

MEMORANDUM OF UNDERSTANDING
BETWEEN
THE GOVERNMENT OF THE REPUBLIC OF INDIA
(Represented by the Ministry of Home Affairs)
AND
THE GOVERNMENT OF UNITED ARAB
EMIRATES
(Represented by the National Committee to
Combat Human Trafficking)
ON COOPERATION IN PREVENTING
AND COMBATING OF HUMAN TRAFFICKING

The Government of the Republic of India (Represented by the Ministry of Home Affairs) and the Government of the United Arab Emirates (Represented by the National Committee to Combat Human Trafficking) (hereinafter referred to as the "Parties"),

Having sought to strengthen the bonds of friendship between the two countries and to increase the bilateral cooperation on the issues of prevention, rescue, recovery and repatriation related to human trafficking expeditiously,

Recognizing that trafficking is a gross violation of victims rights and dignity, and has a negative impact on their physical, sexual and mental health, moral development and is detrimental to the social norms and values of the society,

Taking into account that transnational criminal groups and organizations are actively involved in human trafficking and that such transnational organized crimes have affected not only the United Arab Emirates and India but also the region and the global community at large,

Confirming that the Parties share the common concern against transnational human trafficking as addressed from time to time;

Recalling also the relevant international and regional instruments relating to prevention of trafficking, including the 'Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the United Nations Convention against Transnational Organised Crime';

Convinced that prevention and combating of the crime of human trafficking through mutual cooperation in law enforcement and criminal procedures is an effective measure to ensure justice against crime of human trafficking,

Emphasizing the need to strengthen cooperation to prevent all forms of human trafficking, especially women and children, and to protect and assist them,

Ensure the speedy investigation and prosecution of traffickers and organized crime syndicates in either country;

Have reached the following understanding:

Article 1

SCOPE OF THE MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding shall apply to all forms of human trafficking as defined in Article 2 of this Memorandum of Understanding and with specific reference to the respective Standard Operating Procedures adopted by both the countries.

Article 2

DEFINITION

For the operational purpose of this memorandum:

- (a) "Trafficking in persons" shall mean as defined in Article 3 of the 'Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children supplementing the United Nations Convention against Transnational Organised Crime';
- (b) "Focal Point" means the designated officials from the Ministry of Home Affairs of the Republic of India and the National Committee to Combat Human Trafficking of the United Arab Emirates.

Article 3

PREVENTIVE MEASURES

The Parties shall undertake necessary policies, programmes and appropriate measures to ensure that the respective countries conform to the international human rights instruments which both the Parties have ratified or acceded to and are effective in eliminating human trafficking and in protecting the rights of victims of trafficking.

- (a) Each Party shall adopt such legislative and other measures as may be necessary to establish "Trafficking in Persons" as defined in Article 2 of this Memorandum of Understanding as criminal offences.
- (b) The Parties shall make best efforts to undertake preventive measures in the respective countries including strengthening of law enforcement agencies, immigration controls, raising awareness and life-skills, vocational and educational programmes, community-based prevention mechanisms.

Article 4

COORDINATION

The Parties shall work towards preventing human trafficking through the following preventive measures:

- (a) Coordinate with the relevant government organizations and non-government organizations' activities regarding awareness raising programmes and setting up community-based prevention mechanisms.
- (b) The relevant authorities in both countries shall cooperate in the exchange of information concerning trafficking cases, e.g., trafficking routes, places of trafficking, identification of traffickers, trafficking networks, methodologies of trafficking and data on trafficked persons and any other related information.
- (c) Capacity-building programmes for concerned agencies of both countries, including joint trainings.
- (d) The Parties shall establish a Joint Task Force, which shall comprise of competent authorities from both Parties. The Joint Task Force shall assume the following responsibilities:
 - (i) To monitor and assess the implementation of this Memorandum of Understanding and report to the respective Ministries/Governments at its annual meeting;

- (ii) To initiate establishment of strategies, plan of action and implementing guidelines and other necessary framework to implement this Memorandum;
- (iii) To make recommendations towards further development of mutual cooperation against human trafficking;
- (iv) To review the implementation of this Memorandum of Understanding every two years;
- (v) The Joint Task Force shall be called to meet as and when the need arises. The date and venue of the meeting of the Joint Task Force shall be agreed by both the Parties.
- (vi) Each party shall bear their own costs and expenses resulting from the implementation of the provisions of this Memorandum of Understanding, except those which are agreed upon under separate arrangements.

Article 5 **PROTECTION OF VICTIMS OF TRAFFICKING**

The Parties shall take appropriate measures to protect and assist the victims, through the following:

- (a) The Parties shall protect the safety, privacy and confidentiality of victims and will not treat them as criminals.
- (b) The Parties shall provide the victims with appropriate assistance, protection and rehabilitation, including shelter, legal assistance, health care, counseling, and compensation as well as other necessary social supports.
- (c) In the process of identification, interim assistance, repatriation and judicial proceedings, the victims shall be entitled to humane and dignified treatment.

Article 6 **LEGAL ASSISTANCE**

The Parties shall undertake appropriate measures on behalf of the victims of trafficking as per the laws and rules of the countries and may seek such mutual legal assistance as appropriate.

Article 7 **REPATRIATION**

- (a) Both Parties will adopt Standard Operating Procedure for Rescue, Recovery, Repatriation and Integration of victims of trafficking.

- (b) The authorities in charge of repatriation shall follow the respective Standard Operating Procedure to inform the other Party of repatriation arrangements of trafficked victims in advance and repatriation will be undertaken in accordance with the respective Standard Operating Procedure adopted by the Parties.

Article 8 REINTEGRATION

The Parties shall make all possible efforts towards the safe and effective reintegration of victims of trafficking, into their families and communities in order to restore their dignity, freedom, and self-esteem in their respective countries.

Article 9 SETTLEMENT OF DISPUTE

The Parties shall endeavor to settle disputes concerning the interpretation or application of this Memorandum of Understanding through mutual negotiation or consultation between the parties.

Article 10 AMENDMENT

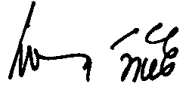
This Memorandum of Understanding may be amended at any time upon the written agreement of the Governments of the United Arab Emirates and the Republic of India.

Article 11 ENTRY INTO FORCE AND TERMINATION

This Memorandum of Understanding shall take effect on the date of its signature by both the Parties and shall remain in effect unless either Party terminates this Memorandum of Understanding by giving a written notice of its intention to terminate it to the other Party through diplomatic channels, and the termination shall be effective three months after the date of receipt of such notice.

IN WITNESS WHEREOF, the undersigned, being duly authorized thereto by their respective Governments, have signed this Memorandum of Understanding.

Done at New Delhi on 25 January 2017 in two original copies, each in English, Hindi & Arabic languages, all texts being equally authentic. In case of divergence in interpretation, the English text shall prevail.



**For the Government of
the Republic of India**



**For the Government of
the United Arab Emirates**