



**Pre-recorded Statement by**  
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**Chairperson of the United Nations Commission on Crime Prevention**  
**and Criminal Justice (CCPCJ) at its 21<sup>st</sup> session**  
**on the occasion of the opening of the UNODC / United Nations**  
**Information Service (UNIS) / Academic Council on the United**  
**Nations System (ACUNS) / University of Vienna Webinar on**  
***“The Prevention of Violence against Migrants, Migrant Workers and***  
***Their Families”***  
**Vienna International Center (VIC), 18 April 2012**

Distinguished Participants, Dear Students,  
Ladies and Gentlemen,

It is my pleasure and honor to speak at the opening of the webinar related to “*The Prevention of Violence against Migrants, Migrant Workers and Their Families*” jointly organized by the United Nations Office on Drugs and Crime, the United Nations Information Service, the Academic Council on the United Nations System and the University of Vienna. As this is a topic for the Thematic Debate of the United Nations Commission on Crime Prevention and Criminal Justice at its 21<sup>st</sup> session, I would like to commend the organizers for designing this timely webinar course for the international academic community.

Ladies and Gentlemen,

It is estimated that there are about 214 million migrant workers in the world today representing more than 3 per cent of the world population. The effects of globalization have increased the propensity for people to migrate in search for a better life and employment opportunities. It must be recognized, however, that migrants are often victims of crime. Once in the foreign lands, migrants, migrant workers and their families are vulnerable to abuse, violence and exploitation, particularly migrant women and migrant children. Violence can take many forms, including trafficking in persons, smuggling of migrants, racial discrimination, hate crimes, and victimization.

Undocumented or irregular migrants are especially vulnerable and face particular challenges, including the inability to seek protection and relief from the authorities, and in many cases, basic labor protections, guarantees of due process, personal security and health care.

They are more likely to be targeted by xenophobes and racists, victimized by unscrupulous employers and sexual predators, and can easily fall prey to criminal traffickers and smugglers.

Understanding the nature and extent of violence against migrants, migrant workers and their families is difficult. Migrant populations tend to underreport crime, thus preventing adequate use of policy and law enforcement resources. Undocumented migrants are unlikely to be included in victimization surveys and are often deterred to report crime for fear of being deported or detained. Access to legal aid for migrants is also limited. In the context of investigation and criminal proceedings, problems can include language barriers, cultural differences and lack of understanding of a foreign criminal justice system.

Violence against migrants, migrant workers and their families is a problem affecting many States. Responses to the problem must be multi-sectoral and multidisciplinary, involving all relevant sectors of government and civil society. Responses must also take into account the international legal framework and relevant political commitments. On the human rights of migrants, the relevant instruments include *the International Covenant on Civil and Political Rights*, *the International Covenant on Economic, Social and Cultural Rights*, *the Convention on the Elimination of All Forms of Discrimination against Women*, *the Convention on the Rights of the Child*, *the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*, and *the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families*. There is also a series of International Labor Organization conventions and recommendations to protect migrants in the realm of employment.

From the perspective of crime prevention and criminal justice, the *United Nations Convention against Transnational Organized Crime* and the Protocols thereto namely the *Trafficking in Persons Protocol* and the *Smuggling of Migrants Protocol* are the key instruments.

Smuggling of migrants is a complex process, which must be analyzed in order to develop effective prevention strategies. Increased border control measures may have the result of diverting routes elsewhere, thus increasing the likelihood of smugglers' using more risky routes that may cause migrants to lose their lives. If migrants are returned to their country of origin without consideration of the broader issues involved in their decision to migrate, they may simply attempt another journey. There are important push and pull factors that cause a person to become a migrant or a migrant smuggler.

Also, the prevention of trafficking in persons requires coordinated and comprehensive responses. Efforts to deter traffickers by addressing the root causes that led them to become traffickers must go hand in hand with the deterrent impact of criminal justice efforts. Victim assistance efforts to break the cycle of trafficking must be directed at preventing victims both from being re-trafficked and from becoming traffickers. In this, data collection should take place at every opportunity. As more information about traffickers and their methods becomes available, efforts to prevent trafficking can be better targeted.

Ladies and gentlemen,

In order to fight violence against migrants, migrant workers and their families, Member States should have in place effective, fair and humane criminal justice systems. Law enforcement and criminal

justice responses to the problem should be guided by United Nations standards and norms in crime prevention and criminal justice. National criminal justice strategies, based on human rights and the rule of law, are key instruments in addressing this and related issues in a comprehensive way.

I am a true believer of the notion that “prevention is better than cure”. The *United Nations Guidelines for the Prevention of Crime* can be an effective tool in this regard. Among other things, the Guidelines provide that Governments and civil society should try to analyze and address the links between transnational organized crime and national and local crime problems, including by designing crime prevention strategies to protect socially marginalized groups.

In addition, preventive measures must also include awareness-raising campaigns to combat discrimination and intolerance; access to justice, including removing linguistic, social and cultural barriers to improve access; support and assistance to migrant victims; measures to improve relations between migrants and the police; as well as media relations with migrant communities. Equally important is the emphasis on education and training for police and other relevant criminal justice officials, particularly in the areas related to the implementation of the Trafficking and Smuggling Protocols as well as human rights education.

Finally, international cooperation is crucial in addressing transnational crime issues, including where they involve violence against migrants, migrant workers and their families. The whole range of formal and informal channels for cooperation should be utilized and strengthened by Member States. At an operational level, informal

arrangements can help law enforcement agents and investigators to obtain or pass on information quickly across borders. Formal cooperation for purposes of extradition, mutual legal assistance and transfer of convicted persons is equally important. In most cases, it is based on bilateral or multilateral treaties, including relevant or regional agreements.

Ladies and gentlemen,

Preventing violence against migrants, migrant workers and their families is our common and shared responsibility. We need to redouble our efforts to strengthen the rights-based criminal justice system and measures that cater to the special needs of their vulnerability. We need to improve the situation of migrant women and migrant children particularly as they are vital to saving the succeeding generation from the scourge of violence. We need to foster the culture of tolerance through education and dialogue.

On that note, I would like to express my sincere thanks to the United Nations Office on Drugs and Crime, the United Nations Information Service, the Academic Council on the United Nations System and the University of Vienna for initiating the webinar course on this important subject. As Chair of the CCPCJ, I greatly value the importance of enhancing international criminal justice education. I wish all the participants and students a good success in this course.

I thank you very much.