



UNHCR

United Nations High Commissioner for Refugees
Haut Commissariat des Nations Unies pour les réfugiés

**Organization for Security and Cooperation in Europe
Alliance against Trafficking in Persons**

**People at Risk: Combating Human Trafficking Along Migration Routes
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**Keynote Address by Volker Türk
Assistant High Commissioner for Protection**

Chairperson,
Distinguished Delegates,

I am pleased to be with you today to address the 15th conference of the OSCE Alliance against Trafficking in Persons. The heinous crime of human trafficking wreaks terrible havoc on individual lives around the world and remains a real scourge in our modern society. Millions of people are subjected to trafficking, more than a third of whom are children. Women, men, girls, and boys are often kidnapped, tortured, sold into forced labour, sexually exploited, or sold into marriage by traffickers and their networks.

We see more and more often how the issue of human trafficking intersects with that of forced displacement and refugee protection. The number of people who have been forcibly displaced has risen to more than 59.5 million.¹ Some 42,500 persons were compelled by conflict and persecution to flee from their homes and communities every single day in the past year alone.² The implications of this growing phenomenon for human trafficking are far-reaching:

First, survivors of trafficking may become refugees, fearing return to their countries of origin due to threats by traffickers and criminal gangs made against them and their families. They may be stigmatized and targeted within their own communities, particularly when they have been subjected to sexual exploitation. They may also face reprisals by traffickers within their host countries, requiring their urgent resettlement to third countries for their own protection.

Second, refugees and IDPs fleeing conflict and violence may, in addition, become survivors of trafficking. In times of crisis and conflict, state structures are weakened, enabling criminal gangs and networks to operate more freely. Large numbers of people may be displaced either within their country or across borders, living with considerable physical insecurity and limited access to protection and assistance. In these contexts, the risks of human trafficking are exacerbated, especially for single women and unaccompanied or separated children living in desperate circumstances. Recent crises all around the world have clearly demonstrated this. We have seen how conflicts have resulted in the forced recruitment of children into armed groups, sexual slavery, and the adoption of negative coping mechanisms such as selling women and girls into marriage or children into labour.

¹ UNHCR Global Trends: Forced Displacement in 2014, available at: <http://www.unhcr.org/556725e69.html>.

² Ibid.

Human trafficking also thrives on restrictive border and asylum policies. The more our borders are closed, the riskier and more clandestine attempts by refugees to reach safety become. In the absence of viable alternatives to accessing protection, refugees may have no recourse other than to entrust their lives to smugglers or fall prey to traffickers, with all the risks that this entails for their well-being and physical safety. The recent discovery of mass graves of trafficking victims in southern Thailand and Malaysia reminds us, as well, that there are not only survivors of trafficking, but also victims.

Also, when smugglers use their position of power to exploit and abuse fleeing refugees and migrants, human smuggling may deteriorate into human trafficking. Taking advantage of the desperation or vulnerable circumstances of their clients – before, during, or after the journey itself – traffickers extract additional money, sexual services, or forced labour from them. This has been a cause for concern with the recent increase in refugees being smuggled across the Mediterranean Sea or Europe's eastern borders. While there is little indication to date of refugees being trafficked in these contexts, we have received reports of horrific violence and abuse inflicted by smugglers, especially in Libya, but also in the Western Balkans and elsewhere.

This is unacceptable. Addressing this problem demands a comprehensive approach – one that recognizes that security and protection are not mutually exclusive. It is essential that we move beyond short-sighted and punitive responses to refugees and migrants. States are entitled to manage entry into their territories. Yet building ever higher fences and restricting access to asylum can result in *refoulement* – contrary to States' shared responsibilities for refugee and human rights protection. Such responses are unlikely to pave the way for the sustainable or truly cooperative management of mixed migratory flows. They merely push them underground or divert them.

No doubt, expanded efforts are needed to hold perpetrators of trafficking accountable for their crimes. At the same time, we have a moral and legal responsibility to ensure that individuals subjected to trafficking have access to safety, protection, and support. These two goals must continue to go hand-in-hand if we are to achieve any level of success in our efforts to combat trafficking. An international legal framework already exists that provides a response incorporating both criminal law enforcement and protection of survivors.

On the crime control side, it is important to move forward with a coordinated approach involving law enforcement, the private sector, and local authorities. This entails redressing the violence, inequality, corruption, and impunity that enable trafficking syndicates to thrive and maximize their profits. Measures are needed to disrupt and permanently disable trafficking syndicates. This requires stepped-up law enforcement, including the prosecution of individuals involved in trafficking whoever they may be and whatever their affiliation. To be successful, close cross-border cooperation must begin far up-stream in the process as the criminal nexus stretches across boundaries and territories.

