), Volume II, p.50.

<sup>9</sup> UNODC, Global Study on Smuggling of Migrants (2018).

<sup>10</sup> UNODC, Multi-Country Study on the Smuggling of Migrants and Trafficking in Persons from Nepal (2019).

<sup>11</sup> IOM, World Migration Report (2022), p.84.

<sup>12</sup> Internal Displacement Monitoring Centre, 2021.

<sup>13</sup> IOM, World Migration Report (2022), p.25, available at: <https://publications.iom.int/books/world-migration-report-2022>.

border in the Rakhine State of Myanmar. Not only is Cox's Bazar the largest refugee camp in the world, it is also one of the most disaster-prone regions of Bangladesh and is vulnerable to cyclones, floods, landslides, and other natural hazards that threaten the lives of refugees and damage vital and thinly-resourced infrastructure of the camps.<sup>14</sup>

Bangladesh has ratified the United Nations Convention against Transnational Organized Crime (UNTOC) and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (TIP Protocol), but not the Protocol against the Smuggling of Migrants by Land, Sea and Air (SOM Protocol). Bangladesh enacted the Prevention and Suppression of Human Trafficking Act in 2012 and its three implementing Rules in 2017 three rules which established the Anti-human Trafficking Prevention Organization and Special Fund for victims of human trafficking. The Prevention and Suppression of Human Trafficking Act of 2012 is the legislation specifically addressing prevention, protection of victims, and prosecution of trafficking offences in Bangladesh, and is in line with the UN Trafficking in Persons Protocol. In March 2020, a total of seven (7) anti-trafficking tribunals were established in the Divisions of Dhaka, Chittagong, Rajshahi, Khulna, Barisal, Rangpur, Sylhet. The tribunals are operational, and cases are being transferred to their jurisdiction. The tribunals constitute some of the most essential building blocks for the criminal justice structures for combatting the crime through dedicated law enforcement responses.

**Bhutan**, a small, landlocked country with a population of 777,000 is both a source and destination country in trafficking of human beings and smuggling of migrants. According to IOM, international migrants accounted for about 6.5 per cent of Bhutan's population in 2017, many of whom are labourers from India coming to work in the construction sector. Despite having achieved significant economic growth and poverty reduction in the last two decades, macroeconomic vulnerabilities have increased during the pandemic and the global ramifications of Russia's war against Ukraine have impacted Bhutanese labour markets.<sup>15</sup> Traffickers and smugglers in Bhutan often pose as recruiters for well-paying jobs overseas, or work-study programmes. Bhutanese migrants often work in hospitality, retail, and service sectors in the Gulf states or in India. Although the pandemic restrictions temporarily reduced the number of migrant workers, an increasing number of Bhutanese people are seeking employment abroad, especially in the Gulf states.<sup>16</sup> For better responses to THB and SOM in Bhutan, there is a need: to increase investigation, prosecution and conviction of traffickers; to increase the identification victims (in particular of sexual exploitation); and to increase the understanding of and capacity to identify forced labour cases.

Bhutan has ratified UNTOC along with the UN TIP Protocol in February 2023, but has yet to ratify the SOM Protocol. While it criminalizes all forms of trafficking in human beings for adults, it is a cause for concern that some forms of child sex trafficking are not yet criminalized. The Constitution of Bhutan prohibits human trafficking with special emphasis on women and children. The Labour and Employment Act 2007 and the Child Care and Protection Act 2011 criminalize some forms of child trafficking, although not all. The Department of Law and Order launched the National Prevention and Response Strategy in 2022 to address THB.

**India**, the largest South Asian country with over 1.4 billion people, is a major origin, transit and destination country for trafficking in human beings and the smuggling of migrants. With nearly 18 million people living abroad, India has the largest diaspora in the world and is the top origin country for migrants in general. For over ten years, India has ranked the highest remittance-receiving country in the world with 89.4 billion USD in remittances from Indians working abroad in 2021. While remarkable progress has been made in poverty reduction and economic growth, the informal sector – where the vast majority of India's labour force is employed – has been particularly affected by the pandemic, especially for the traditionally excluded and marginalized groups, e.g. youth, women, and migrants. Domestic forced labour remains India's biggest trafficking problem. Traffickers use debt bondage to compel men, women and children – often intergenerationally – into work in various sectors, including agriculture, brick kilns, rice mills, embroidery and textile factories and stone quarries. A 2018 report estimated that about 8 million people are held in such debt bondage, with other estimates being much higher.<sup>17</sup> Traffickers often target

<sup>14</sup> <https://www.unhcr.org/bangladesh.html>

<sup>15</sup> <https://www.worldbank.org/en/country/bhutan/overview>

<sup>16</sup> 2022 Trafficking in Persons Report: Bhutan, U.S. Department of State.

<sup>17</sup> Global Slavery Index 2018, available at <https://www.globalslaveryindex.org/resources/downloads/>



those from the most vulnerable and marginalised communities, especially from the scheduled castes, scheduled tribes as well as children of migrant labourers.<sup>18</sup>

India has ratified UNTOC and the UN TIP and SOM Protocols, making it the only South Asian country to ratify the SOM Protocol. Numerous national laws prohibit and criminalize different forms of human trafficking, including: the Indian Penal Code; the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act; the Bonded Labour System (Abolition) Act (BLSA); the Protection of Children from Sexual Offences Act (POCSO); and the Immoral Traffic Prevention Act (ITPA); and the Juvenile Justice Act. India developed a National Action Plan in 2012 to combat the sex trafficking of women and children.

**The Maldives**, the smallest South Asian country with a population of 520,000 and a member of Small Island Developing States (SIDS), is an origin, transit and destination country for trafficking in persons and the smuggling of migrants. With foreign migrant workers comprising approximately one-third of the population of Maldives, including at least 60,000 undocumented workers,<sup>19</sup> it has one of the largest proportions of migrants in South Asia relative to its population. As of 2022, more than 50,000 migrant workers are working in the construction industry, with about 20,000 foreign national workers in the tourism industry.<sup>20</sup> Maldives's visa-free tourist scheme may also contribute to irregular transit migration. The human rights issues relating to migrant workers is a priority well-acknowledged by the Government of Maldives.<sup>21</sup> Reported trafficking cases suggest a frequency of Bangladeshi and Indian men being trafficked for forced labour in the construction and service sectors as well as Maldivian and other South Asian women and girls being trafficked for sexual exploitation, often under the guise of tourism.<sup>22</sup> There is a need for increased awareness and training on human trafficking for criminal justice professionals and the public, particularly among migrant workers. Maldives also has one of the highest per capita ratio of foreign terrorist fighters,<sup>23</sup> leading to speculations that their movements may be facilitated by migrant smuggling networks. Maldives has ratified the UNTOC and the UN TIP Protocol but has yet to do the same for the SOM Protocol. Maldives enacted the Prevention of Human Trafficking Act in 2013 to criminalize all forms of sex and labour trafficking. Maldives adopted an Anti-Human Trafficking National Action Plan in 2020 and has a National Anti-Human Trafficking Steering Committee. An anti-migrant smuggling bill was drafted in 2018, yet to be adopted.

**Nepal**, a landlocked country bordered by China and India with a population of 30 million, is one of the major origin countries of the world, but also a transit and destination country for trafficking in human beings and smuggling of migrants. According to IOM, more than half of Nepalese families have at least one member who has migrated at one point. In 2020, the international remittances received accounted for almost a quarter of the country's GDP at 24%.<sup>24</sup> Nepal's open border with India makes it the most popular destination for Nepalis. Although no official recent records are kept on how many Nepalis work in India, a 2011 census data showed that nearly two-fifths (37.2 per cent) of the Nepali absentees are in India.<sup>25</sup> Since the mid-1980s, Nepalis also increasingly migrated to the Gulf States and Malaysia, due in part to the proliferation of labour recruitment agencies and brokers. As for migration to the EU, Nepalese migrants use the Eastern Mediterranean, Western Balkan, and Central Mediterranean routes, according to Frontex.<sup>26</sup> Climate change has a significant impact on the Nepalese migration context as it ranks 9th most affected by extreme weather events out of 176 countries in the world by the Global Climate Risk Index 2020.<sup>27</sup> As around 60 per cent of the total working population of Nepal works in agriculture, forestry and fishing,<sup>28</sup> rapid and slow-onset disasters have contributed to increased domestic and cross-border trafficking. Within Nepal, forced labour of adults and children, including through debt-based

<sup>18</sup> 2022 Trafficking in Persons Report: India, U.S. Department of State.

<sup>19</sup> 2022 Trafficking in Persons Report: Maldives, U.S. Department of State.

<sup>20</sup> Permanent Representative of Maldives to the United Nations (2022).

<sup>21</sup> Government of Maldives, Maldives' Contribution to the High Commissioner's Report in relation to the Human Rights Council resolution 44/2, available at:

<https://www.ohchr.org/sites/default/files/Documents/Issues/ESCR/Health/COVID19/States/Maldives.pdf>.

<sup>22</sup> 2022 Trafficking in Persons Report: Maldives, U.S. Department of State.

<sup>23</sup> UNODC, Final Independent Project Evaluation of "Support to Maldives on Counter Terrorism" (December 2021), vi.

<sup>24</sup> IOM, World Migration Report (2022), p.25, available at: <https://publications.iom.int/books/world-migration-report-2022>.

<sup>25</sup> IOM, Migration in Nepal: A Country Profile (2019), p. 77, available at <https://publications.iom.int/books/migration-nepal-country-profile-2019>.

<sup>26</sup> <https://frontex.europa.eu/we-know/migratory-map/>

<sup>27</sup> Global Climate Risk Index 2020, available at: <https://www.germanwatch.org/en/17307>.

<sup>28</sup> Central Bureau of Statistics, Population Monograph, CBS Kathmandu (2014).



bondage, is detected in agriculture, brick kilns, stone quarries and domestic work. According to the U.S. Department of State, more than 61,000 Nepalis, including approximately 10,000 children, were documented to be in forced labour over the past five years, especially in agriculture, forestry and construction.

Nepal has ratified UNTOC and the UN TIP Protocol, following UNODC advocacy efforts during GLO.ACT's first phase but has yet to accede to the UN SOM Protocol. The 2007 Human Trafficking and Transportation (Control) Act (HTTCA) criminalizes human trafficking but is not yet wholly in line with the TIP Protocol as the definition of human trafficking is limited in scope; the demonstration of force, fraud, or coercion is not an essential element of the base offence; and does not explicitly address forced labour. The National Committee for Controlling Human Trafficking (NCCHT) continues to work on the revisions to the HTTCA. The country has a Nepal Police Anti-Human Trafficking Bureau. The Ministry of Women, Children, and Senior Citizens constituted a task force to revise the National Action Plan. However, it has yet to be finalized. UNODC in collaboration with the Office of the Attorney General has prepared the draft Anti-SOM law, which is in a preliminary stage for discussion and consultations with the relevant line ministries and stakeholders.

