



**Organization for Security and Co-operation in Europe
High Commissioner on National Minorities**

OPENING REMARKS

by

Knut Vollebaek

OSCE High Commissioner on National Minorities

to the

Alliance Against Trafficking in Persons 11th Conference

**“An Agenda for Prevention of Human Trafficking: Non-discrimination and
Empowerment”**

[Check against delivery]

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Excellencies,

Ladies and Gentlemen,

Thank you for the invitation to speak here today on a topic which is relevant and important in all OSCE participating States. Trafficking in human beings has aptly been characterized as modern-day slavery, and it is a source of immeasurable suffering for a significant number of people throughout the OSCE area. Trafficking probably affects all OSCE participating States to some extent, but obviously some countries have bigger challenges in this area than others. Likewise, some groups of people are at a higher risk of becoming victims of trafficking than others. These are often the people who are already in a weak position in our societies, and unfortunately, persons belonging to national minorities are sometimes in this very position. That is why I am here today.

The focus of this conference is prevention. Being in the business of prevention myself, I spend much of my time encouraging policymakers to take action today in order to keep problems from worsening tomorrow. As you can imagine, this is not always easy. Politicians tend to be reluctant to take action without a clear political payoff. Nonetheless, the case for prevention is strong. By addressing the root causes of problems we can save ourselves valuable time, resources and even lives in the future.

Like inter-ethnic tensions, which are the focus of my conflict prevention work, human trafficking has multiple causes. Marginalization and discrimination of groups and individuals in society have been identified as two of the underlying social causes of trafficking. That persons belonging to national minorities are especially vulnerable to trafficking is noted in international documents, including the OSCE Action Plan to Combat Trafficking in Human Beings, which calls on States to address all forms of discrimination against minorities.

The links seem evident enough. Direct and indirect discrimination, and the exclusion and isolation of minorities, make them more susceptible to exploitation. Aggressive nationalism and ethnic tensions may send a message to minorities that they face an uncertain future in a particular society, leading them to seek opportunities elsewhere, including entering into situations where they are exposed to the risk of trafficking. Persons belonging to national minorities may face additional barriers to accessing legal protection and justice. Isolation and

separation of minorities, and poor relations between law enforcement bodies and minority communities, can also create the conditions for ethnically based criminal networks engaged in trafficking to thrive.

But in order to address the vulnerability of persons belonging to national minorities to trafficking, we need to look at how and why they face marginalization and discrimination in society. This is where I believe that my experience and that of previous High Commissioners can be useful. Marginalization and discrimination of national minorities are also key harbingers of inter-ethnic tensions. This is why, during its almost twenty years of existence, the institution of the HCNM has tried to understand and explain the links between these phenomena in order to be able to advise States on how to address the signs at an early stage.

The HCNM approach to these challenges has evolved into one where we speak of “integration with respect for diversity”. To put it simply, marginalization and discrimination are more likely to occur in situations when integration is lacking. But this should not be seen as a question of simply integrating minorities into society; it is a question of integrating society as a whole. Integration is a process that facilitates effective participation of all members of a society in its economic, political, social and cultural life. Integration should also foster a sense of belonging to a common society.

This all sounds very idealistic, I know. But what does it mean for governmental and non-governmental actors? In the past year I have invested quite a lot of my time in trying to analyse and consolidate HCNM experience in promoting the integration of diverse societies. This has resulted in a new set of HCNM guidelines that will be launched next month. I will share with you some of the things we have learned in the hope that it will contribute to the discussion on how to promote non-discrimination and empowerment of national minorities as well as other groups who are vulnerable to trafficking

In the HCNM’s experience, the protection of human rights, including minority rights, is of fundamental importance to stable societies. But recognizing and accommodating minority culture and identity is often not enough to ensure that minorities can fully and effectively participate in society. I see in many OSCE participating States that varying degrees of separation and exclusion persist and in some cases are worsening despite existing human rights and minority rights commitments.

