

15TH ALLIANCE AGAINST TRAFFICKING IN PERSONS CONFERENCE
“People at risk: combatting human trafficking along migration routes”
6-7 July 2015, Hofburg, Vienna

Opening Remarks by Beatriz Balbin, ODIHR First Deputy Director

Excellencies, ladies and gentlemen

I am honored to address you today at this conference dedicated to “People at risk: combating human trafficking along migration routes”. I express my gratitude to the Special Representative and Co-ordinator for Combating Trafficking in Human Beings, Ambassador Madina Jarbussynova and her Office, for providing this important forum for exchange and the opportunity to contribute to this discussion on behalf of the Office for Democratic Institutions and Human Rights. ODIHR has long enjoyed open and constructive cooperation with your Office, Ambassador Jarbussynova, and I am looking forward to continuing this positive engagement.

The OSCE Permanent Council decided, in December 2013, to adopt the Addendum to the 2003 OSCE Action Plan to Combat Trafficking in Human Beings. The addendum reaffirmed the relevance of OSCE commitments on combating trafficking in human beings, emphasizing the utmost importance of a comprehensive, human rights-based approach, in the interest of the victim, to combat all forms of trafficking in human beings. This includes *ensuring that victims are treated in a manner that respects their human rights and fundamental freedoms and that they are provided with access to justice, to legal assistance and to effective remedies and other services as applicable*. It also reiterated ODIHR’s mandate to *collect and provide participating States with relevant information on best practices related to identification, assistance to and return of trafficked persons to the countries of origin*. The strength of ODIHR’s implementation of this mandate has always been in its human rights-based, gender-sensitive and victim-centered approach.

The link between trafficking in human beings and the broader phenomenon of international migration is a complex matter that needs to be further considered, taking into account the rapidly changing political, economic and security contexts in different parts of the world. Indisputably, movement of people across international borders significantly increased over the past years, and drawing clear distinctions between refugees, migrants, trafficked persons and others has become extremely challenging. People move for a variety of reasons, some voluntarily, others forced to flee

conflict, violence and persecution in search for asylum. What they have in common is the fact that they make use of the same routes and means of transport to get to their destination. Many of these movements take place without required documentation, make use of unauthorized border crossings or involve smugglers. The risk of people falling victims to traffickers in such complex contexts, taking place over a considerable time period, is extremely high; so is the risk that victims of trafficking, including minors, remain unidentified as such and left without the necessary assistance.

OSCE participating States experience all stages of mixed movements of people – as countries of origin, transit or destination, or as a combination of all of these – making combating human trafficking along migration routes a concern for all participating States. The response to trafficking in human beings in the OSCE region needs to be strengthened and tailored to reflect and address the new realities and challenges. Participating States need to be cautious not to misstep in their attempts to address irregular migration and trafficking in human beings, and make sure that their actions do not compromise the rights of those they are intended to protect. ODIHR’s work has proven that we need to continue our awareness-raising initiatives and strengthen the capacity of state authorities and civil society actors involved in developing and applying relevant laws, policies and practices, to mitigate the risks to people falling victims to trafficking. Efforts at the national level to regulate migration and address trafficking in human beings have to be guided by national legislation and policies that are sound, transparent and compliant with OSCE commitments and international standards. ODIHR is committed to continue its assistance to OSCE participating States in reviewing draft and existing legislation related to migration and trafficking in human beings, and offering thematic guidelines and recommendations to ensure effective implementation of OSCE commitments and international standards.

None of the new challenges can be addressed in isolation. National and international efforts to address human trafficking in the context of migration have to be more coherent and better coordinated. A crucial prerequisite is the building and strengthening of relevant local and national institutions. In 2004, ODIHR published its practical handbook *National Referral Mechanisms - Joining Efforts to Protect the Rights of Trafficked Persons*. It provided guidance on how to design and implement sustainable mechanisms and structures to combat human trafficking and support victims, as well as how best to monitor and build the capacity of such mechanisms and structures. Much has changed in the OSCE region in the decade since the handbook’s publication, both in terms of accomplishments and challenges. We believe that investing resources in the revision and update of the Handbook to reflect those changes would benefit the entire OSCE family and all OSCE participating States.

Ensuring the safe return of trafficked persons and preventing their re-victimization is another key component in the fight against trafficking that is relevant to countries of origin, transit and destination across the OSCE region and beyond. The *Guiding Principles on Human Rights in the Return of Trafficked Persons* that ODIHR published last year are intended to assist participating States to develop policies that help strengthen collective responses to human trafficking and contribute to advancing the security and protection needs of those who are most vulnerable to this crime. With adequate support, we are committed to continue and widen the use of this important tool to strengthen our assistance to the OSCE participating States as they, individually and collectively, take steps to improve their response to trafficking in human beings in the context of new migration challenges.

We also should not forget one of the key elements of a comprehensive approach to preventing trafficking in human beings: the facilitation of regular and safe migration and the protection of the rights of migrants. In this area ODIHR continues to support the development of gender-sensitive labor migration and migrant integration policies that also provide framework for the protection of fundamental rights and freedoms of regular migrants and their family members.

Ladies and Gentlemen,

In 2010, Navi Pillay, UN High Commissioner for Human Rights reminded us that *all those involved in anti-trafficking efforts should integrate human rights into their analysis of the problem and into their responses. This approach requires us to consider, at each and every stage, the impact that a law, policy, practice or measure may have on persons who have been trafficked and persons who are vulnerable to being trafficked. It means rejecting responses that compromise rights and freedoms.* ODIHR past and future approach to anti-trafficking is well reflected in those words.

I would like to stress again that ODIHR greatly values the opportunity to be an active contributor to our collaborative efforts. I am confident that the results of our discussions in this conference will help us to respond better to existing challenges to combating trafficking in human beings in the OSCE region and beyond in the years to come.

Thank you for your attention.