**Sri Lanka** is a source, transit and destination country for trafficking in human beings and the smuggling of migrants. There is a total of over 1.7 million Sri Lankan migrants working abroad, with 55% of total departures for foreign employment being domestic workers in 2018.<sup>29</sup> Remittances from migrant workers are a major source of foreign exchange inflow, constituting approximately 8 per cent of the country's GDP. Common destination regions include the Middle East (particularly Kuwait, Saudi Arabia and Oman) and Southeast Asia (particularly Singapore and Malaysia).<sup>30</sup> Given the high demand for regular and irregular migration, migrants often fall prey to labour exploitation, sexual exploitation and domestic servitude to the recruitment agencies and their "sub-agents" – many of whom are not regulated or monitored. While cross-border and domestic trafficking occurs, counter-trafficking efforts focus on the former, as domestic trafficking is often not regarded as trafficking. Like the rest of South Asian countries, Sri Lanka is also affected by both rapid- and slow-onset disasters, ranking 6<sup>th</sup> among 176 countries most affected by extreme weather events on the Global Climate Risk Index 2020.<sup>31</sup> The impact of COVID-19 was also pronounced for Sri Lanka, with an estimated 39 per cent of Sri Lankan migrant workers having lost their jobs as a result of the pandemic,<sup>32</sup> resulting in an estimated reduction of 19% in remittance flows from Sri Lankan migrant workers in 2020.<sup>33</sup> The ongoing economic and consequently humanitarian crisis has led to an increase in cross-border migration activity through both regular and irregular channels putting Sri Lankens at increased risk of trafficking

Sri Lanka has ratified UNTOC and the UN TIP Protocol but has yet to ratify the SOM Protocol. The Penal Code of Sri Lanka criminalizes trafficking in human beings. The country formed a National Anti-Human Trafficking Task Force (NAHTTF) in 2010 to combat THB. Sri Lanka Bureau of Foreign Employment has a Counter Human Trafficking Unit.

## 2.2 Problem Analysis

Despite the overall increase in counter trafficking and migrant smuggling efforts among the South Asian countries, significant challenges persist in responding to trafficking in human beings and smuggling of migrants, in particular:

**Lack or low levels of evidence-based strategies, policies, and legal frameworks in line with the UN Protocols, gender equality, child rights and human rights obligations:** While all six partner countries have ratified the UNTOC and the TIP Protocol, only India has ratified the SOM Protocol. Even with the ratification of the instruments, however, full implementation has yet to materialize in reality and there are gaps in the domestic

<sup>29</sup> IOM Sri Lanka Country Strategy (2021-2022), p.4, available at:

[https://srilanka.iom.int/sites/g/files/tmzbd11601/files/documents/iom-sl-country-strategy\\_2021-and-2022\\_2.pdf](https://srilanka.iom.int/sites/g/files/tmzbd11601/files/documents/iom-sl-country-strategy_2021-and-2022_2.pdf).

<sup>30</sup> IOM, .

<sup>31</sup> Global Climate Risk Index 2020, available at: <https://www.germanwatch.org/en/17307>.

<sup>32</sup> ILO, Impact of COVID-19 on employment and workplace, p. 7, available at: [https://www.ilo.org/wcmsp5/groups/public/---ed\\_protect/---protrav/---migrant/documents/publication/wcms\\_821985.pdf](https://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---migrant/documents/publication/wcms_821985.pdf).

<sup>33</sup> Weeraratne, Bilesha. 2019. Migration and remittances: Impact on financial behavior of families left behind in Sri Lanka. Colombo 7. Institute of Policy Studies.

legislation, policy, and practice. For example, the national legal framework of some countries does not criminalize some forms of exploitation (e.g., child trafficking, forced labour). The lack of attention to domestic trafficking is also a salient shortcoming in the region. Furthermore, significant gaps exist in the application of human rights standards, particularly around the principle of non-punishment of trafficked persons and smuggled migrants, with women and girls especially vulnerable to being charged with “moral crimes”.

**Lack or low levels of rights-based and gender-equal operational capacity to investigate, prosecute and adjudicate cases of TIP and SOM:** The region convicts fewer perpetrators of trafficking in human beings in proportion to their populations than other regions, which clearly indicates the need to enhance the national authorities’ capacity to detect, investigate, prosecute, and disrupt the criminal operations fuelling TIP and SOM. There is a need for sensitization and specialized training on trafficking in human beings and smuggling of migrants to all stakeholders involved, including: government authorities; judicial, prosecutorial, and law enforcement officers; border agencies; and civil society organizations. Lastly, the COVID-19 pandemic has had short- and long-term impact on the partner countries, such as exacerbation of the existing vulnerabilities of people that increase the risks of being subject to TIP and SOM, and thinning out of the financial and human resources of authorities who can counter TIP and SOM business models.

**Weak agency-to-agency communication and low levels of bilateral, regional, and international cooperation on criminal justice matters between the relevant authorities:** Even where there are national coordinating mechanisms in place, and countries are parties to the UNTOC, effective coordination between the relevant authorities has not been achieved in the partner countries. In addition, despite the transnational nature of the crimes of migrant smuggling and cross-border trafficking in persons, cooperation between authorities of affected countries in investigation and prosecution has yet to become the default way of working. There is a strong need to foster bilateral, regional, and international cooperation – through both informal and formal processes – to promote enhanced information gathering for law enforcement, investigators, prosecutors, and judges. GLO.ACT has in its preceding phases successfully supported the creation of specialized anti-trafficking units in Nepal and Bangladesh, which contribute to such efforts to increase coordination.

**The need to enhance the empowerment and protection of women and children who could be victims of trafficking in human beings and aggravated smuggling of migrants.** In sharp contrast to the reality that trafficking in human beings is a gendered crime, underrepresentation of women in the relevant authorities have also hampered the criminal justice responses, particularly in dealing with victims and migrants in vulnerable situations. As elsewhere, resources for protection of victims in the partner countries are limited and there are various factors deterring victims from coming forward, including criminalization that is contrary to international legal obligations or stigmatization. There is a great need to strengthen gender-responsive policies and practice in the national response to TIP and SOM, including by promoting ‘women in justice for justice’ and strengthening the capacity, knowledge, and resources available to female officials working in policymaking, the justice sector, law enforcement, civil society, and other relevant national entities.

**Emerging threats and new modus operandi of traffickers and smugglers:** New challenges have surfaced, further complicating the landscape: South Asia is particularly vulnerable to the impact of climate change, including both rapid- and slow-onset disasters that often result in millions of displaced persons and instability. With 9.3 million new disaster displacements, South Asia accounted for nearly a third of all new global displacements driven by disasters in 2020. Such strains on livelihoods and security make people particularly vulnerable to trafficking in human beings and migrant smuggling. In addition, criminal networks behind trafficking in human beings and smuggling of migrants are increasingly using cyber-enabled means in their operations, which increases their anonymity and impunity. These new challenges require new learning, including how to collect electronic evidence across borders and how to trace illicit financial flows that stem from and bolster these crimes.

Identification of main stakeholders and corresponding institutional and/or organisational issues (mandates, potential roles, and capacities) to be covered by the action:

Main stakeholders are border officials and investigators, Ministries of the Interior/Home Affairs, Ministries of Justice, Ministries of Foreign Affairs, General Prosecutor’s Office, UNTOC central authorities, liaison officials and liaison magistrates, and civil society organizations part of the countries’ National Referral Mechanism or similar referral systems. In particular:

In **Bangladesh**, the Ministry of Home Affairs (MoHA) is the main entity responsible for the national response to trafficking in human beings and the smuggling of migrants. There are several committees under MoHA, including an Inter-Ministerial Committee, GO-NGO Committee for coordination with NGOs and a committee for case monitoring. National Committee to Combat Trafficking in Human Beings and seven Anti-Trafficking Tribunals have also been established with the mandate to prosecute trafficking cases across the country. On the local level, there are Counter-Trafficking Committees (CTCs) in every district and tiers of local administration, who support the victims' integration into communities. The Ministry of Social Welfare operates shelters for women and child victims of violence, including trafficking victims, and the National Legal Aid Service Organization (NLASO) provides legal aid services, including to trafficking victims. The Ministry of Expatriates' Welfare and Overseas Employment provides welfare services to Bangladeshi migrant workers through labour attachés, who are trained on trafficking in human beings issues and are responsible for reviewing and verifying employment documents. The Government of Bangladesh is revising and extending its 2018-2022 anti-trafficking National Action Plan through 2025.

In **Bhutan**, the Ministry of Home Affairs' Department of Law and Order is the main entity implementing the national response to trafficking in human beings and the smuggling of migrants. The Government of Bhutan has made significant progress in prevention efforts, notably through the development of multi-sectoral Standard Operating Procedure (SOP) in 2019 for investigating trafficking cases, establishment of a Special Task Force as well as the National Prevention and Response Strategy (NPRS) and the National Action Plan in 2022. However, the actual implementation of such strategies has reportedly stalled due to budgetary challenges. For identified victims of trafficking, the National Commission for Women and Children (NCWC) provides counselling and legal aid services and the Ministry of Labor and Human Resources (MOLHR), together with a government-funded program, provides skills training. The U.S. Department of State's Office to Monitor and Combat Trafficking in Persons (JTIP) has been assisting the Government of Bhutan since 2015.

In **India**, the Ministry of Home Affairs (MHA) is responsible for national responses to trafficking in human beings while the Ministry of External Affairs and MHA are jointly responsible for the smuggling of migrants. The Ministry of Women and Child Development also has the mandate to implement some relevant anti-trafficking laws (e.g. Immoral Traffic in Women and Girl Act, 1956) and funds government-run shelters for victims of trafficking. An Inter-Ministerial Committee (IMC), which involves the relevant ministries, representatives from the states and union territories, and civil society organizations, was established in 2018.<sup>34</sup> There are Anti-Human Trafficking Units (AHTUs) established and overseen by the Anti-Trafficking Cell of MHA across India, whose objective is to coordinate stakeholder action on the ground for trafficking cases.<sup>35</sup> The National Action Plan to combat trafficking in persons was adopted in 2012 but has not been updated since. Outflow of Indian citizens to South-East Asia has been observed, particularly to Myanmar i.e. Indians trafficked to Myanmar, Myawaddy in Karen State for cybercriminal operations.

