



**UNODC**

United Nations Office on Drugs and Crime

## **Remarks by John Brandolino, Director, Division for Treaty Affairs, UNODC**

### **16th Alliance Against Trafficking in Persons High Level OSCE Conference**

#### **“Combating trafficking in human beings for the purpose of forced criminality”**

**11-12 April 2016**

**Excellencies,  
Distinguished Guests,  
Ladies and Gentlemen,**

I would like to thank Secretary General Zannier and Ambassador Jarbussynova for the invitation to address your meeting today.

The OSCE and UNODC have a long-standing partnership that was renewed last month with the signing of an updated partnership memorandum by Secretary General Zannier and UNODC’s Executive Director Yury Fedotov.

Executive Director Fedotov could not make it today, and asked me to send his best wishes for a successful meeting.

Before my remarks, I would also like to take this opportunity and congratulate OSCE for becoming the first partner organization of the Inter-Agency Coordination Group against Trafficking in Persons (ICAT) established by the UN General Assembly to enhance cooperation against this crime.

Ladies and Gentlemen,

As you begin these two days of deliberations on a topic of common concern, I want to assure you of UNODC’s continuing and non-stop attention to the heinous crime of trafficking in persons and our dedication to helping and joining many of you in this room as we act individually and collectively to address it.

Later this year, UNODC will release our biennial Global Report on Human Trafficking. We are working every day to collect and analyse data and practices around the globe.

As we prepare for our 2016 report, one trend we are closely monitoring is forced criminality, one of the core subjects of this year’s Alliance event.

We know that trafficking victims are often forced to commit crimes that can include drug cultivation, drug trafficking and petty crime.

Crimes that generate additional profits with a minimum amount of risk for the criminal masterminds.

---

**Making the world safer from drugs, crime and terrorism**

I say a minimum of risk, as it is usually the very trafficked person that would face criminal charges if detected.

UNODC's 2014 Global Report found that women are convicted at an unusually high rate for trafficking in persons compared to other crimes – 28 percent of women convicted for trafficking in persons compared to roughly 10-15 percent for other crimes.

Analysis of the data seems to indicate that in some cases these women, after years of exploitation, may have been forced into a low-level trafficker's role while still victims of the same crime.

Traffickers improve slightly their conditions but continue to exploit them to recruit and better control new victims.

When the trafficking rings were broken by the authorities, these low-level traffickers – and possibly victims - were the first ones apprehended.

The Trafficking in Persons Protocol describes the purposes of exploitation that need to be included as a minimum by Member States in the definition of human trafficking.

The list does not include forced criminality but it is open-ended -- and forced criminality should indeed be included.

UNODC's Model Law on Trafficking in Persons and all related training manuals encourage Member States to include in their national laws forced criminality among the purposes of exploitation. These guides also encourage the associated principle of non-punishment for crimes that victims may have committed while in a trafficking situation.

UNODC has also developed in close consultation with Member States, a series of issue papers to explore in depth the key concepts of the human trafficking definition especially regarding the role of the victims.

These concepts include: the abuse of a position of vulnerability, the irrelevance of victim consent and the meaning of exploitation.

All relate directly to forced criminality and the non-punishment of victims.

In fact, several courts of Member States have actually cited these papers in cases convicting traffickers and acquitting victims prosecuted for crimes that they have been forced to commit while being trafficked<sup>1</sup>.

I would also like to note here OSCE's important *"Policy and legislative recommendations towards the effective implementation of the non-punishment provision with regard to victims of trafficking"* - to which UNODC provided contributions.

The trend of forced criminality is not the only one UNODC will be examining as finalize our 2016 global report.

Some trends we will be exploring will indeed be positive. For example, thirteen years after the Trafficking in Persons Protocol entered into force, the international community has made significant

---

<sup>1</sup> Argentina and UK

steps in the fight against human trafficking. The Protocol is already approaching universal ratification (169 States Parties) and globally, more than 90% of countries that are Parties to the Protocol have legislation criminalizing trafficking in persons.

Some trends may not be so positive. Successful investigations and prosecutions continue to be a challenge for many countries.

UNODC's 2014 Global Report established that more than 40% of countries continued to have 10 or less convictions a year, with 15% of having no convictions at all.

At the same time, the number of reported victims identified and saved continues to remain low.

We know that the profits of trafficking in persons are great. It is currently one of the most profitable crimes in the world, providing huge assets to its perpetrators.

Money generated at the expense of shattered lives.

Lives – and this is something that everyone around the world needs to be encouraged to keep in mind – that, no matter where you reside, they are all around you -- sometimes hidden, but without a doubt present and likely nearby.

They may be the people cleaning our hotel rooms, building our residences and picking our fruits, having no choice but to comply with the demands of their traffickers.

**Ladies and Gentlemen,**

We, the international community, need to respond to the needs of trafficked persons, collectively ensuring that we enact and implement the right strategies and policies to assist and support them and end impunity for the traffickers.

The Alliance, by bringing together diverse partners, including national authorities as well as international, regional and non-governmental organizations, is helping to promote the cooperative and comprehensive responses we need.

Thank you, Secretary General Zannier and Ambassador Jarbussynova, for hosting this important event, and thanks to everyone for being here.