

UNODC Keynote Statement

Half-day general discussion on trafficking in women and girls in the context of global migration

Geneva, 22 February 2019

CHECK AGAINST DELIVERY

Thank you, Madame Chair,

Your Excellencies,

Ladies and Gentlemen,

It is my pleasure to be here and offer the full support of the United Nations Office on Drugs and Crime towards the elaboration of a General Recommendation on this critical issue.

The General Recommendation will **join and reinforce the primary international legal agreement** created to increase support to trafficked persons and vulnerable migrants, the prosecution of trafficking perpetrators as well as related necessary international cooperation between and among States -- namely, **the United Nations Convention against Transnational Organized Crime and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children**, both now nearing universal ratification with 189 and 173 States parties, respectively.

In this context, it is worth noting that UNODC is currently completing a **revision of two key and comprehensive legislative tools**, namely the **Model Law against Trafficking in Persons** and the **Legislative Guide for the implementation of the Trafficking in Persons Protocol**, in order to better reflect global experience of the last decade and the emerging accumulated knowledge of the global anti-trafficking sector.

The revised texts will be published in mid-2019.

Also worth noting is the newly established mechanism to review implementation of the *Convention against Transnational Organized Crime* and its Protocols. On 19 October 2018, after years of negotiations, States Parties decided to establish a **Review Mechanism** for the Convention. In accordance with that decision, the review process will commence next year with four review phases to take stock of national approaches, progress, good practices and lessons learned.

The Protocol and new review mechanism contribute to a **dynamic international framework of commitments and monitoring efforts** to respond to human trafficking that should also be considered in developing the General Recommendation.

In addition to UNTOC and the Protocol, this framework includes:

- the *2030 Agenda* and specifically this year the reporting on SDG 16, including target 16.2, calling for ending abuse, exploitation, trafficking and all forms of violence;
- the General Assembly's *Global Plan on Action to Combat Trafficking in Persons*, with its appraisal every four years;
- the *Global Compact for Safe, Orderly and Regular Migration* now beginning its implementation phase;
- and the 'soft law' recommendations (which currently number more than 300) of the open-ended intergovernmental Working Group on Trafficking in Persons, which will next meet in Vienna in September, 2019.

In support of the thematic focus of today's discussion, the 2018 *UNODC Global Report on Trafficking in Persons*, published last month, confirmed that **traffickers around the world continue to target women and girls**. According to the report, 72 percent of all detected victims of human trafficking are women (49%) and girls (23%). The vast majority (94%) of detected victims of trafficking for sexual exploitation are women or girls, while 35% of those trafficked for forced labour are female.

Women and girls are also trafficked for other types of exploitation, such as domestic servitude, sham or forced marriages, begging as well as for organ removal.

In our 2016 global report, we found, not surprisingly, that international routes for trafficking in persons broadly resembled international migration routes. We also found, again not surprisingly, that the share of foreigners among victims of trafficking is higher in more affluent countries.

Our 2018 global report identifies women and children *en route* to be at increased risk of sexual exploitation and trafficking, while female migrants are particularly vulnerable to trafficking or other crimes upon arrival in the destination country.

The report provided a thematic supplement on trafficking in persons in relation to conflict, and clearly found that conflict situations increase the vulnerability to trafficking.

Areas with weak rule of law and lack of resources to respond to crime provide traffickers with ideal circumstances to carry out their operations.

Based on this knowledge and the generous international framework mentioned previously, we would propose the following points for the kind consideration of those present and the Committee in developing the General Recommendation:

- *First*, emphasis should be placed on enhancing **early identification of potentially trafficked victims, as well as ready access to protection and assistance**. National frameworks still need to be enhanced to adequately identify vulnerabilities and protection needs and ensure referrals, including to legal, medical and psychological services that are gender and age sensitive.
- *Second*, **impunity for traffickers** still prevails throughout the globe. Legislative review and amendment, resourcing and enforcement of criminal justice functions and victim protection measures will contribute to effective responses. We welcome the Concept Note's call to enhance efforts to tackle the financial gains of traffickers, while we would also emphasise the need to act against trafficking networks with a prosecutorial focus on peripheral actors.
- *Third*, it is crucial to enhance responses by ensuring **non-punishment for victims of trafficking** for offences committed as a direct consequence of trafficking; by ensuring that protection and **assistance to victims is not made conditional** upon cooperation with the authorities against suspected criminals; by **expanding victim entitlements** to remedies, including compensation, provision of temporary or permanent residency and work permits in the country of transit or destination. The capacity of front-line actors, including criminal justice practitioners, labour inspectors, asylum authorities, law enforcement and border authorities, should be trained to support.
- *Fourth*, we need to provide greater explicit recognition to the rights of trafficked persons as **victims of crime**. With almost every State now having some form of domestic criminal legislation on trafficking in persons, more emphasis should be placed on States efforts to provide practical measures for trafficking victims throughout all criminal justice processes, including with regard to access to justice.
- *Fifth*, the trafficking of children, particularly girls, remains a key concern. **Strong national child protection and social protection systems** in origin, transit and destination countries can contribute to effectively prevent, identify, refer and address related cases of child violence, abuse and exploitation, including trafficking in children, but further outreach work is needed to assist in early identification and prevention of any further harm, including of unaccompanied children, along migratory routes and at destination.
- *Sixth*, we welcome the call in the Concept Note to address formal **labour markets**, noting that women migrants account for almost half of global migrant workers and more than half of detected victims of trafficking.
- *Seventh*, greater efforts should be made with regards to **collection, sharing, and analysis of disaggregated data**, including on the modus operandi and economic models and

conditions driving trafficking networks, the number of migrant victims of trafficking in persons and other crimes, including the number of women and girls, the factors that entice and allow criminals to target migrants, and the impact of anti-trafficking measures.

- *Finally*, we would like to stress that **cooperation lies at the heart of a broad response to trafficking of women and girls in the context of global migration**: in this sense, it is important to note the *Organised Crime Convention* as a standing but underutilised basis for practical cooperation between 189 Member States regarding trafficking in persons, allowing judicial authorities, law enforcement, border control agencies and other relevant actors to share information, coordinate operational activities, and support investigation and prosecution efforts to tackle transnational organized crime. In the next quarter, UNODC will publish a *Global Handbook on International Legal Cooperation in Trafficking in Persons Cases*, providing criminal justice officials with guidance on how key international cooperation tools can be applied to the investigation and prosecution of trafficking in persons cases.

To conclude, women and girls on migratory paths are particularly targeted by organized criminals, who exploit their need and desire to migrate.

This complex spectrum of abuse and exploitation that female migrants may experience underscores the need to respond to specific situations with tailored responses that address the serious organized crimes that may occur in the context of international migration.

While the international community has long condemned the abuses and exploitation suffered by women and girls, and many states have considerably strengthened their efforts to prevent and prosecute trafficking in persons, and to identify, protect and assist affected persons, much more remains to be done.

We hope that the General Recommendation on trafficking of women and girls in the context of global migration will assist States in providing a holistic, multidisciplinary approach to counter trafficking in persons in a human rights-based, gender and age-responsive way.

Thank you.