**Maldives'** Ministry of Defence leads the country's counter-trafficking efforts, which chairs the National Anti-Human Trafficking Steering Committee (NAHTSC) since 2019. The Committee consists of 14 members from relevant Ministries and state institutions.<sup>36</sup> The NAHTSC has adopted the Anti-Human Trafficking National Action Plan for the period of 2020-2022. The Ministry of Economic Development, which chaired the NAHTSC until 2019, had created a working-level Anti-Human Trafficking Unit (AHTU) within the Ministry, which investigated one new trafficking case and provided shelter and services for three potential labour trafficking victims. However, there reportedly was a lack of momentum in national anti-human trafficking efforts.<sup>37</sup> Similarly, an anti-migrant smuggling bill was drafted and presented to the Ministry of Economic Development in January 2018 but has not yet been adopted.

<sup>34</sup> Government of India, Press Release *Inter-Ministerial Committee constituted under the Chairmanship of Secretary, WCD to tackle menace of trafficking*, 8 February 2018, available at <https://pib.gov.in/Pressreleaseshare.aspx?PRID=1519945>.

<sup>35</sup> Government of India, Ministry of Home Affairs, Official Correspondence, 27 December 2019, available at [https://www.mha.gov.in/sites/default/files/2022-09/AHTU\\_07072020\\_0%5B1%5D.pdf](https://www.mha.gov.in/sites/default/files/2022-09/AHTU_07072020_0%5B1%5D.pdf).

<sup>36</sup> Government of Maldives, *Maldives National Anti-Human Trafficking Action Plan 2020-2022*, p.7, available at: <https://www.gov.mv/dv/files/maldives-national-anti-human-trafficking-action-plan-2020-2022.pdf>.

<sup>37</sup> Ibid, p.5.

In **Nepal**, the Ministry of Women, Children, and Senior Citizens (MoWCSC) has established a task force in 2020 to revise the National Action Plan, whose work is currently ongoing. The same Ministry also heads the National Committee for Controlling Human Trafficking (NCCHT), which leads the interagency efforts in addressing trafficking in persons. There are 732 local anti-trafficking committees (LCCHTs) through the district anti-trafficking committees (DCCHTs), but there are reported challenges in financial and human resources resulting in low levels of coordination. The National Human Rights Commission has worked towards aligning the country's laws with the TIP Protocol since its accession in June 2020. Nepal Police has an Anti-Human Trafficking Bureau. UNODC GLO.ACT I (2015-2019) had previously assisted the Government of Nepal in strengthening the identification, referral, and direct support mechanisms as well as the development of the Multi-Country Study on Smuggling of Migrants.

In **Sri Lanka**, the National Anti-Human Trafficking Task Force<sup>38</sup> was established in 2010, which comprises of 19 government agencies led by the Ministry of Justice. Sri Lanka's Bureau of Foreign Employment and the Sri Lankan Police established special units focusing on countering trafficking in human beings. The Department of Immigration is currently in the process of introducing migrant smuggling as an offence in the Immigration and Emigration Act, as provided in the UN Smuggling of Migrants Protocol. The key stakeholders of Sri Lanka's response to trafficking in persons and the smuggling of migrants include: Ministry of Justice, Ministry of Foreign Employment, Ministry of Women's Affairs, Ministry of Foreign Affairs, Ministry of Social Services, Police, Department of Immigration and Emigration, Attorney General's Department, Sri Lanka Bureau of Foreign Employment, and Ministry of Defence. The government also established a new Human Trafficking, Smuggling Investigation and Maritime Crimes Investigation Division within the Criminal Investigation Department (CID) to investigate and combat trafficking in human beings crimes. Sri Lanka currently has in place a five-year National Action Plan from 2021 to 2025 to monitor and combat human trafficking.

### 3 DESCRIPTION OF THE ACTION

#### 3.1 Objectives and Expected Outputs

**Overall Objective/Impact – Effective rights-based and gender equal responses to THB and SOM:** To ensure that South Asian countries develop and implement more effective responses to trafficking in human beings (THB) and smuggling of migrants (SOM), with a particular focus on criminal justice elements, in line with international law and with full respect for human rights.

**Specific Objective/Outcome 1 - Providing evidence-based strategy, policy and legal expertise in line with the UN THB and SOM Protocols, gender equality, child rights and human rights obligations:** South Asian countries develop and implement evidence-based strategies, policies and legal frameworks against THB and SOM, in line with the UN Protocols, the EU Strategy on Combatting Trafficking in Human Beings, gender equality, children rights and human rights obligations.

**Specific Objective/Outcome 2 – Investing in people: building rights-based and gender equal operational capacity to break the THB and SOM business model:** South Asian countries demonstrate increased capacity to investigate, and/or prosecute THB and SOM cases, following a human rights-based, gender equal and child friendly approach, focused on breaking the business model. It will also strengthen the capacity to trace illicit financial flows deriving from THB and SOM and advocate for closer coordination between law enforcement and financial regulators. Law enforcement border agencies officials will be trained on new trends and forms of trafficking human beings and smuggling.

**Specific Objective/Outcome 3 – Activating and strengthening agency-to-agency communication and facilitating bilateral, regional and international cooperation on criminal justice matters between the relevant authorities of concerned countries:** South Asian countries strengthen bilateral and international cooperation following a human rights-based, gender equal and child friendly approach, focused on breaking the business model. The action will facilitate exchanges among partner countries at two levels: police-to-police cooperation (also taking into account victims' referrals) and judicial cooperation on criminal matters with the aim

<sup>38</sup> Government of Sri Lanka, National Anti-Human Trafficking Task Force, available at <https://www.nahttf.gov.lk/>.

of supporting action to dismantle organized THB/SOM crime networks. It will also support regional cooperation and exchange with the Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Cooperation (BIMSTEC), the South Asian Association for Regional Cooperation (SAARC) and the Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime. Finally, the action will also facilitate exchanges with European countries and agencies (Frontex, Europol, and Eurojust) through judicial cooperation networks. Strengthened bilateral and international cooperation, following a human rights-based, gender equal and child friendly approach, will help to break the business model of THB and SOM.

**Specific Objective/Outcome 4 – Enhancing empowerment and the protection environment of women and children that could be victims of THB and aggravated SOM:** The action will address the gendered nature of the crimes and advocate for rights-based and gender-equal law enforcement responses throughout its intervention. In addition, the action will strengthen female and child victims' of trafficking and smuggled migrants' in vulnerable situations access to protection and assistance services (health, access to justice), with the support of selected CSOs.

**The Outputs** to be delivered by this action contributing to the corresponding Specific Objectives (Outcomes) are:

**1.1 contributing to Outcome 1:** Policies/strategies/action plans to prevent and address THB and SOM are being implemented by assisted South Asian countries.

**1.2. contributing to Outcome 1:** Gaps and inconsistencies in national laws and procedures on THB and SOM identified, with clear recommendations for improvement through law changes, judicial decree or other means as appropriate.

**2.1 contributing to Outcome 2:** Strengthened national capacity to provide criminal justice responses to trafficking in human beings and/or migrant smuggling following a human rights-based and gender equal approach.

**2.2 contributing to Outcome 2:** Countries are equipped with rights-based, gender-sensitive tailored training resources, tools, materials, SOPs and/or guidelines.

**3.1 contributing to Outcome 3:** Strengthened bilateral police-to police operations and exchanges among partner countries (countries participating in the Action as well as transit and destination countries for priority THB/SOM flows).

**3.2 contributing to Outcome 3:** International judicial cooperation among partner countries strengthened.

**3.3 contributing to Outcome 3:** Female officials and male champions working in policy making, the justice sector, law enforcement, civil society and other relevant local entities have the skills and knowledge to help addressing the gendered nature of THB and SOM and the underrepresentation of women responding/leading anti- THB/SOM responses.

**4.1 contributing to Outcome 4:** Government and civil society partners in assisted South Asian countries' ability to identify, screen, refer and protect victims of trafficking, victims of aggravated migrant smuggling and smuggled migrants in vulnerable situations following a human rights-based and gender-equal approach improved.

**4.2 contributing to Outcome 4:** Expanded support services for victims of trafficking and migrants in need of protection, in line with obligations in the UN TIP and SOM Protocol and international legal standards.

### 3.2 Indicative Activities

Planned activities for the Action against trafficking in human beings and the smuggling of migrants in South Asia as per current needs identified, that will be refined based on the (updated) rights-based gaps, needs and legal assessments in partner countries:

**Activities relating to Output 1.1: Policies/strategies/action plans to prevent and address THB and SOM are being implemented by assisted partner countries.**

- Develop/update rights-based gaps and needs analysis of institutional responses to THB and SOM in the partner countries, including relevant actors, data and information analysis (e.g. trends/routes, linkages with other crimes, etc.) following GLO.ACT's approach to HR and gender;

- Undertake country and regional-specific data and information analysis on THB and SOM (e.g., forms, trends/routes, etc.) and linkages with other crimes;
- Develop crime prevention guidance materials, cyber-enabled THB guidance materials, awareness raising materials, tools, guidance or case analysis together with new or innovative partners, including human rights, gender equality and children's rights experts;
- Expand the illicit financial flows study conducted by GLO.ACT Asia and the Middle East to South Asia, as a second phase of the research focusing on the South Asian countries, with a focus on money service business and the digitalization of migrant smuggling and trafficking in human beings;
- Provide technical assistance for developing or strengthening data management and national monitoring and reporting systems.
- Assist in the establishment/strengthening of national inter-agency coordination bodies to support implementation and use of plans and policies;
- National multi-stakeholder workshops on the alignment of THB and SOM prevention programmes with national crime prevention approaches;
- Provide support to mainstream human rights and gender into THB and SOM policies and strategies.
- Provide support to the partner countries with educational materials on THB & SOM to prevent crimes and promote a culture of lawfulness through education activities designed for primary, secondary and tertiary levels.

**Activities relating to Output 1.2: Gaps and inconsistencies in national laws and procedures on THB and SOM identified, with clear recommendations for improvement through law changes, judicial decree or other means as appropriate**

- Develop/update legal assessments of THB and SOM legislation including recommendations for improvement, as well as analysis of wider legislation and procedures relating to THB and SOM (such as immigration laws, child protection laws and criminal procedures) with view to identifying and addressing gaps and potential conflicts;
- Provide technical assistance to support the development/amendment of draft laws and procedures (such as through facilitation of inter-departmental working groups and support for legal drafting workshops), with a focus on gaps in the protection of children on the move;
- Support the ratification/accession to the UN SOM Protocol and partner countries' participation in normative and standard setting intergovernmental discussions;
- Develop or adapt training tools and models of legislation to support the legal drafting process;
- Facilitate national or regional workshops to identify common issues and concerns with regard to legal developments;
- Advocate for the adoption of draft legislation or procedures, as well as for the creation of a THB district bench or the designation of dedicated specialized judges in key hotspots.