States can take an important step towards addressing this issue by developing comprehensive integration policies. Unfortunately, there is no handy template that can be applied by all States and in all situations. Integration policies, like other policies, should be contextual, and should be developed in consultation with the relevant stakeholders. They require first and foremost a proactive approach by States. For example, while all States should have laws prohibiting discrimination, with adequate legal remedies, they also need to adopt targeted policies to remove obstacles that prevent individuals from enjoying effective equality.

An important goal of integration policies should be to strike the right balance. While recognizing and promoting the rights of minorities as well as majorities, they should also recognize that everyone in society should be able to contribute to its functioning. States should promote interaction between communities, while also respecting the freedom of individuals to foster a sense of belonging within their own communities. Because achieving the right balance is difficult and situations change over time, policies should be constantly monitored and adjusted as and when required.

I will provide a few specific examples of State policies that, in my opinion, are helping to facilitate the integration process and thereby address non-discrimination and empowerment of national minorities.

In many countries, the implementation of comprehensive minority rights legislation is helping facilitate the enjoyment of minority rights as well as providing better access to remedies. It can also send an important message to minorities that their rights are valued and protected in a visible way.

Non-discriminatory and inclusive citizenship policies, and measures to limit *de jure* and *de facto* statelessness, can enhance the security of individuals by strengthening their bonds with the States where they reside and ensuring their access to available rights and remedies. The Zagreb Declaration of October 2011, which I helped to facilitate together with the European Union, the Council of Europe and the UNHCR, calls for measures to address problems caused by the lack of registration and civil documents in South-Eastern Europe that contribute to the marginalization of vulnerable groups, particularly the Roma.

Anti-discrimination is a core aspect of policies aimed at facilitating effective participation of minorities, but such policies should also include targeted measures to promote inclusion so that minorities have a voice and a stake in their societies. In some countries where I work, advisory or consultative bodies with minority representation play a useful role in contributing to decision-making, but I have also seen that such structures can be undermined if minority representatives are hand-picked by the government or if their views are never taken into account. Other mechanisms used in some OSCE participating States include arrangements in electoral systems to enable minority representation, formal or informal allocation of nominated positions to persons belonging to national minorities, and targeted efforts to recruit persons of minority backgrounds to civil service positions. In terms of socio-economic participation, attention to removing barriers to employment and to developing targeted economic development policies in areas populated by minorities can help address the “push” factor in trafficking by providing minorities with better opportunities and living conditions in the countries where they reside.

Education is also closely linked to access to opportunities. Through my engagement in countries in the OSCE region, I have seen that the quality of education offered to national minority students affects their ability to fully participate in political, social and economic life. While States should provide the opportunity for national minorities to learn and be instructed in their own languages, they also need to ensure that minority students obtain a command of the State language so as to enable them to participate on an equal footing with students of other linguistic backgrounds. Indeed, language training opportunities should be made available to those of all ages who have not yet mastered the State language. I have also noted how active steps to send a positive message about diversity, such as promoting the use of different languages in the media or the public display of diverse flags and symbols, can reassure minority communities about their right to equal status and a secure future in the society in which they live.

These are just a few examples of policies and practices that can help address isolation and exclusion. Cross-cutting integration policies seeking to promote equality and participation for all can be additional, useful tools in the toolbox for States in their efforts to combat and prevent human trafficking in the OSCE region.

I will add, if I may, one final point, a challenge if you will. Government officials and minority representatives with whom I meet when I travel tend not to name human trafficking as one of their concerns. A sign, perhaps, that there is room for improvement in our awareness and understanding of how the problem of trafficking affects minorities in the OSCE region. Although minorities are often considered to be a group particularly vulnerable to human trafficking, this view needs to be backed up with more thorough research and analysis in order to help policymakers and the international community develop appropriate responses. I hope that the discussions here at the conference today and tomorrow will go some way towards meeting this challenge.