On the protection front, we need to embed our approaches to trafficking within a broader strategy for refugees, asylum-seekers, internally displaced persons, stateless persons, and other persons of concern. To better protect survivors of trafficking who become refugees, UNHCR has issued guidelines for States on the determination of their refugee status.³ This needs to be accompanied by effective identification and referral mechanisms between governmental authorities involved in enforcement and anti-trafficking and those responsible for granting international protection. Strengthened systems for the identification of survivors and victims of trafficking are urgently

³ *GUIDELINES ON INTERNATIONAL PROTECTION No. 7: The application of Article 1A(2) of the 1951 Convention and/or 1967 Protocol relating to the Status of Refugees to victims of trafficking and persons at risk of being trafficked*, available at <http://www.refworld.org/docid/443679fa4.html>.

required for criminal prosecution – if we cannot account for the survivors and victims, traffickers can operate freely, unchecked and unaccountable – a point firmly underscored by the OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings in her timely and welcome statement delivered in Portugal last month.

A protection-oriented approach also recognizes that people will move in search of safety, security, and opportunity. With one in seven persons today being a migrant,⁴ mixed migratory movements are not a phenomenon that we could or should try to stop. Rather it is time that we accept this reality and find ways to respond meaningfully to individuals to ensure that there are possibilities for them to be safe either in transit or where they live. For example, expanding access to legal, affordable, and safe migration channels would provide a credible alternative to risky journeys with traffickers. We continue to urge States, including those represented here today, to provide more opportunities for safe routes to protection through resettlement, humanitarian visas, family reunification, private sponsorship arrangements, student scholarships, and labour mobility schemes.

At the same time, we must turn our attention to addressing the more fundamental issues that enable human trafficking to continue – to ensuring safety as well as better opportunities where people live, so that they do not have to resort to dangerous onward movements over land or by sea. We see this clearly with the need for peace-building, strengthened protection space, social cohesion and support, and access to economic and social rights in so many countries where refugees and migrants find it increasingly difficult to remain. This is also very much the case for individuals who are stateless. Being stateless, often without proper documentation, results in considerable hardship, from poverty and destitution, to discrimination, to lack of access to legitimate job opportunities, education, and basic services, which exacerbate the risk of falling prey to traffickers. I would therefore encourage you to become familiar with our global *#IBelong Campaign* to end statelessness within the next 10 years.⁵ If we manage collectively to reach this goal, we would have eliminated an important source of vulnerability to human trafficking.

Part of coming to terms with the reality of refugees and migrants on the move today is also recognizing that they make positive contributions to our societies and deserve to be treated with dignity and respect. Protection in this sense, then, also means the possibility of living in an environment where damaging, xenophobic rhetoric is countered by constructive, inclusive narratives of welcome and support. I invite us to recall the occasions since World War II where Europeans have risen time and again to meet such challenges head on – offering empathy, support, and hope in the face of tragedy, loss, and despair to so many refugees in need of protection.

We also need to think more broadly about how we can address enforcement and protection simultaneously. States are, of course, responsible for preventing, punishing, and redressing the crime of human trafficking. However, as this is a phenomenon that occurs across borders, no State can do this on its own. Coordinated efforts, with the support of key partners, are critical in sending, transit, and receiving countries.

Engagement and coordination on enforcement and protection can be more effective when based upon a better understanding of the problem. Systematic, shared data collection is therefore essential. Information about trafficking networks and routes may be gleaned from targeted research initiatives and testimonies of survivors. Such information is vital to prosecutions, gives

⁴ World Bank, *Migration and Development Brief 22*, Migration and Remittances Team, Development Prospects Group, 11 April 2014, <<http://siteresources.worldbank.org/INTPROSPECTS/Resources/334934-1288990760745/MigrationandDevelopmentBrief22.pdf>>, accessed 20 January 2015.

⁵ <http://ibelong.unhcr.org/en/home.do>.

voice to survivors, and challenges the impunity of traffickers, although I must caution against conditioning survivors' access to protection on their agreement to provide testimony in prosecutions. Data analysis can also guide prevention strategies. Information campaigns, for example, can be effective if we get the messaging right, with clear, accurate, and appropriate information designed to empower and inform rather than frighten and intimidate.

Legal and institutional responses should not only be based upon solid and timely information about the human trafficking industry, but also be sufficiently resourced. UNHCR, EASO, UNODC, and IOM have a wealth of experience in this regard and often work directly with frontline officials in governments, building capacity to identify and respond to the needs of migrants, asylum-seekers, and refugees, including those who have been trafficked. UNHCR can provide training on international obligations, standards, and practices for law enforcement officials throughout the region, drawing upon our vast operational experience in addressing mixed movements around the world.

The OSCE, as the largest regional security organization, is well placed to further the dialogue on migration and human trafficking. UNHCR would welcome cooperation with the OSCE on relevant aspects of modern migration management policies and the protection of vulnerable persons on the move in the region. Regional economic and trade arrangements, such as the European and Eurasian Unions, facilitate the effective circulation of persons, labour, and skills, and an existing framework for counter-trafficking is in place. States can count on the continued support and practical engagement of UNHCR in joint efforts at this critical time.

In conclusion, Chairperson, let me reiterate that the growing number of people forcibly displaced globally means an increasing number of individuals who may be at heightened risk of trafficking. This requires that we intensify our efforts both to hold perpetrators to account and to protect survivors. Now, more than ever, is meaningful, substantial, and concerted action urgently required by us all.

Thank you.