**Activities relating to Output 2.1: Strengthened national capacity to provide criminal justice responses to trafficking in human beings and/or migrant smuggling following a human rights-based and gender equal approach**

- Develop or update national capacity building strategy/ies for the various criminal justice actors following a rights-based, gender equal and child sensitive approach;
- Partner with local training institutions to support the implementation of training workshops as per the capacity building strategies;
- Provide capacity building and mentorship on judicial and law enforcement cooperation, to promote increased evidence gathering potential (including online evidence gathering) for officials leading on THB and SOM investigations;
- Provide capacity building on the use of special investigative techniques, including development of Human Rights compliant authorization and monitoring mechanisms covering the use of such techniques;
- Provide capacity building on cyber-enabled trafficking in human beings/smuggling, including provision of software and mentorship to detect and combat it at operational level;
- Provide specialized capacity-building training to relevant frontline law enforcement agencies posted in border areas but also in major economic hubs inland on new trends and forms of trafficking in human



beings and smuggling in the region; screening of mixed migration movements; common identification challenges; the rights of trafficking victims and smuggled migrants; and measures to protect trafficking victims and smuggled migrants, in particular vulnerable groups such as children and women, with assistance and protection.

- Provide orientation training/workshop on trafficking in human beings and migrant smuggling to the labour attaches of the partner countries who are deployed to the transit and destination countries for the South Asian countries.

**Activities relating to Output 2.2: Countries are equipped with rights-based, gender-sensitive tailored training resources, tools, materials, SOPs and/or guidelines**

- Support national initiatives, including through peer learning, mentoring and workshops, to build systems, procedures and infrastructure (e.g., standard operating procedures, case management systems, specialist investigation units, joint investigation teams);
- Develop a detailed curriculum tailored for the assisted partner countries on integrating financial investigations into THB and SOM investigations and roll out of the capacity building using mock trials and simulation-based learning;
- Develop tailor-made immersive training for law enforcement, prosecutors and judicial officers, including through virtual reality platforms – original content to be developed in the local language, in consultation with the authorities;
- Roll out and implement, possibly with WHO, the new GLO.ACT Toolkit for the Investigation and Prosecution of TIP for Organ Removal;
- Develop child-sensitive guidance materials on THB and SOM available for capacity building work, in cooperation with UNICEF e.g. support child-friendly court proceedings, strengthen child commission's THB knowledge, etc.

**Activities relating to Output 3.1: Bilateral police-to police operations and exchanges among partner countries supported**

- Support bilateral and international exchanges and operations to build policy and operational cooperation to respond to THB and SOM. This might include: developing protocols for intelligence sharing; joint border trainings and workshops to share good practices and recommendations (intra and extra regional, EU MS, etc.), providing training and guidance to establish THB and SOM joint investigation teams and where appropriate, prosecutorial / judicial cooperation;
- Support the creation of informal cooperation networks for intelligence sharing and exchange of good examples relating to investigating cases (e.g. through regional peer-to-peer exchange seminars);
- Identify specific routes/flows and willing partners (EU MS, EU agencies, etc.) in transit and destination countries to consider joint investigations that tackle illicit financial flows;

**Activities relating to Output 3.2: International judicial cooperation among partner countries supported**

- Provide capacity building on mutual legal assistance (MLA) among partner countries and relevant countries of origin, transit or destination, including supporting central authorities for MLA matters;
- Support the creation of informal cooperation networks for information sharing and exchange of good examples relating to prosecuting cases (e.g. through regional peer-to-peer exchange seminars).

**Activities relating to Output 3.3: Female officials and male champions working in policy making, the justice sector, law enforcement, civil society and other relevant local entities have the skills and knowledge to help addressing the gendered nature of THB and SOM and the underrepresentation of women responding/leading anti- THB/SOM responses**

- Expand the GLO.ACT Women's Network in South Asia at national and regional level, and the coaching programme to coach female criminal justice professionals in operational or decision-making roles in investigations/prosecutions/judiciary to increase women's participation at this level.

**Activities relating Outputs 4.1: Governments and civil society partners in assisted partner countries have the skills and mechanisms to identify, screen, refer for assistance and protect victims of trafficking, victims**

**of aggravated migrant smuggling and smuggled migrants in vulnerable situations following a human rights-based and gender equal approach**

- Provide technical assistance, including capacity building and training activities for government authorities and civil society organizations on the human rights of migrants, as well as the identification, referral, and protection of trafficking victims, smuggled migrants, and other vulnerable migrants (i.e. potential victims of trafficking who require special protection needs, migrants who are vulnerable to or have been subjected to abuse, asylum seekers and refugees, children).
- Support the establishment of cooperation mechanisms (MoU, protocols, SOPs for cooperation) between relevant government actors.
- Provide targeted assistance and develop guidelines and protocols for healthcare providers on identification, screening, referral, and the provision of medical and psychological services to victims of trafficking.
- Provide technical assistance and capacity building to Public Health systems to prevent, identify and respond to THB and SOM. (i.e., developing referral pathways for victims of THB and SOM detected by the healthcare system, developing trauma-informed models of victim's care and engagement to support recovery and reintegration.).
- Provide training targeted to increase awareness of healthcare providers, social workers, and other first responders in contact with victims of trafficking to increase their understanding on trafficking, as well as rights-based, trauma-informed, and survivor-centered engagement.

**4.2 contributing to Outcome 4: Expanded support services for victims of trafficking and migrants in need of protection, in line with obligations in the UN TIP and SOM Protocols and international legal standards**

- Disburse funding to civil society organizations (e.g. pro-bono lawyers organizations/legal aid service providing NGOs) in selected partner countries for the direct provision of assistance services to trafficking victims, smuggled migrants and other vulnerable migrants, with a view to complementing the assistance provided to those countries under other specific objectives of the Action, and as part of a comprehensive approach to advance national frameworks to prevent and address THB and SOM;
- Work and partner with selected CSOs to provide targeted capacity building to existing victims centres providing assistance and protection to women and children.

### 3.3 Mainstreaming

**Environmental Protection & Climate Change**

The action will be looking at the nexus between trafficking in human beings, migrant smuggling and climate change. Learning from the findings of the 2022 UNODC Policy Brief “Climate, Crime and Exploitation. The gendered links between climate-related risks, trafficking in persons and smuggling of migrants”, developed in the current phase of GLO.ACT, the action will try to embed and put in practice some of the recommendations identified. Additional work will be carried in Bangladesh to further understand the needs, gaps and identified proposed actions to be carried out with national counterparts, as well engage into policy consultations in the other South Asian countries to further integrate climate change responses into actions to counter trafficking in human beings and migrant smuggling.

**Outcomes of the SEA screening**

The Strategic Environmental Assessment (SEA) screening concluded that no further action was required.

**Outcomes of the EIA (Environmental Impact Assessment) screening**

The EIA (Environment Impact Assessment) screening classified the action as Category C (no need for further assessment.)

**Outcome of the CRA (Climate Risk Assessment) screening**

The Climate Risk Assessment (CRA) screening concluded that this action is no or low risk no need for further assessment

### **Gender equality and empowerment of women and girls**

As per the OECD Gender DAC codes identified in section 1.1, this action is labelled as G1. This implies that the intervention will develop and implement a gendered approach to prevention and response to human trafficking and migrant smuggling, which will be mainstreamed using UNODC's Toolkit for mainstreaming human rights and gender equality into criminal justice interventions to address TIP and SOM. This will help to (1) ensure that approaches to promote and support human rights and gender quality are mutually reinforcing and (2) facilitate a nuanced response to vulnerability, in which gender is considered along with a range of other inter-connected factors including: economic disparity; conflict and displacement; environmental factors; poverty; natural and manmade disasters; disability; and discrimination based on factors such as sex, age, ethnicity and social grouping. The Action will strive to (1) incorporate gender-analysis research into training programs for policy makers, law enforcement officers, prosecutors and judges, (2) advocate for raising awareness of the strong operational advantages that increased inclusion of women brings to criminal justice teams, (3) support services that address the intersectional needs of different vulnerable groups, including those that are particularly vulnerable as a result of age, ethnicity and/or gender discrimination, (4) confront stigmatization of those who have faced sexual and other forms of exploitation. Building upon the work done in the framework of GLO.ACT Asia and the Middle East to establish and operationalize the Women's Network, it is anticipated that the Network will widen its geographical reach and have a GLO.ACT South Asia Network for the assisted partner countries in South Asia, facilitating cooperation and synergies amongst female practitioners. The Network will also build on its capacity development and advocacy work to ensure institutional reform in favour of the advancement of women by expanding the Women Can awareness-raising campaign.

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### **Human Rights**

The Action will pursue a victim and migrant centred, rights-based approach. The HRBA underpins all aspects of the project's work and it is reinforced by the use of tools to assist staff in undertaking human rights and gender assessments. This approach is also in line with the EU Strategy on Combatting Trafficking in Human Beings (2021-2025) to address trafficking in persons and the EU's renewed Action Plan against migrant smuggling which ensures the human rights of migrants. The human rights-based approach will underpin all aspects of the project's work and will be reinforced by the use of tools to assist staff in undertaking human rights and gender assessments. Law enforcement officials are often the first point of contact for trafficked persons and smuggled migrants and it is essential that they have the knowledge, skills and motivation to treat them in an appropriate, humane and gender-sensitive manner, taking into account their vulnerable state at all stages of the criminal justice process. Officials also need to be able to refer them to the correct services. This will involve close collaboration with other, noncriminal justice actors. Further, it is essential that victims and witnesses be provided with protection and support in accessing justice, including through remedy and reparation. Specific modules for the protection of victims and migrants rights will be included in all capacity building and awareness-raising activities provided in the framework of the project. Additionally, the project will seek to strengthen the protection of the rights of those subject to these criminal activities, in accordance with the TIP and SOM Protocols, including, where appropriate and feasible, by supporting the establishment and capacity building of specialized victim support units, and by promoting a legal framework compliant with the Protocols with respect to protection, assistance and non-criminalization of victims of trafficking in human beings. With regard to children, the Action will work to ensure that the classification or non-classification of a child as a victim of trafficking is not used to deny to any child the rights to which they are entitled simply by being children. This includes all rights under human right instruments, including the UN Convention on the Rights of the Child, to which all EU and programme partner States are a party. The programme will mainstream protection to ensure that access to programme activities/services is provided on a safe, equal and fair basis and to prevent, reduce/mitigate and respond to the risks and consequences of violence, coercion, deliberate deprivation and abuse, in line with the European Commission guidelines on protection in humanitarian crises.

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### **Disability**

As per OECD Disability DAC codes identified in section 1.1, this action is labelled as D1. This implies that there is an increased likelihood of abuse experienced by people with disability. Traffickers deliberately target victims they think they will be able to isolate and control. As a result of pervasive stigma and stereotypes surrounding

individuals with disabilities, traffickers focus on individuals with disabilities as targets in this crime. Some risk factors that traffickers try to exploit may include gaps in education, societal isolation, and inadequate access to services and support.

### Democracy

The Action is not directly linked to democracy promotion. However, it is anticipated to build consultative processes in the participating countries between government and CSO organisation to advocate for raising awareness that help increase inclusion of women, bring together criminal justice teams, support services that address the intersectional needs of different vulnerable groups, including those that are particularly vulnerable as a result of age, ethnicity and/or gender discrimination, confront stigmatization of those who have faced sexual and other forms of exploitation.

### Conflict sensitivity, peace and resilience

There is a clear link between conflict and human mobility, including trafficking of human beings and smuggling of migrants. Emergencies and conflict settings provide fertile ground for traffickers, with about 12% of the total number of trafficking in human beings detected globally originated from a country affected by conflict.<sup>39</sup> The Action aims at building resilience in communities impacted by human trafficking by strengthening their capacity to resist exploitation and maltreatment and recover from it. The action addresses the crucial issue of mutual legal assistance to combat trafficking in human beings and migrant smuggling in six south Asian nations. It will concentrate on building collaboration and partnerships among the participating countries at bilateral, regional, and international levels to combat trafficking in human beings through a holistic and integrated approach that takes into account both the THB and SOM's complex dynamics.

### Disaster Risk Reduction

NO

## 3.4 Risks and Lessons Learnt

<b>Risks</b>	<b>Likelihood (High/ Medium/ Low)</b>	<b>Impact (High/ Medium/ Low)</b>	<b>Mitigating measures</b>
Risk 1: Security and political stability in the partner countries, notably with respect to the risk of politicisation of migration	Low	Low	The Action will build on strong partnerships with target countries and will maintain regular communication with key counterparts to allow for the identification of corrective measures, if needed, to ensure a smooth implementation of the project.
Risk 2: Efforts to strengthen the response to trafficking in human beings and migrant smuggling are undermined by corruption/complicity of government officials	Medium	Medium	The Implementing Partner will work closely with an anticorruption specialist staff to ensure that the development of programme activities considers (1) the likelihood of complicity, (2) its potential impact and (3) opportunities to mitigate the complicity and/or its impact.
Risk 3: Low level of attention dedicated to, and low prioritisation	Low	Low	The Action will work to ensure that the activities supported are in line with countries'

<sup>39</sup> UNODC Global Report on Trafficking in Persons (2022), p.52.

of, addressing trafficking in human beings and migrant smuggling issues by the concerned national authorities, given the number of competing priorities in the partner countries			<p>priority needs. For example, while ensuring that programme focus is maintained. The implementing partner will consider training requests that equip criminal justice practitioners with skills that are transferrable to other international crime types. This will also mitigate the potential impact of staff turnover (risk 4).</p> <p>The Action will also engage into advocacy to explain and understand the importance of addressing SOM and criminalizing it as per the UN Smuggling of Migrants Protocol.</p>
Risk 4: Frequent turnover of officials limits the effectiveness of capacity building activities	Medium	Low	Action will pursue a three-pronged strategy to address turnover: (1) discussions with counterpart countries with view to focusing training on staff likely to be in position for a minimum 2-3 years; (2) embedding of training in local institutions to facilitate wider coverage; and (3) as appropriate, integrating training into broader programmes, such as responding to all forms of organised crime, resulting in more officials with transferrable skills.
Risk 5: Lack of formal mechanisms to increase cooperation on victim identification, and therefore lack of provision of adequate protection and assistance to trafficking victims	Medium	Medium	<p>The Action will place strong emphasis on ensuring that services provided to victims are in line with international human rights standards and of good quality.</p> <p>The Implementing Partner will promote and strengthen cooperation between civil society and criminal justice to effectively identify, refer and assist victims of trafficking.</p>
Risk 6: Lack of up to date data in the countries and at regional level	Medium	Low	The Action will put an emphasis on supporting countries to undertake research and analysis on patterns and trends that could be used to inform policies and strategies, as well as in regular reporting mechanisms.
<p>Lessons learnt</p> <ul style="list-style-type: none"> <li>Capacity building should be anchored by mentors – ideally in hubs or hotspots – with direct access to senior operational decision makers and must include blended learning to supplement traditional workshop or classroom learning and simulation. Capacity building should be based on careful and revised assessments, priorities for action, leading to theories of change. Capacity building strategies can help identify how to make skills development more sustainable and embedded in national processes. The Action will locate its capacity building activities in the context of the overall criminal justice system.</li> <li>In terms of strategy and policy development and adoption – adoption can be achieved, as well as new legislation but it takes significant advocacy, resources and national ownership – all parties must understand and commit to the timeframe. Comprehensive new THB and SOM legislation was adopted in Pakistan as a direct result of GLO.ACT drafting support and advocacy, but it took seven years. This forms the backbone</li> </ul>			

now of the current national response and represents one of the most progressive anti-trafficking pieces of law, including a provision on non-punishment.

- Rights-based approach: Even countries that reportedly don't want to address SOM (due to the remittance economy) do want to take steps to protect their citizens and target the exploiters. Promoting a rights-based approach such as in the UN SOM Protocol is more effective. Activities and messaging should emphasize: (1) the importance of legal migration processes in reducing the opportunities for, and reach and influence of, criminal smuggling networks, (2) the importance of rights-based approaches to both human rights obligations and effective responses to organized crime, (3) the distinction between smuggling and facilitation of irregular migration, based on the Smuggling Protocol definition that includes financial or material benefit as its purpose element.
- Many anti-trafficking/smuggling interventions actually cause direct harm to victims or vulnerable persons or other persons (wrongfully accused or defendants) and consistent regular attention needs to be paid by all in project delivery to ensure that human rights and gender empowerment are effectively considered and monitored at all stages of implementation. The GLO.ACT Human Rights and Gender Mainstreaming Toolkit is recognized as a practical new tool to support this process.
- Data collection and capacity is key to measuring results but very few countries have reliable baseline data. Reporting limited numbers of detected victims and few convictions does not necessarily mean that traffickers are not active in these countries and likewise increases in reported victims can reflect an increased capacity to detect flows and should be seen as positive in many countries.
- Measuring criminal justice responses by the number of cases investigated and prosecuted can lead some low-resource countries to put pressure on their law enforcement and judicial officials to increase convictions, sometimes at the loss of the interests of justice and the goal of ending impunity. Increasing the number of low-level perpetrators being brought forward can have little disruptive effect on THB/SOM while in some countries raises serious concerns about human rights of defendants and fair trial/due process violations. Therefore, under this Action it's a focus on the quality of the investigations/convictions will be ensured.
- Tracing illicit financial flows is key to effective crime analysis and investigation but is almost uniformly not done as part of counter THB/SOM work in partner countries.



### 3.5 The Intervention Logic

The underlying intervention logic for this action is that IF South Asian countries develop and implement evidence-based strategies, policies and legal frameworks against TIP and SOM, in line with UN Protocols, gender equality, children rights and human rights obligations; AND they have increased capacity to investigate and prosecute TIP and SOM cases; AND agency-to-agency communication and bilateral, regional and international cooperation on criminal justice matters are strengthened targeting multidisciplinary stakeholders THEN South Asian countries will respond more effectively to trafficking in human beings and smuggling of migrants addressing the 3 Ps - prevention, protection, prosecution in line with international law and with full respect for human rights.

IF data collection systems and evidence-based strategies at the national, regional and international levels is improved AND a **policies and the legal frameworks** in the areas of THB and SOM are established or reinforced THEN the challenges which impede effective investigations and prosecutions are mitigated.

IF the knowledge and capacities of law enforcement, criminal justice and border officials and responsible units are enhanced through training, mentorship and coaching AND female criminal justice practitioners are empowered THEN they will be better equipped to keep up with fast evolving criminal activities, and the target countries will have a more robust criminal justice response with improved operational outcomes to break the THB and SOM business model, while fully protecting the rights of victims.

IF direct cooperation addressing THB/SOM between partner countries (Bangladesh, India, Sri Lanka, Maldives, Bhutan, Nepal) and transit and destination countries will be enhanced in South Asia, AND regional cooperation and exchange including with European countries is facilitated following a human rights-based, gender equal and child friendly approach, THEN a **comprehensive and 'whole route' response** will help to dismantle organized THB/SOM crime networks and break the business model of THB and SOM.

IF selected civil society organizations (CSOs), are supported to provide access to protection and assistance (health, access to justice) to female and child victims of trafficking and smuggling, AND a rights-based and gender-equal law enforcement response is provided, THEN **the protection environment smuggled migrants in vulnerable situations, women and children** that could be victims of THB and aggravated SOM, will be enhanced.

### 3.6 Logical Framework Matrix

This indicative logframe constitutes the basis for the monitoring, reporting and evaluation of the intervention.

On the basis of this logframe matrix, a more detailed logframe (or several) may be developed at contracting stage. In case baselines and targets are not available for the action, they should be informed for each indicator at signature of the contract(s) linked to this AD, or in the first progress report at the latest.

New columns may be added to set intermediary targets (milestones) for the Output and Outcome indicators whenever it is relevant.

- At inception, the first progress report should include the complete logframe (e.g. including baselines/targets).
- Progress reports should provide an updated logframe with current values for each indicator.
- The final report should enclose the logframe with baseline and final values for each indicator.

The indicative logical framework matrix may evolve during the lifetime of the action depending on the different implementation modalities of this action.

The activities, the expected Outputs and related indicators, targets and baselines included in the logframe matrix may be updated during the implementation of the action, no amendment being required to the Financing Decision.

PROJECT MODALITY (3 levels of results / indicators / Source of Data / Assumptions - no activities)

Results	Results chain (@): Main expected results (maximum 10)	Indicators (@): (at least one indicator per expected result)	Baselines (values and years)	Targets (values and years)	Sources of data	Assumptions
<b>Impact</b>  <b>Effective rights-based and gender equal responses to TIP and SOM</b>	To ensure that targeted South Asian countries develop and implement more effective responses to trafficking in human beings (THB) and smuggling of migrants (SOM), with a particular focus on criminal justice elements, in line with international law and with full respect for human rights	<p>1 Number of victims of trafficking, smuggled migrants and other vulnerable migrants identified and assisted by government authorities and civil society organizations (with breakdown by age and gender) as reported by partner countries</p> <p>2 Number of THB/SOM cases investigated as reported by partner countries</p>	<p>Bangladesh: 40 (20 male and 20 female during current GLO.ACT Bangladesh phase) Bhutan: 182 (182 F: 0M) India: NA Nepal: NA Maldives: NA Sri Lanka: 50</p> <p>Bangladesh: (1192 cases investigated from 1 April 2022 to 30 November 2022) Bhutan: 223(223F:0M) India: tbc baseline Nepal: tbc baseline Maldives: tbc baseline Sri Lanka: 20</p>	<p>1 Increase in the identified and assisted number of THB victims/smuggled migrants and other vulnerable migrants in countries (disaggregated by gender and age)</p> <p>2 Increase in THB/SOM cases investigated by assisted countries</p>	<p>Data from UNODC Global Reports</p> <p>Country Reports provided through the UNTOC Review Mechanism</p> <p>National statistics as provided to UNODC by partner countries through:</p> <ul style="list-style-type: none"> <li>• SHERLOC</li> <li>• Country Questionnaires</li> <li>• In-person and online communication</li> <li>• Surveys</li> <li>• Feedback Forms</li> <li>• Assessment missions</li> <li>• Project monitoring and learning system</li> </ul>	<i>Not applicable</i>
<b>Outcome 1</b>  <b>Providing evidence-based strategy, policy and legal expertise</b>	1 Partner countries developed and implemented evidence-based strategies, policies and legal frameworks against TIP and SOM, in line with the UN Protocols, gender equality, children rights and human rights obligations	<p>1.1 Number of partner countries that have reviewed, amended existing and/or developed new policies/strategies/action plans against TIP and/or SOM and using research, guidance, and/or tools</p> <p>1.2 Number of partner countries that have reviewed, amended existing and/or</p>	<p>1.1 Bangladesh: NPA on TIP being revised with consideration of policy recommendations of national study and extended until 2025, no strategy on SOM. Bhutan: 1 SOP and 1 NPRS with NAP 2022 India: NAP 2012 Nepal: 1 Maldives: NA Sri Lanka: 01</p> <p>1.2</p>	<p>1.1 At least one reviewed, amended existing and/or developed new policies/strategies/action plans</p> <p>1.2 At least one reviewed, amended existing and/or developed new legislation per region</p>	<p>International tools, publications, briefs, reports</p> <p>Feedback forms by partner countries</p> <p>Parliamentary/ government reports</p> <p>Mission reports</p> <p>National strategies/action plans/policies/legislation submitted by partner countries</p>	<p>Political and/or institutional commitment to and active engagement by partner countries to pursue necessary steps to develop and/or strengthen national policies and legal frameworks against TIP and SOM.</p> <p>Commitment to evidence-based,</p>

		developed new legislation against TIP and/or SOM and using research, guidance, and/or tools produced by UNODC	Bangladesh: 2012 TIP Act in line with UN TIP Protocol, no criminalization of SOM. Bhutan: Penal Code Section 154, definition of TIP amended as per UN TIP Protocol in 2021. India: Criminalization of TIP Law (Penal Code), SOM tbc Nepal: TIP Act, no SOM criminalization Maldives: TIP criminalization, no SOM Sri Lanka: TIP criminalization, no SOM		UNODC Toolkit: For mainstreaming Human Rights and Gender Equality into criminal justice interventions to address trafficking in persons and smuggling of migrants  Project monitoring and learning system  Global/regional policy guidance on responses to root causes of TIP and SOM  Global/regional guidance on the protection of the human rights of migrants & refugees and the preservation of economic interests of affected local communities, in law enforcement counter-TIP/SOM operations	rights-based and gender responsive interventions among national counterparts is not fully undermined by political or other considerations.  Partner countries are willing to address barriers to effective action including through (1) ensuring appropriate participation in project activities and (2) addressing frequent rotation of individuals in key positions.
<b>Outcome 2</b>  <b>Investing in people: Operational capacity to break the TIP and SOM business model improved.</b>	2 Partner countries demonstrate increased capacity to investigate, and/or prosecute THB and SOM cases, following a human rights-based, gender equal and child friendly approach, focused on breaking the business model	2.1 Number of responding training/mentoring/coaching participants indicating application of new skills in follow-up engagement	2.1 Not available (pre-questionnaires) Bangladesh: In 2023 as of now, trained 149 criminal justice practitioners Bhutan: 6 TOTs (2F:4M)	2.1 At least 40% of the trained/mentored/coached participants (gender disaggregated data)	Assessment reports  Mission reports  End-of-training and/or workshop evaluation surveys  Online and in-person communication with key stakeholders from partner countries  UNODC Toolkit: For mainstreaming Human Rights and Gender Equality into criminal justice interventions to address trafficking in persons and smuggling of migrants	Partner countries are willing to address barriers to effective action including through (1) ensuring appropriate participation in project activities and (2) addressing frequent rotation of individuals in key positions.  Partner countries have the adequate absorption capacity (including sufficient and experienced staff) to benefit from participation in

					Project monitoring and learning system	<p>project activities and ultimately take over ownership.</p> <p>National and provincial authorities are committed to investigate and/or prosecute TiP and SoM cases, following a human rights-based and gender equal approach.</p>
<p><b>Outcome 3</b></p> <p><b>Activating agency-to-agency communication and facilitating bilateral and international cooperation</b></p>	<p>3 Partner countries strengthen bilateral and international cooperation following a human rights-based, gender equal and child friendly approach, focused on breaking the business model</p>	<p>3.1 Number of cross-border operations, joint investigations or other bilateral/multilateral initiatives implemented by partner countries</p>	<p>3.1</p> <p>Bangladesh: In 2022, government participated 3 multilateral and 4 bilateral meeting</p> <p>Bhutan: 0</p> <p>India: NA</p> <p>Nepal: NA</p> <p>Maldives: In 2022-23, government participated in 2 multilateral and 2 bilateral meetings</p> <p>Sri Lanka: 05 In 2022-23, government participated in 4 multilateral and 2 bilateral meetings</p>	<p>3.1 At least one bilateral initiative, and one international initiative involving at least 3 partner countries</p>	<p>Data from Global Report on TIP and Global Study on SOM or similar studies</p> <p>Reports from other UN agencies, interagency mechanisms and international organizations</p> <p>Bilateral/international event agenda and lists of participants</p> <p>Workshop reports, including recommendations</p> <p>Mission reports</p> <p>Announcements on joint operations</p> <p>Responses to the Review Mechanism questionnaire</p> <p>Mission reports</p> <p>UNODC Toolkit: For mainstreaming Human Rights</p>	<p>Partner countries are willing to engage in activities that would promote bilateral exchanges and/or international cooperation.</p>



					and Gender Equality into criminal justice interventions to address trafficking in persons and smuggling of migrants	
					Project monitoring and learning system	
<b>Outcome 4</b>  <b>Enhancing empowerment and the protection environment of women and children that could be victims of TIP and aggravated SOM</b>	4 Partner countries have increased capacity to identify, refer, assist and protect women and children that could be victims of THB and aggravated SOM	4.1 Number of initiatives on identification, referral and assistance to (adult and child) victims of trafficking, smuggled migrants and other vulnerable migrants, in line with international standards	4.1 Bangladesh: One Referral Roadmap prepared and 01, NRM Guideline in progress Bhutan: 182 victims identified, and assisted with services such as counseling, reintegration and legal aid. India: NA Nepal: NA Maldives: NA Sri Lanka: 03	4.1  At least 2 initiatives	Data from Global Report on TIP and Global Study on SOM or similar studies.  Reports from other UN agencies and international organizations.  Workshop reports, including recommendations.  Mission reports.  Public announcements by partner countries.  Responses to the Review Mechanism questionnaire  Toolkit: For mainstreaming Human Rights and Gender Equality into criminal justice interventions to address trafficking in persons and smuggling of migrants  Project monitoring and learning system	Assisted partner countries are committed to acknowledge and address the need for enhanced victim protection and assistance, including through engagement of civil society.  Improved access to assistance services will build trust and encourage victims of trafficking and vulnerable migrants to cooperate and disclose criminals.
<b>Output 1</b>  <b>relating to Outcome 1 / Providing evidence-</b>	1.1 Policies/strategies/ action plans to prevent and address THB and SOM are being	1.1.1 Number of national (new or updated) gaps and needs analyses (with recommendations) produced to inform the	1.1.1 Bangladesh: With GLO.ACT support, government conducted First National Study on	1.1.1 At least one new or updated gaps and needs analysis (with recommendations)	Reports, analyses and assessments produced  Guidance materials, tools or case analysis developed	Partner countries are willing to address barriers to effective action including through (1) ensuring appropriate

<b>based strategy, policy and legal expertise</b>	implemented by assisted partner countries	development and/or revision of national policies/strategies/acti on plans  1.1.2 Number of strategy and policy guidance materials, tools or case analysis addressing emerging issues, developed, contributed to or adapted to inform implementation at operational level of counter-THB and SOM initiatives  1.1.3 Number of initiatives to support implementation, monitoring, or reporting on policies/strategies/acti on plans	TIP with several policy recommendations Bhutan: 2 ( Responses to HT in Bhutan, Legal and Policy Review, 2015: Country Assessment on HT in Bhutan, 2020) India: NA Nepal: NA Maldives: NA Sri Lanka: 01  1.1.2 2021 GLO.ACT Human Rights and Gender Toolkit Bhutan: SOP for a multi- sectoral approach to address TIP in Bhutan, 2019)  1.1.3 Bangladesh: NPA on TIP being revised with consideration of policy recommendations from UNODC supported national study and extended until 2025 Bhutan:1- National task Force on TIP India: NA Nepal: NA Maldives: Sri Lanka:0 2	per assisted partner country  1.1.2 At least one new tool developed in partnership with human rights, gender equality and children's rights experts  1.1.3 At least 2 initiatives	Mission and workshop reports  Project monitoring and learning system	participation in project activities and (2) addressing frequent rotation of individuals in key positions.  Counterparts are willing to follow a multidisciplinary approach in the development and implementation of TIP and/or SOM policies/strategies/acti on plans  Counterparts and external funding organizations are willing to align assistance with evidence and accumulated knowledge.
<b>Output 2  relating to Outcome 1 / Providing evidence- based</b>	1.2 Gaps and inconsistencies in national laws and procedures on TIP and SOM identified, with clear	1.2.1 Number of national (new or updated) legal assessments (with recommendations) produced to inform the development and/or	1.2.1 Bangladesh: 2019 GLO.ACT legal assessment Bhutan: 2020 Country Assessment	1.2.1 At least one new or updated legal assessment (with recommendations) per assisted partner country	Reports, analyses and assessments produced  Mission and workshop reports	Adequate political and/or institutional commitment to legal change.  Changes to the legal frameworks are not

<b>strategy, policy and legal expertise</b>	recommendations for improvement through law changes, judicial decree or other means as appropriate	revision of national legislation  1.2.2 Number of initiatives at national, regional or global level to harmonize standards for TIP/SOM legislative development in line with international law (legal drafting workshops and assistance, technical working groups, promotion of TIP/SOM Protocol ratification, sponsoring resolutions)	India: NA Nepal: NA STARSOM produced an assessment on the scope of migrant smuggling in the Maldives (not public) Sri Lanka: STARSOM produced an assessment on the scope of migrant smuggling in Sri Lanka (not public)  1.2.2 Bangladesh: None Bhutan: None India: None Nepal:None Maldives: draft legislative provisions on SOM (bill / Section in Immigration and Emigration Act) Sri Lanka: draft legislative provisions on SOM (bill / Section in Immigration and Emigration Act)	1.2.2 At least 2 initiatives	Project monitoring and learning system  Updated global model law and legislative guide on SOM	hindered by political climate.  Proposed or amended TIP and/or SOM laws are not in conflict with other laws.
<b>Output 1  relating to Outcome 2 / Investing in people: building rights-based and gender equal operational capacity to break the TIP and SOM business model</b>	2.1 Strengthened national capacity to provide criminal justice responses to trafficking in human beings and/or migrant smuggling following a human rights-based, gender equal approach	2.1.1 Number of (countries with) with agreed criminal justice system capacity building strategy for THB and SOM  2.1.2 Number of participants trained/mentored and coached  2.1.3 Number of initiatives to support the exchange between criminal justice professionals (network	2.1.1 Bangladesh: Existing training manual is being revised and based on this being designed the one week THB & SOM course at Police Staff College Bangladesh Bhutan:2 (One training manual for Judges and 1 training module for TOTs which can be tailored for other LE agencies) India: NA Nepal: NA Maldives:NA Sri Lanka:01	2.1.1 At least one per assisted partner country  2.1.2 At least 150 people trained, with at least 30 trained in each assisted partner country (gender disaggregated data)	Criminal justice system capacity building strategy for THB and SOM  Agendas and lists of participants  End-of-workshop and follow-up evaluation questionnaires  Assessment reports  Mission reports  Project monitoring and learning system	Assisted partner countries retain essential foundation stones on which to build an effective response to THB and SOM  Partner countries nominate qualified officials to participate in training/mentoring/coaching activities.  Skills/expertise gained from

		of judges, prosecutors, litigation surgeries)	<p>2.1.2</p> <p>Bangladesh: In 2023 as of now, trained 149 criminal justice practitioners</p> <p>Bhutan: 450 (2019-2022: 119M: 60F), (2015-2018-271, disaggregated data not available)</p> <p>India: NA</p> <p>Nepal: NA</p> <p>Maldives: 38 22M, 16F), (16 (2021); 17 (2022) and 5 (2023)</p> <p>Sri Lanka: 500</p> <p>2.1.3 Bangladesh: Exchange among anti-TIP court judges and established one informal communication channel between Bangladesh and Malaysia</p> <p>Bhutan: NA</p> <p>India: NA</p> <p>Nepal: NA</p> <p>Maldives: NA</p> <p>Sri Lanka: NA</p>	2.1.3 At least 2 initiatives		training/mentoring/coaching activities are effectively applied in the investigation and/or prosecution of THB/SOM cases.
<b>Output 2</b>  <b>relating to Outcome 2 / Investing in people: building rights-based and gender equal operational capacity to break the TIP</b>	2.2 Countries are equipped with rights-based, gender-sensitive tailored training resources, tools, materials, SOPs and/or guidelines	2.2.1 Number of tools, materials, SOPs and guidelines produced to support effective national criminal justice responses to TIHB/SOM	<p>2.2.1</p> <p>Bangladesh: 02 (SOPs and Benchmark)</p> <p>Bhutan: 1 SOP, 2019</p> <p>India: NA</p> <p>Nepal: NA</p> <p>Maldives: NA</p> <p>Sri Lanka: 03</p>	2.2.1 At least 2 training resources, tools, materials, SOPs and/or guidelines	<p>Adapted and/or newly developed training materials incorporated in training curricula</p> <p>Agendas and lists of participants</p> <p>End-of-workshop and follow-up evaluation questionnaires</p>	Tools, materials, SOPs and guidelines produced and adopted are being applied to investigate and prosecute THB and/or SOM cases, following a victim-centred approach.

<b>and SOM business model</b>					<p>Assessment reports</p> <p>Mission reports</p> <p>Partnership agreements with national training academies and/or educational institutions</p> <p>Launch and dissemination events of publications developed</p> <p>Project monitoring and learning system</p>	
<b>Output 1</b>  <b>relating to Outcome 3 / Activating agency-to-agency communication and facilitating bilateral and international cooperation</b>	3.1 Bilateral police-to-police operations and exchanges among partner countries strengthened	3.1 Number of activities facilitated to support effective bilateral police-to-police cooperation on issues related to THB and SOM	3.1.1 Bangladesh: 1 (between Bangladesh and Malaysia, and Bangladesh and Costa Rica) Bhutan: NA India: NA Nepal: NA Maldives: 2 (between Maldives and Sri Lanka Sri Lanka: 03 (under STARSOM, they participated in 4 bilaterals, with Dominican Republic, Colombia, and 2 with the Maldives)	3.1 At least 2 initiatives	<p>Workshop agendas and lists of participants.</p> <p>Recommendations, reports and minutes from bilateral exchanges</p> <p>Mission Reports</p> <p>Agenda and lists of participants</p> <p>Online and in-person communication with key stakeholders</p> <p>Bilateral Cooperation Agreements</p>	<p>Partner countries are willing to engage in activities that would promote bilateral police-to-police cooperation and exchanges.</p> <p>Police-to-police cooperative agreements translate into prompt, effective cooperative operations on the ground.</p>
<b>Output 2</b>  <b>relating to Outcome 3 / Activating agency-to-agency communication and facilitating</b>	3.2 International judicial cooperation among partner countries strengthened	3.2 Number of exchanges facilitated to support effective mutual legal assistance in criminal matters related to TIP and SOM	3.2.1 Limited at programme outset.	3.2.1 At least 2 initiatives promoting the exchange among criminal justice professionals	<p>Workshop agendas and lists of participants.</p> <p>Recommendations, reports and minutes from workshops</p> <p>Mission Reports</p>	<p>Partner countries are willing to engage in activities that would promote international judicial cooperation.</p>

<b>bilateral and international cooperation</b>					<p>Agenda and lists of participants</p> <p>Online and in-person communication with key stakeholders</p> <p>Bilateral Cooperation Agreements</p>	
<b>Output 3</b>  <b>relating to Outcome 3 / Activating agency-to-agency communication and facilitating bilateral and international cooperation</b>	<p>3.3 Female officials and male champions working in policy making, the justice sector, law enforcement, civil society and other relevant local entities have the skills and knowledge to help addressing the gendered nature of THB and SOM and the underrepresentation of women responding/leading anti- THB/SOM responses</p>	<p>3.3 Number of female officials and male champions trained/mentored and coached</p>	<p>3.3.1 No GLO.ACT South Asia Network established at regional level yet, different national networks exist at national level (e.g. Bangladesh)</p>	<p>3.3.1 At least 25 people trained, with at least 3 people trained in each partner country part of the South Asia Women Network (gender disaggregated data)</p>	<p>GLO.ACT's Women Network Roadmap</p> <p>Agendas and lists of participants</p> <p>End-of-workshop and follow-up evaluation questionnaires</p> <p>Assessment reports</p> <p>Mission reports</p> <p>Project monitoring and learning system</p>	<p>Partner countries nominate qualified officials to participate in training/mentoring/coaching activities.</p> <p>Skills/expertise gained from training/mentoring/coaching activities are effectively applied.</p>
<b>Output 1</b>  <b>Relating to Outcome 4 Enhancing empowerment and the protection environment of women and children that could be victims of TIP and</b>	<p>4.1 Government and civil society partners in assisted partner countries' ability to identify, screen, refer, assist and protect victims of trafficking, victims of aggravated migrant smuggling and smuggled migrants in vulnerable</p>	<p>4.1.1 Number of tools, materials, SOPs, and guidelines produced to support identification, response, and address the needs of victims of TIP and SOM</p>	<p>4.1.1 Bangladesh: 2 (NRM Roadmap and NRM Guideline in progress) Bhutan: 1 SOP, 2019 India: NA Nepal: NA Maldives: NA Sri Lanka: 03</p> <p>4.1.2</p>	<p>4.1.1 At least 2 guideline materials, tools, and/or SOPs for each country translated in their official language</p> <p>4.1.2 At least 80 people trained, with at least</p>	<p>Data from C Global Report on TIP and Global Study on SOM or similar studies.</p> <p>Reports from other UN agencies and international organizations.</p> <p>Workshop reports, including recommendations.</p> <p>Mission reports.</p>	<p>Assisted partner countries are committed to acknowledge and address the need for enhanced victim protection and assistance, including through engagement of civil society.</p> <p>Improved access to assistance services will build trust and</p>



<b>aggravated SOM</b>	situations following a human rights-based and gender-equal approach improved	4.1.2 Number of government, NGO victim support agency staff, health professionals, and other relevant stakeholders trained to assist those in need of protection, in line with international standards (disaggregated by participant gender, type of training and target group focus)	Bangladesh: 18 (12 female, 6 male) lawyers and NGOs providing legal support to victims of trafficking in human beings Bhutan: 789 (472M:317F) trained on SOP. Target group- Local volunteers, Local leaders, teachers, health workers, legal assistants, civil society, monks,) India: NA Nepal: NA Maldives: NA Sri Lanka: NA	20 trained in each assisted partner country (gender disaggregated data)	Public announcements by partner countries.  Responses to the Review Mechanism questionnaire  UNODC Toolkit: For mainstreaming Human Rights and Gender Equality into criminal justice interventions to address trafficking in persons and smuggling of migrants  Project monitoring and learning system	encourage victims of trafficking and vulnerable migrants to cooperate and disclose criminals.
<b>Output 2</b>  <b>Relating to Outcome 4 Enhancing empowerment and the protection environment of women and children that could be victims of TIP and aggravated SOM</b>	4.2 Expanded support services for victims of trafficking and migrants in need of protection, in line with obligations in the UN TIP and SOM Protocol and international legal standards	4.2.1 Number of stakeholders supported through grants to provide direct assistance to both adult and child victims of trafficking in human beings, unaccompanied minors smuggled migrants, and other vulnerable migrants  4.2.2 Number of trafficking victims, smuggled migrants or other vulnerable migrants identified and assisted in the framework of the project (with breakdown by age and gender) by the stakeholders provided with small grants	4.2.1 Bangladesh: 1 Bhutan: 1 India: NA Nepal: NA Maldives: NA Sri Lanka: NA  4.2.2 Bangladesh: 40 Bhutan: 36 (31 adult women, 1 minor girl) India: NA Nepal: NA Maldives: NA Sri Lanka: NA	4.2.1 At least 2 stakeholders supported in partner countries  4.2.2 Approximately 15-20 victims of trafficking and/or smuggled migrants and/or other vulnerable migrants assisted by each sub-grantee implementing provided with the small grants	Service agreement/sub-grantee contracts  Procurement/bids process documents  Financial and narrative reporting by Action and the grantee in question  Reports from the sub-grantee, national statistics (if trafficked and disaggregated by service provider)  Mission reports.  Public announcements by partner countries.  Toolkit: For mainstreaming Human Rights and Gender Equality into criminal justice interventions to address	Assisted partner countries are committed to acknowledge and address the need for enhanced victim protection and assistance, including through engagement of civil society.  Improved access to assistance services will build trust and encourage victims of trafficking and vulnerable migrants to cooperate and disclose criminals.  Partner countries nominate qualified officials to

					trafficking in human beings and smuggling of migrants  Project monitoring and learning system	participate in training activities.  Skills/expertise gained from training activities are effectively applied.
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## 4 IMPLEMENTATION ARRANGEMENTS

### 4.1 Financing Agreement

In order to implement this action, it is not envisaged to conclude a financing agreement with the partner country(ies).

### 4.2 Indicative Implementation Period

The indicative operational implementation period of this action, during which the activities described in section 3 will be carried out and the corresponding contracts and agreements implemented, is 48 months from the date of adoption by the Commission of this Financing Decision.

Extensions of the implementation period may be agreed by the Commission's responsible authorising officer by amending this Financing Decision and the relevant contracts and agreements.

### 4.3 Implementation Modalities

The Commission will ensure that the EU appropriate rules and procedures for providing financing to third parties are respected, including review procedures, where appropriate, and compliance of the action with EU restrictive measures<sup>40</sup>.

#### 4.3.1 Indirect Management with a pillar assessed entity

This action may be implemented in indirect management with an entity, which will be selected by the Commission's services using the following criteria:

- Long-standing experience and capacity in policy advice/design, capacity building and technical assistance in the area of Anti Trafficking in Human Beings and Smuggling of Migrants
- Solid experience in the South Asia region context, with the ability, capacity and organizational set up to manage a regional intervention which encompasses a range of topics i.e., policy and legal framework support, regulatory reform, building capacity of Government and CSO entities in countries and international set up.
- Previous experience in managing similar EU funded interventions in the region

The implementation by this entity entails all Outputs and Outcomes for this Action.

#### 4.3.2 Changes from indirect to direct management mode (and vice versa) due to exceptional circumstances (one alternative second option)

The preferred implementation modality is indirect management.

If the Action cannot be implemented under the indirect management due to circumstances outside the Commission's control, the direct management modality will be used instead. One or several grants may be awarded to achieve specific objectives/outcomes 1, 2, 3 and 4 for the maximum indicated in 4.5

Grants: (direct management)

(a) Purpose of the grant(s)

Overall Objective/Impact – Effective rights-based and gender equal responses to THB and SOM and 4 SO (1 to 4)

Specific Objective/Outcome 1 - Providing evidence-based strategy, policy and legal expertise in line with the UN THB and SOM Protocols, gender equality, child rights and human rights obligations

<sup>40</sup> [www.sanctionsmap.eu](http://www.sanctionsmap.eu). Please note that the sanctions map is an IT tool for identifying the sanctions regimes. The source of the sanctions stems from legal acts published in the Official Journal (OJ). In case of discrepancy between the published legal acts and the updates on the website it is the OJ version that prevails.

Specific Objective/Outcome 2 – Investing in people: building rights-based and gender equal operational capacity to break the THB and SOM business model

Specific Objective/Outcome 3 – Activating and strengthening agency-to-agency communication and facilitating bilateral, regional and international cooperation on criminal justice matters between the relevant authorities of concerned countries

Specific Objective/Outcome 4 – Enhancing empowerment and the protection environment of women and children that could be victims of THB and aggravated SOM

(b) Type of applicants targeted

Public bodies, NGOs, pillar and non-pillar assessed national and international organisations with experience and capacities in the sectors targeted by this action.

#### 4.4. Scope of geographical eligibility for procurement and grants

The geographical eligibility in terms of place of establishment for participating in procurement and grant award procedures and in terms of origin of supplies purchased as established in the basic act and set out in the relevant contractual documents shall apply.

The Commission's authorising officer responsible may extend the geographical eligibility on the basis of urgency or of unavailability of services in the markets of the countries or territories concerned, or in other duly substantiated cases where application of the eligibility rules would make the realisation of this action impossible or exceedingly difficult (Article 28(10) NDICI-Global Europe Regulation).

#### 4.5 Indicative Budget

Indicative Budget components	EU contribution (amount in EUR)
<b>Implementation modalities</b> – cf. section 4.4	
<b>Objective/Outputs 1</b> Providing evidence-based strategy, policy and legal expertise	2 100 000
<b>Objective/Outputs 2</b> Investing in people: Operational capacity to break the TIP and SOM business model improved.	2 800 000
<b>Objective/Outputs 3</b> Activating agency-to-agency communication and facilitating bilateral and international cooperation	2 600 000
<b>Objective/Outputs 4</b> Enhancing empowerment and the protection environment of women and children that could be victims of TIP and aggravated SOM	1 500 000
Indirect management with with pillar assessed entity – cf. 4.3.1	9 000 000 EUR
<b>Evaluation</b> – cf. section 5.2 <b>Audit</b> – cf. section 5.3	May be covered by another Decision
<b>Totals</b>	<b>9 000 000 EUR</b>

#### 4.6 Organisational Set-up and Responsibilities

**The Project Steering Committee (PSC)** will be the governing body of the project. The PSC will provide strategic leadership, general policy and overall guidance and oversight on the project; it will also assesses and, if necessary, adapt the activities of the project. The PSC will be comprised of the European Commission, EU Delegations and the Implementing Partner (IP). Where relevant, the Commission will also invite and/or consult the EEAS and other Directorate-Generals (e.g. DG HOME). The PSC will indicatively **meet at least twice a year**, in Dhaka/Brussels

or remotely, with the first meeting taking place at the end of the inception phase, so that the findings of the inception period can be presented and decisions on the way forward can be taken. At that meeting, the results of the evaluation of the present GLO.ACT programme will be also discussed in order to assess what modifications might need to be made to the project structure. Extraordinary meetings can be convened by either party with a due justification. The PSC will have in particular the following tasks: (i) Provide guidance on the implementation of the programme and provide a forum for regular consultation; (ii) Review and approve annual workplans; (iii) Supervise project monitoring and evaluation activities; (iv) Measure progress in project implementation, with a view to taking remedies, adjusting activities and reviewing beneficiary countries, where necessary; (v) Ensure consistency with other initiatives relevant to GLO.ACT Central Asia and the Middle East in the countries covered by the project. At national level, each country would seek the nomination of a government focal point to coordinate project activities.

The implementing partner will be responsible for project management, organisation of project steering committee meetings (including the Commission and representatives of the beneficiary countries) to provide strategic guidance and ensure overall coordination and coherence of activities, monitor deliverables, and drafting reports. The IP will maintain regular consultations with the EU delegations/representations at the local level on work programmes and progress made. The Commission will be directly involved in the monitoring and steering of the Action.

As part of its prerogative of budget implementation and to safeguard the financial interests of the Union, the Commission may participate in the above governance structures set up for governing the implementation of the action.

## 5 PERFORMANCE MEASUREMENT

### 5.1 Monitoring and Reporting

The day-to-day technical and financial monitoring of the implementation of this action will be a continuous process, and part of the implementing partner's responsibilities. To this aim, the implementing partner shall establish a permanent internal, technical and financial monitoring system for the action and elaborate regular progress reports (not less than annual) and final reports. Every report shall provide an accurate account of implementation of the action, difficulties encountered, changes introduced, as well as the degree of achievement of its results (Outputs and direct Outcomes) as measured by corresponding indicators, using as reference the logframe matrix (for project modality) and the partner's strategy, policy or reform action plan list (for budget support).

The Commission may undertake additional project monitoring visits both through its own staff and through independent consultants recruited directly by the Commission for independent monitoring reviews (or recruited by the responsible agent contracted by the Commission for implementing such reviews).

Roles and responsibilities for data collection, analysis and monitoring:

The implementing partner will cooperate with the relevant government and CSO stakeholders of different countries to provide a decentralised simple and practicable M&E system. The implementing partner will conduct baseline, midline and endline surveys/reports in close cooperation with the EU. Furthermore, the EU conducts regularly fields Results-Oriented Monitoring (ROM) missions. The project formulation mission will further refine the performance monitoring system as well as its indicators (see Logframe).

Monitoring and reporting will assess gender equality results and the implementation of the human rights-based approach working principles (applying all human rights for all; meaningful and inclusive participation and access to decision-making; non-discrimination and equality; accountability and rule of law for all; and transparency and access to information supported by disaggregated data). Monitoring and reporting will be based on indicators that are disaggregated by sex, age and disability when applicable. In order to monitor development and equal access, data/indicators will be disaggregated even further when applicable (f.ex. by minority group or case).

### 5.2 Evaluation

Having regard to the importance of the action, a mid-term and/or final evaluation may be carried out for this action via independent consultants contracted by the Commission /or implementing partner.

The possible mid-term and final evaluation will be carried out for accountability and learning purposes, in particular with respect to informing policy and programming at various levels.

The Commission shall inform the implementing partner at least two months in advance of the dates envisaged for the evaluation missions. The implementing partner shall collaborate efficiently and effectively with the evaluation experts, and inter alia provide them with all necessary information and documentation, as well as access to the project premises and activities.

The evaluation reports may be shared with the partners and other key stakeholders following the best practice of evaluation dissemination. The implementing partner and the Commission shall analyse the conclusions and recommendations of the evaluations and, where appropriate, apply the necessary adjustments.

The financing of the evaluation may be covered by another measure constituting a Financing Decision.

### 5.3 Audit and Verifications

Without prejudice to the obligations applicable to contracts concluded for the implementation of this action, the Commission may, on the basis of a risk assessment, contract independent audit or verification assignments for one or several contracts or agreements.

## 6 STRATEGIC COMMUNICATION AND PUBLIC DIPLOMACY

The 2021-2027 programming cycle will adopt a new approach to pooling, programming and deploying strategic communication and public diplomacy resources.

In line with the 2022 Communicating and Raising EU Visibility: Guidance for External Actions, it will remain a contractual obligation for all entities implementing EU-funded external actions to inform the relevant audiences of the Union's support for their work by displaying the EU emblem and a short funding statement as appropriate on all communication materials related to the actions concerned. This obligation will continue to apply equally, regardless of whether the actions concerned are implemented by the Commission, partner countries, service providers, grant beneficiaries or entrusted or delegated entities such as UN agencies, international financial institutions and agencies of EU member states.

However, action documents for specific sector programmes are in principle no longer required to include a provision for communication and visibility actions promoting the programmes concerned. These resources will instead be consolidated in Cooperation Facilities established by support measure action documents, allowing Delegations to plan and execute multiannual strategic communication and public diplomacy actions with sufficient critical mass to be effective on a national scale.